



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Exemptions from licensing requirements

- 33 Activities below specified threshold of environmental impact**
- (1) The Scottish Ministers may by regulations provide that licensable marine activities which fall below a specified threshold of environmental impact—
- (a) are not to need a marine licence, but
 - (b) are instead to be registered.
- (2) Regulations under subsection (1) may—
- (a) define or elaborate the meaning of—
 - (i) “fall below”,
 - (ii) “registered”,
 - (iii) “specified threshold of environmental impact”,
 - (b) make further provision in relation to registration of the activities, including in particular the procedure in relation to registration.
- (3) The regulations may also—
- (a) create offences,
 - (b) provide that any offence created is triable summarily or on indictment,
 - (c) provide for any offence created to be punishable—
 - (i) on summary conviction, by a fine not exceeding £50,000,
 - (ii) on conviction on indictment, by a fine, imprisonment for a period not exceeding 2 years, or both.
- (4) The Scottish Ministers must consult such persons as they consider appropriate as to any regulations the Ministers propose to make under subsection (1).