



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 5

#### MARINE PROTECTION AND ENHANCEMENT: THE SCOTTISH MARINE PROTECTION AREA

##### *Demonstration and Research MPAs*

#### **71 Demonstration and Research MPAs: additional requirements relating to designation**

- (1) An area may be designated by a designation order as a Demonstration and Research MPA if the Scottish Ministers consider it desirable to do so for any of the following purposes—
  - (a) demonstration of sustainable methods of marine management or exploitation,
  - (b) research into such matters.
- (2) The order must state—
  - (a) whether it is for the purpose of demonstration or research, or both,
  - (b) the method or methods of marine management or exploitation to be demonstrated or researched.
- (3) In considering whether to designate an area, the Scottish Ministers may—
  - (a) have regard in particular to the views of any relevant delegate as to the desirability of demonstrating or researching sustainable methods of marine management or exploitation in the area,
  - (b) have regard to any social or economic consequences of designation.
- (4) For the purposes of subsection (3)(a), a “relevant delegate” means any delegate designated in a direction under section 12(1)(b) to exercise functions in relation to a regional marine plan for the Scottish marine region in which any part of the proposed Demonstration and Research MPA lies.

#### **Commencement Information**

**II** S. 71 in force at 1.7.2010 by S.S.I. 2010/230, art. 2(b)

*Status: Point in time view as at 01/07/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Cross Heading: Demonstration and Research MPAs . (See end of Document for details)*

## **72 Demonstration and Research MPAs: further provision**

- (1) A designation order designating an area as a Demonstration and Research MPA—
  - (a) must identify the area's boundaries,
  - (b) may provide for a boundary to be determined by, or by reference to, mean high water spring tide.
  
- (2) A Demonstration and Research MPA may include (in addition to an area of sea referred to in section 67(1)) an area of seashore lying above mean high water spring tide if—
  - (a) the area of seashore adjoins the area of sea, and
  - (b) the inclusion of the area of seashore is necessary to further or support the purpose for which the area of sea is designated.

### **Commencement Information**

**I2** [S. 72](#) in force at 1.7.2010 by [S.S.I. 2010/230](#), [art. 2\(b\)](#)

**Status:**

Point in time view as at 01/07/2010.

**Changes to legislation:**

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Cross  
Heading: Demonstration and Research MPAs .