



# Aquaculture and Fisheries (Scotland) Act 2007 2007 asp 12

## PART 5

### MISCELLANEOUS

- 38 Information about fish farming and shellfish farming: economic, social and environmental aspects**
- (1) The Scottish Ministers may make an order under this section for the purpose of obtaining information in relation to the economic, social and environmental aspects of—
    - (a) fish farming,
    - (b) shellfish farming.
  - (2) An order under this section may require any person who carries on a business of fish farming or shellfish farming—
    - (a) to provide to the Scottish Ministers such information, in writing, as may be specified in the order in relation to the purpose mentioned in subsection (1),
    - (b) to compile such records as may be so specified in relation to that purpose,
    - (c) to retain for such period (not exceeding 3 years) as may be so specified, any records compiled by virtue of paragraph (b).
  - (3) An inspector may require the production of, and inspect and take copies of, any records which a person is required to retain by virtue of an order made under this section.
  - (4) Information provided, records compiled and records retained under this section may be provided, compiled and retained electronically.
  - (5) A person commits an offence who—
    - (a) fails, without reasonable excuse, to comply with a requirement of an order under this section,
    - (b) in purported compliance with a requirement of an order under this section knowingly provides any information or compiles a record which is false in a material particular,

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*Status: This is the original version (as it was originally enacted).*

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- (c) knowingly alters a record compiled in accordance with a requirement of an order under this section so that the record becomes false in a material particular.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (7) In this section, “fish farming”, “inspector” and “shellfish farming” have the same meanings as in Part 1.