

*These notes relate to the Marine (Scotland) Act 2010
(asp 5) which received Royal Assent on 10 March 2010*

MARINE (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 4 – Marine Licensing

Licensable marine activities

Section 21 - Licensable marine activities

31. **Section 21** lists the licensable marine activities. The list is similar to that applying under existing requirements, except that all forms of dredging will become licensable under this section. In summary all vessels, aircraft or structures, regardless of their country of origin, will need a licence to deposit or incinerate any object or substance within Scotland's marine area. All vessels, aircraft or structures, regardless of their country of origin, will need a licence before they are loaded in Scotland or in Scotland's marine area with any substance or object for incineration at sea. Section 21(1) does not apply to fishing by any method.
32. **Section 21(3)** permits the Scottish Ministers to add or remove any activity from the list of licensable marine activities by order. Section 21(4) states that the Scottish Ministers must have regard to the need to protect the environment, to protect human health and to prevent interference with legitimate uses of the sea, and to any other matters that Ministers deem relevant when making an order to add or remove an activity from the list of licensable marine activities.