

**Changes to legislation:** There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Cross Heading: Making a control scheme: procedure. (See end of Document for details)

## SCHEDULE 1 COMMERCIALLY DAMAGING SPECIES: CONTROL SCHEMES

### *Making a control scheme: procedure*

- 1 Where the Scottish Ministers propose to make a control scheme, they must serve on every person who carries on a business of fish farming or shellfish farming on whom the scheme proposes to impose any requirement—
- (a) a draft of the proposed scheme, and
  - (b) a notice stating that any such person may, within 14 days of the service of the notice, object to the Scottish Ministers in such manner as may be specified in the notice to the draft control scheme or to any provision contained in it.

#### Commencement Information

**I1** Sch. 1 para. 1 in force at 16.9.2013 by S.S.I. 2013/249, art. 2

- 2 If no objection is duly made under paragraph 1, or if all objections so made are withdrawn, the Scottish Ministers may make the control scheme either in the form of the draft control scheme served under that paragraph or, subject to paragraph 4, with modifications.

#### Commencement Information

**I2** Sch. 1 para. 2 in force at 16.9.2013 by S.S.I. 2013/249, art. 2

- 3 If any objection duly made under paragraph 1 is not withdrawn, the Scottish Ministers—
- (a) must consider the objection, and
  - (b) may make the control scheme either in the form of the draft control scheme served under that paragraph or, subject to paragraph 4, with modifications.

#### Commencement Information

**I3** Sch. 1 para. 3 in force at 16.9.2013 by S.S.I. 2013/249, art. 2

- 4 A control scheme may not be made with any modifications unless—
- (a) every person served with a copy of the draft control scheme under paragraph 1 has been served with a notice of the proposal to make the modification, and
  - (b) every such person—
    - (i) has either consented to the proposal, or
    - (ii) has not, before the expiry of the period of 14 days beginning with the day of the service of the notice, notified the Scottish Ministers in writing that the person objects to it.

#### Commencement Information

**I4** Sch. 1 para. 4 in force at 16.9.2013 by S.S.I. 2013/249, art. 2

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