



Islands (Scotland) Act 2018

2018 asp 12

PART 6

DEVELOPMENT IN THE SCOTTISH ISLAND MARINE AREA

Key definitions

22 Meaning of “development activity”

- (1) In this Part, “development activity” means—
- (a) construction, alteration or improvement works of any description (either in or over the sea, or on or under the seabed),
 - (b) any form of dredging, including—
 - (i) the removal of any material from the sea or seabed, or
 - (ii) using any device to move any material (whether or not suspended in water) from one part of the sea or seabed to another part.
- (2) But the following are not development activities—
- (a) any activity relating to a matter which is a reserved matter by virtue of Section D2 (oil and gas) in Part II of schedule 5 of the Scotland Act 1998,
 - (b) any activity relating to a matter which is a reserved matter by virtue of paragraph 9 (defence) in Part 1 of that schedule,
 - (c) any activity falling within the subject matter of Part 6 (pollution) of the Merchant Shipping Act 1995,
 - (d) any activity involving the placing, assembly or operation of any equipment within the Scottish island marine area for the purpose of fish farming (within the meaning given by section 26(6) of the Town and Country Planning (Scotland) Act 1997),
 - (e) fishing by any other method.

23 Meaning of “Scottish island marine area”

In this Part, “Scottish island marine area” means such part of the Scottish marine area (within the meaning of Part 1 of the Marine (Scotland) Act 2010) which is—

- (a) adjacent to an island, and

Status: This is the original version (as it was originally enacted).

- (b) up to 12 nautical miles from that island, measured from the low water mark of the ordinary spring tide.