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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 39**

**The Sea Fishing (Prohibition on the Removal  
of Shark Fins) (Scotland) Order 2007**

**Powers of sea-fishery officers: supplementary**

9.—(1) A British sea-fishery officer, or a person assisting such an officer by virtue of article 6(2) or 7(3) or (12), is not liable in any civil or criminal proceedings for anything done in the purported exercise of a power conferred by article 6, 7 or 8 if the court is satisfied—

- (a) that the act was done in good faith;
- (b) that there were reasonable grounds for doing it; and
- (c) that it was done with reasonable skill and care.

(2) A person who—

- (a) fails without reasonable excuse to comply with any requirement imposed on the person by a British sea-fishery officer under a power conferred by article 6 or 7;
- (b) without reasonable excuse prevents, or attempts to prevent, any other person from complying with such a requirement; or
- (c) obstructs such an officer in the exercise of any of those powers or the powers conferred by article 8,

commits an offence.

(3) A person who commits an offence under paragraph (2) is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine.