



# 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.

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*Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 30. (See end of Document for details)*

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- (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).

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**Commencement Information**

**II** S. 30 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, Section 30.