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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 157**

**The Marine Works and Marine Licensing  
(Miscellaneous Temporary Modifications)  
(Coronavirus) (Scotland) Regulations 2020**

**Citation and commencement**

1. These Regulations may be cited as the Marine Works and Marine Licensing (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 and come into force immediately after they are made.

**Amendment of the Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013**

2.—(1) The Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013(1) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 3 (interpretation), omit the “and” that follows the definition of “pre-application consultation statement” and after that definition insert—

““relevant period” means the period beginning on 21 May 2020 and ending on the date on which Part 1 of the Coronavirus (Scotland) Act 2020(2) expires in accordance with section 12 of that Act; and”.

(3) In regulation 7(1) (pre-application consultation event) for “The prospective” insert “Subject to regulation 7A, the prospective”.

(4) After regulation 7 insert—

**“Temporary relaxation of pre-application consultation requirements during  
Coronavirus emergency period**

7A.—(1) Regulation 7 applies during the relevant period and during the period of 6 weeks immediately after the end of the relevant period, as if—

(a) in paragraphs (1)(a), (2), (3)(a) and (c) after “pre-application” (in each place it occurs) there were inserted “online”;

(b) in paragraph (1)(b)(iii) “the date and place of the pre-application consultation event” were substituted with “the date and instructions on how to join a pre-application online consultation event”; and

(c) paragraph (3)(b) were omitted.”.

(5) In regulation 8 (pre-application consultation report) for “A pre-application” insert “Subject to regulation 8A, a pre-application”.

(6) After regulation 8 (pre-application consultation report), insert—

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(1) S.S.I. 2013/286.

(2) 2020 asp 7.

**“Temporary modification of form of pre-application consultation report**

**8A.** Where regulation 7A applies, regulation 8 applies as if the form referred to in that regulation were substituted with the form set out in the schedule of the Marine Works and Marine Licensing (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020.”.

**Amendment of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017**

**3.—(1)** The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017(3) are amended in accordance with paragraphs (2) to (12).

(2) In regulation 2(1) (interpretation), before the definition of “Scottish marine protection area” insert—

““relevant period” means the period beginning on 21 May 2020 and ending on the date on which Part 1 of the Coronavirus (Scotland) Act 2020 expires in accordance with section 12 of that Act;”.

(3) In regulation 16(2) (publication of EIA report) for “A notice” substitute “Subject to regulation 16A, a notice”.

(4) After regulation 16 insert—

**“Temporary relaxation of requirement for publication of EIA report**

**16A.** Regulation 16(2)(c) applies during the relevant period as if “and the times and places at which, and the means by which the EIA report is available for inspection” were substituted with “on the application website”.”.

(5) In regulation 19(1) (copies of EIA report for the Scottish Ministers) for “Where” substitute “Subject to regulation 19A, where”.

(6) After regulation 19 insert—

**“Temporary relaxation of requirement for hard copies of EIA report for the Scottish Ministers**

**19A.** Regulation 19 applies during the relevant period as if—

(a) paragraph (1) required an EIA report in relation to an application for a marine licence to be submitted by means of electronic communication and for the applicant to send two hard copies of the EIA report to the Scottish Ministers but only to send such hard copies if requested to do so by them, and

(b) paragraph (2) were omitted.”.

(7) In regulation 20(1) (copies of EIA report for the public), for “Where” substitute “Subject to regulation 20A, where”.

(8) After regulation 20 insert—

**“Temporary relaxation of requirement for hard copies of EIA report for the public**

**20A.** There is no requirement to make hard copies of an EIA report available for public inspection during the relevant period.”.

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(3) [S.S.I. 2017/115](#) to which there are amendments which are not relevant to this instrument.

(9) In regulation 22(1) (publication of additional information) for “Where” substitute “Subject to regulation 22A, where”.

(10) After regulation 22 insert—

**“Temporary relaxation of requirement for publication of additional information**

**22A.** Regulation 22(3)(c) applies during the relevant period as if “and the times and places at which, and the means by which, the additional information is available for inspection” were substituted with “on the application website”.

(11) In regulation 25(3) (notification of decision) for “A notice” substitute “Subject to regulation 25A, a notice”.

(12) After regulation 25 insert—

**“Temporary relaxation of requirement to make decision notice available for inspection**

**25A.** Regulation 25 applies during the relevant period as if paragraph (3)(c) were substituted with—

“(c) state the details of the website where a copy of the decision notice is available for inspection.”.

St Andrew’s House,  
Edinburgh  
At 1.45 p.m. on 20th May 2020

*FERGUS EWING*  
A member of the Scottish Government