

*These notes relate to the Nature Conservation (Scotland) Act
2004 (asp 6) which received Royal Assent on 11 June 2004*

NATURE CONSERVATION (SCOTLAND) ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Protection of Wildlife

Section 51 Scottish Marine Wildlife Watching Code

421. **Section 51** obliges SNH to prepare and issue an advisory code covering whale and dolphin watching and other similar activities involving the watching of marine wildlife. The code is to be known as the Scottish Marine Wildlife Watching Code and is to provide recommendations, advice and information relating to both commercial and recreational wildlife watching activity. The Code is intended, in particular, to provide information on the avoidance of disturbance to marine wildlife.
422. SNH is obliged to review and revise the Code as appropriate. SNH must consult with interested persons before drawing up the Code and before making any revisions to it. SNH has a further obligation to publish the Code using appropriate media and to promote awareness and understanding of the Code.
423. Further specific provision in relation to the protection of cetaceans and basking sharks is made in paragraph 8(6) of Schedule 6.