



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 6

#### CONSERVATION OF SEALS

##### *Seal conservation areas*

#### **118 Seal conservation areas**

- (1) The Scottish Ministers may designate an area as a “seal conservation area” where they consider it necessary to do so in order to ensure the proper conservation of seals.
- (2) The Scottish Ministers must consult the Natural Environment Research Council before designating a seal conservation area.
- (3) The Scottish Ministers must—
  - (a) publish a designation in a manner which they consider most likely to bring the proposal to the attention of persons likely to be affected by it,
  - (b) make a copy of a designation available for inspection at one of their offices at all reasonable hours, and
  - (c) provide a copy of a designation to any person who requests one.
- (4) The Scottish Ministers may charge a fee, not exceeding their expenses, for providing a copy under subsection (3)(c).

#### **119 Effect of seal conservation area status: licensing decisions**

The Scottish Ministers must not grant a seal licence authorising the killing or taking of seals in a seal conservation area unless they are satisfied—

- (a) that there is no satisfactory alternative way of achieving the purpose for which the licence is granted, and
- (b) that the killing or taking authorised by the licence will not be detrimental to the maintenance of the population of any species of seal at a favourable conservation status in their natural range (within the meaning of Article 1(e) of the Habitats Directive).