



Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

PART 3

SEA FISHERIES

Inspection and seizure of objects used in commercial sea fishing

42 Disposal of objects seized under section 39

- (1) This section applies to—
 - (a) an object seized under section 39(3) which the Scottish Ministers—
 - (i) no longer wish to retain for any purpose, or
 - (ii) are required to make available for collection by virtue of section 41,
 - (b) an object seized under section 39(6).
- (2) In this section, “notice of collection” means a notice stating that—
 - (a) the object specified in the notice is available to be collected from the location specified in the notice, and
 - (b) if the object is not collected before the end of the period of 3 months beginning with the date specified in the notice, the Scottish Ministers will dispose of the object.
- (3) The Scottish Ministers must serve a notice of collection on every person who appears to them to be an owner of the object.
- (4) The Scottish Ministers may take any other steps they think fit to notify every such person that the object is available to be collected.
- (5) If the Scottish Ministers, after taking reasonable steps to do so, are unable to identify any person as an owner of the object in order to serve a notice of collection, the Scottish Ministers must take such steps as they think fit to bring the information contained in the notice to the attention of persons likely to be interested in it.

Changes to legislation: There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 42. (See end of Document for details)

- (6) If the Scottish Ministers comply with subsection (3) or (as the case may be) (5), they may, at the end of the period mentioned in subsection (2)(b), dispose of the object in whatever way they think fit.
- (7) Any reference in this section to an object seized under subsection (3) or (6) of section 39 includes a reference to anything seized by virtue of subsection (7) of that section.

Commencement Information

II [S. 42](#) in force at 16.9.2013 by [S.S.I. 2013/249](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 42.