



# Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

## PART 1

### FISH FARMS AND SHELLFISH FARMS

#### *Powers of inspectors and offences*

#### **9 Powers of inspectors: entry**

- (1) An inspector may enter any fish farm or shellfish farm for the purposes of—
  - (a) ascertaining whether any power conferred by or under this Part should be exercised,
  - (b) doing anything in pursuance of the exercise of that power.
- (2) An inspector acting under subsection (1) must, if required, produce evidence of the inspector's authority.
- (3) Any power of entry conferred on an inspector by or under this Part must be exercised at a reasonable hour unless the inspector considers the case is one of urgency.

#### **10 Entry: supplementary**

- (1) This section applies to any inspector exercising any power of entry conferred on an inspector by or under this Part.
- (2) The inspector may take with the inspector—
  - (a) such other persons,
  - (b) such equipment and vehicles,as the inspector considers necessary.
- (3) The inspector may require any person on a fish farm or shellfish farm who falls within subsection (4) to give the inspector such assistance as the inspector may reasonably require.

- (4) The following persons fall within this subsection—
- (a) the person who carries on the business of fish farming or shellfish farming,
  - (b) any other person appearing to the inspector to be under the direction or control of that person,
  - (c) any other person appearing to the inspector to be concerned with the operation of the farm.

## **11 Offences: general**

- (1) A person commits an offence who—
- (a) fails, without reasonable excuse, to comply with a requirement imposed by an inspector by virtue of this Part,
  - (b) obstructs an inspector in the exercise of the inspector's powers under this Part.
- (2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.