



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Licences

30 Variation, suspension, revocation and transfer

- (1) The Scottish Ministers may by notice vary, suspend or revoke a licence granted by them if it appears to them that there has been a breach of any of its provisions.
- (2) The Scottish Ministers may by notice vary, suspend or revoke a licence granted by them if it appears to them that—
 - (a) in the course of the application for the licence the applicant either—
 - (i) supplied information to them that was false or misleading, or
 - (ii) failed to supply information that the applicant might reasonably have been expected to supply, and
 - (b) if the correct information had been supplied—
 - (i) they would have, or
 - (ii) it is likely that they would have,refused the application or granted the licence in different terms.
- (3) The Scottish Ministers may by notice vary, suspend or revoke a licence granted by them if it appears to them that the licence ought to be varied, suspended or revoked for any of the following reasons—
 - (a) because of a change in circumstances relating to the environment or human health,
 - (b) because of increased scientific knowledge relating to either of those matters,
 - (c) in the interests of safety of navigation,
 - (d) for any other reason that appears to the Ministers to be relevant.
- (4) Any suspension under subsection (1), (2) or (3) is for such period as the Scottish Ministers may specify in the notice of suspension.
- (5) The Scottish Ministers may by further notice extend the period of the suspension.

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to Marine (Scotland) Act 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (6) But a licence may not by virtue of this section be suspended in total for a period exceeding 18 months.
- (7) On an application made by a licensee, the Scottish Ministers may vary a licence if satisfied that the variation being applied for is not material.
- (8) On an application made by a licensee, the Scottish Ministers—
- (a) may transfer the licence from the licensee to another person, and
 - (b) if they do so, must vary the licence accordingly.
- (9) A licence may not be transferred except in accordance with subsection (8).

Commencement Information

II S. 30 in force at 6.4.2011 by [S.I. 2011/58](#), [art. 3\(a\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 132(7)(a) words substituted by [S.S.I. 2019/55 reg. 2\(4\)\(a\)](#)
- s. 132(7)(b) words substituted by [S.S.I. 2019/55 reg. 2\(4\)\(b\)](#)