POLICY NOTE

THE SOUTH ARRAN MARINE CONSERVATION ORDER 2014 (URGENT CONTINUATION) ORDER 2015

SSI 2015/303

1. The above instrument was made in exercise of the power conferred by section 88(6) of the Marine (Scotland) Act 2010. The instrument is subject to negative procedure.

Policy Objectives

2. The purpose of this instrument is to ensure that the provisions of the South Arran Marine Conservation Order 2014 (SSI 2014/260 as amended by SSI 2014/267) remain in force. The original order was time limited to one year meaning that its protective provisions would expire on 30 September 2015. This Urgent Continuation Order is made to ensure that there is not a gap in the existing protection between the date the original order would have otherwise expired and such time the measures are superseded by the making of a new Marine Conservation Order in due course.

3. Scottish Ministers intend to make a new Marine Conservation Order for the South Arran MPA and on 11 June 2015 they published a draft order. In accordance with the procedure set out in section 87 of the Marine (Scotland) Act 2010 Scottish Ministers invited representations on the content of the order by 12 July 2015. This original deadline was set so that the new Marine Conservation Order could be laid before Parliament in time to take effect before the original order would expire.

4. A number of stakeholders raised concerns over the 4 week deadline and ask for a longer period to prepare responses. Scottish Ministers decided to extend the period for representations until 09 August 2015. This meant that the earliest possible implementation date, without breaching parliamentary procedure, for the new MCO would be after 30 September 2015.

Impact Assessments

5. No impact assessments have been prepared because this Order does not create any new measures. It merely ensures than existing provisions remain in force.

Financial Effects

6. A Business and Regulatory Impact Assessment (BRIA) was completed for the South Arran MPA designation order. In that document lower, intermediate, and upper scenarios were assessed. The impact of this Order will fall between the lower and intermediate scenarios.

Marine Planning and Policy – Marine Scotland
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