



Marine (Scotland) Act 2010

2010 asp 5

PART 6

CONSERVATION OF SEALS

Seal licences

112 Seal licence conditions

- (1) A seal licence must impose conditions—
 - (a) specifying the maximum number of seals which may be killed or taken, and
 - (b) specifying steps which must be taken in relation to any seal injured when attempting to kill or take it in accordance with the seal licence in order to reduce the risk of it suffering unnecessarily.
- (2) A seal licence which authorises the killing of seals by shooting must impose conditions—
 - (a) specifying the type of firearm which must be used,
 - (b) specifying the weather conditions in which a person may attempt to shoot a seal,
 - (c) specifying how close a person must be to a seal before attempting to shoot it,
 - (d) prohibiting a person from attempting to shoot a seal from an unstable platform, and
 - (e) about the recovery of carcasses.
- (3) A seal licence may impose other conditions.
- (4) Conditions may, for example, specify—
 - (a) the area in which seals may be killed or taken,
 - (b) the species of seal which may be killed or taken,
 - (c) the circumstances in which seals may be killed or taken,
 - (d) any period during which seals may not be killed or taken, for example, when females of the species of seal for which the licence has been issued are likely to be in an advanced stage of pregnancy or have dependent pups.
- (5) Failure to comply with a condition imposed is an offence.

Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 112. (See end of Document for details)

- (6) In any proceedings for such an offence, it is a defence for the person charged to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

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Commencement Information

II S. 112 in force at 1.9.2010 by [S.S.I. 2010/230](#), **art. 3(a)**

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