



Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

PART 1

AQUACULTURE

CHAPTER 2

FISH FARMING: EQUIPMENT AND WELLBOATS

Wellboats

7 Marine enforcement officers' functions

- (1) For the purpose of enforcing regulations under section 5(1), a marine enforcement officer has—
 - (a) the common enforcement powers conferred by Part 7 of the Marine (Scotland) Act 2010,
 - (b) the power conferred by section 150 of that Act (power to require information relating to certain substances and objects),
 - (c) the power conferred by subsection (2), and
 - (d) the powers conferred by section 8.
- (2) Where the requirements of an enforcement notice under section 6 have not been complied with, a marine enforcement officer may take such action as the officer considers necessary to fulfil the requirements.
- (3) Sections 151 to 155 of the Marine (Scotland) Act 2010 (duties and liabilities of, and offences in relation to, marine enforcement officers) have effect as if—
 - (a) any reference to a power conferred by Part 7 of that Act included a reference to—
 - (i) such a power as applied by subsection (1),
 - (ii) the power conferred by subsection (2), and

Status: This is the original version (as it was originally enacted).

- (iii) the powers conferred by section 8, and
- (b) any reference to a marine enforcement officer's functions under that Act included a reference to—
 - (i) such functions as applied by subsection (1),
 - (ii) a marine enforcement officer's function under subsection (2), and
 - (iii) a marine enforcement officer's functions under section 8.
- (4) The powers which a marine enforcement officer has for the purposes of enforcing regulations under section 5(1) may be exercised in the Scottish marine area and in any other part of Scotland.
- (5) A marine enforcement officer may take action as mentioned in subsection (2) whether or not proceedings have been taken for an offence under section 6(10).
- (6) The Scottish Ministers may recover any expenses reasonably incurred by a marine enforcement officer in taking action as mentioned in subsection (2) from the person on whom the enforcement notice was served.
- (7) In this section, "Scottish marine area" has the same meaning as in section 1 of the Marine (Scotland) Act 2010.