



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)

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)

Changes to legislation:

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Heading: Demonstration and Research MPAs .