



Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

PART 5

MISCELLANEOUS

- 38 Information about fish farming and shellfish farming: economic, social and environmental aspects**
- (1) The Scottish Ministers may make an order under this section for the purpose of obtaining information in relation to the economic, social and environmental aspects of—
 - (a) fish farming,
 - (b) shellfish farming.
 - (2) An order under this section may require any person who carries on a business of fish farming or shellfish farming—
 - (a) to provide to the Scottish Ministers such information, in writing, as may be specified in the order in relation to the purpose mentioned in subsection (1),
 - (b) to compile such records as may be so specified in relation to that purpose,
 - (c) to retain for such period (not exceeding 3 years) as may be so specified, any records compiled by virtue of paragraph (b).
 - (3) An inspector may require the production of, and inspect and take copies of, any records which a person is required to retain by virtue of an order made under this section.
 - (4) Information provided, records compiled and records retained under this section may be provided, compiled and retained electronically.
 - (5) A person commits an offence who—
 - (a) fails, without reasonable excuse, to comply with a requirement of an order under this section,
 - (b) in purported compliance with a requirement of an order under this section knowingly provides any information or compiles a record which is false in a material particular,

Changes to legislation: There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2007, Section 38. (See end of Document for details)

- (c) knowingly alters a record compiled in accordance with a requirement of an order under this section so that the record becomes false in a material particular.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (7) In this section, “fish farming”, “inspector” and “shellfish farming” have the same meanings as in Part 1.

Commencement Information

II S. 38 in force at 1.8.2007 by [S.S.I. 2007/333](#), **art. 2(1)**

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