
STATUTORY INSTRUMENTS

2010 No. 2870

**The Marine (Scotland) Act 2010
(Consequential Provisions) Order 2010**

Marine planning

3.—(1) The Secretary of State may give a direction in relation to any national marine plan or regional marine plan adopted by the Scottish Ministers under paragraph 14 of schedule 1 to the 2010 Act provided the Secretary of State is satisfied that—

- (a) a marine policy statement is currently in effect for the Scottish marine area (within the meaning of section 6(3) of that Act);
- (b) the plan complies with section 6(1) of that Act; and
- (c) the plan states that it will apply to reserved functions only if a direction under this paragraph is given.

(2) The Secretary of State must publish a direction under paragraph (1) in a way calculated to bring the direction to the attention of persons likely to be interested in or affected by it.

(3) A direction under paragraph (1)—

- (a) may be withdrawn at any time; and
- (b) ceases to have effect if the plan to which it relates has been amended under section 8 of the 2010 Act.

(4) While any direction under paragraph (1) continues in effect—

- (a) section 15 of the 2010 Act applies to decisions made by public authorities in the exercise of reserved functions; and
- (b) any plan to which such a direction relates is an “appropriate marine plan” for the purposes of that section (as applied by sub-paragraph (a)).