



Marine (Scotland) Act 2010

2010 asp 5

PART 5

MARINE PROTECTION AND ENHANCEMENT: THE SCOTTISH MARINE PROTECTION AREA

Marine conservation orders

86 Example provisions for marine conservation orders

- (1) The provision that may be made by a marine conservation order includes provision prohibiting, restricting or regulating—
- (a) entry into or movement, activity or works in the area protected by the order (“the protected area”) by a—
 - (i) person,
 - (ii) animal,
 - (iii) vessel (or a specified type of vessel), or
 - (iv) vehicle or thing (or a specified type of vehicle or thing),
 - (b) the anchoring of any vessel (or types of vessel) within the protected area (including the fixing of moorings or anchors to the seabed),
 - (c) the killing, taking, destruction, molestation or disturbance of animals or plants of any description in the protected area,
 - (d) the removal of all or part of any thing (or category of things) from the protected area, including in particular all or part of a marine historic asset,
 - (e) the depositing (by any means) of anything in a protected area,
 - (f) the doing of anything in the protected area which, in the opinion of the Scottish Ministers, may—
 - (i) interfere with or damage the seabed,
 - (ii) damage or disturb any object in the protected area (including a marine historic asset),
 - (iii) otherwise cause harm to the protected area.
- (2) The provision that may be made may also—

Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 86. (See end of Document for details)

- (a) restrict the speed at which any vessel or vehicle may move in the protected area or in any specified area outside the protected area where that movement might hinder—
 - (i) where the protected area is a Nature Conservation MPA, the stated conservation objectives for it,
 - (ii) where the protected area is a Demonstration and Research MPA, a stated purpose for it,
 - (iii) where the protected area is a Historic MPA, the stated preservation objectives for it,
 - (iv) where the protected area is a European marine site, the conservation objectives for it,
 - (b) include provision prohibiting or restricting entry into, or any movement or other activity on, any part of the seashore that adjoins the protected area by persons, animals or vehicles.
- (3) For the purposes of subsection (1)(a), the reference to works or activities includes reference to—
- (a) the use of equipment (or types of equipment),
 - (b) surveying or exploring a site (whether or not by intrusive methods),
 - (c) fixing or attaching anything to the seabed or (if appropriate) the seashore.

Commencement Information

II [S. 86](#) in force at 1.7.2010 by [S.S.I. 2010/230](#), [art. 2\(b\)](#)

Changes to legislation:

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