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[Redacted]

**Scottish Seafarms Ltd
Blackness Pier
Scalloway Harbour
Shetland
ZE1 0TQ**

Our ref: S08/2020/W

Thursday, 14 January 2021

Dear [Redacted]

**ADVICE:- Marine (Scotland) Act 2010 Conservation of Seals
Licensed authorisation of the killing of seals**

Why we have written to you

Marine Scotland has established that your company has acted outwith the conditions of your Seal Licence issued under the above Act, namely Licence No. (S08/2020/W)

[The conditions clearly state that the Licensee must report any killings, and takings, of seals to the Licensing Authority within 48 hours of the seal being killed, or as the case may be, taken.] or

[The licence clearly authorises a maximum of (12) grey seals and (1) harbour seals may be killed under its authority]

What you should do in similar circumstances in the future

As a Licensee you are required to comply with all aspects of the licence and its conditions and must therefore take reasonable steps to ensure that all future requirements of this licence are adhered to.

Where you can get further advice or guidance

Fishery Office Lerwick, 15 Alexandra Buildings,
Lerwick ZE1 0LL

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www.scotland.gov.uk/marinescotland



The requirements of a Licensee and the License Conditions are clearly attached to your licence and a copy is attached with this letter. Failure to comply with the conditions of this licence is an offence under the Marine (Scotland) Act 2010 Part 6 Section 112 (5)

(see annex A).

It is important that you are fully conversant with all the legal obligations associated with your licence and your attention is drawn to the advice given above. The licence may be revoked at any time.

Yours sincerely

[Redacted]

Fishery Office Lerwick, 15 Alexandra Buildings,
Lerwick ZE1 0LL

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Annex A

112 Seal licence conditions

(1) A seal licence must impose conditions—

- (a) specifying the maximum number of seals which may be killed or taken, and
- (b) specifying steps which must be taken in relation to any seal injured when attempting to kill or take it in accordance with the seal licence in order to reduce the risk of it suffering unnecessarily.

(2) A seal licence which authorises the killing of seals by shooting must impose conditions—

- (a) specifying the type of firearm which must be used,
- (b) specifying the weather conditions in which a person may attempt to shoot a seal,
- (c) specifying how close a person must be to a seal before attempting to shoot it,
- (d) prohibiting a person from attempting to shoot a seal from an unstable platform, and
- (e) about the recovery of carcasses.

(3) A seal licence may impose other conditions.

(4) Conditions may, for example, specify—

- (a) the area in which seals may be killed or taken,
- (b) the species of seal which may be killed or taken,
- (c) the circumstances in which seals may be killed or taken,
- (d) any period during which seals may not be killed or taken, for example, when females of the species of seal for which the licence has been issued are likely to be in an advanced stage of pregnancy or have dependent pups.

(5) Failure to comply with a condition imposed is an offence.

(6) In any proceedings for such an offence, it is a defence for the person charged to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

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