



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 4

#### MARINE LICENSING

##### *Offences*

#### **42 Offences relating to information**

- (1) A person who, for any of the purposes set out in subsection (2)—
- (a) makes a statement which is false or misleading in a material way, knowing the statement to be false or misleading,
  - (b) makes a statement which is false or misleading in a material way, being reckless as to whether the statement is false or misleading, or
  - (c) intentionally fails to disclose any material information,
- commits an offence.
- (2) The purposes are—
- (a) the purpose of procuring the issue, variation or transfer of a marine licence,
  - (b) the purpose of complying with, or purporting to comply with, any obligation imposed by the provisions of this Part or the provisions of a marine licence.
- (3) A person guilty of an offence under subsection (1) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum,
  - (b) on conviction on indictment, to a fine.

#### **Modifications etc. (not altering text)**

- C1** Ss. 39-42 applied (9.11.2020) by [The Marine Licensing \(Exempted Activities\) \(Scottish Inshore Region\) Amendment Order 2020 \(S.S.I. 2020/316\)](#), arts. 1, **12**

#### **Commencement Information**

- II** S. 42 in force at 6.4.2011 by [S.S.I. 2011/58](#), **art. 3(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 42.