



Marine (Scotland) Act 2010

2010 asp 5

PART 4 **S**

MARINE LICENSING

Appeals against licensing decisions

38 Appeals against licensing decisions **S**

- (1) The Scottish Ministers must by regulations make provision for any person who applies for a marine licence to appeal to the sheriff against a decision under section 29.
 - (2) The regulations required by subsection (1) must come into force on the day on which this Part comes into force.
 - (3) The regulations may include provision—
 - (a) as to the procedure to be followed as respects an appeal,
 - (b) for or in connection with suspending or varying any conditions subject to which the licence was granted, pending determination of the appeal,
 - (c) as to the powers of the sheriff to whom the appeal is made.
- [^{F1}(4) The duty in subsection (1) does not apply in relation to a decision under section 29 to which section 63A applies.]

Textual Amendments

- F1** S. 38(4) added (26.2.2015) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), **ss. 54(2)**, 61(2); [S.S.I. 2015/52](#), art. 2(1)

Commencement Information

- II** S. 38 in force at 6.4.2011 by [S.S.I. 2011/58](#), **art. 3(a)**

Changes to legislation:

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Cross
Heading: Appeals against licensing decisions.