

*These notes relate to the Marine (Scotland) Act 2010
(asp 5) which received Royal Assent on 10 March 2010*

MARINE (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 4 – Marine Licensing

Offences

Section 39 - Breach of requirement for, or conditions of, licence

53. [Section 39](#) indicates that it is an offence for a person to carry out a licensable activity (as defined in section 21) without a licence or to breach any condition of a licence.
54. A person who is bound by specified conditions in a licence (by virtue of section 29(5)) cannot be considered to have committed an offence unless the Scottish Ministers have issued notice to that person stating that particular conditions must be complied with and the person has subsequently failed to comply with that notice within the period specified in it.
55. [Section 39\(4\)](#) states the maximum penalties for committing an offence under the section.