# Marine (Scotland) Act 2010

**2010 asp 5**

## PART 7

COMMON ENFORCEMENT POWERS ETC.: LICENSING AND MARINE PROTECTION ETC.

*Offences in relation to marine enforcement officers*

### 155 Offences in relation to marine enforcement officers

(1) A person commits an offence if the person—

(a) fails without reasonable excuse to comply with a requirement reasonably made, or a direction reasonably given, by a marine enforcement officer in the exercise of any power conferred by the Act,

(b) prevents any other person from complying with any such requirement or direction.

(2) But a person does not commit an offence by reason of a failure to comply with a requirement under section 145(1) (to produce a licence or other authority for the carrying on of a relevant activity) if the person complies with section 145(2) (production of licence or other authority at a place and within a period specified by the marine enforcement officer).

(3) A person who provides information in pursuance of a requirement reasonably made by a marine enforcement officer in the exercise of the power conferred by section 150 (requiring information relating to certain substances or objects) commits an offence if—

(a) the information is false in a material particular and the person—

(i) knows that it is,

(ii) is reckless as to whether it is,

(b) the person intentionally fails to disclose any material particular.

(4) A person who intentionally obstructs a marine enforcement officer in the performance of any of the officer's functions under this Act commits an offence.

(5) A person who assaults a marine enforcement officer in the performance of any of the officer's functions under this Act commits an offence.

(6) A person who, with intent to deceive, falsely pretends to be a marine enforcement officer commits an offence.

(7) A person who is guilty of an offence under subsection (1), (3) or (6) is liable—
  (a) on summary conviction, to a fine not exceeding the statutory maximum,
  (b) on conviction on indictment, to a fine.

(8) A person who is guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding £20,000.

(9) A person who is guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding £50,000.

(10) In this section, any reference to a marine enforcement officer includes a reference to a person assisting a marine enforcement officer by virtue of section 148.

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

**C1** Pt. 7 modified (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 35(6)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2

**C2** Ss. 151-155 applied (31.12.2010) by The Marine (Scotland) Act 2010 (Consequential Provisions) Order 2010 (S.I. 2010/2870), arts. 1, **9**

**C3** Ss. 151-155 modified (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 7(3)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2

**C4** Ss. 151-155 modified (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 35(7)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2

**Commencement Information**

**I1** S. 155 in force at 1.7.2010 by S.S.I. 2010/230, **art. 2(f)**

**Changes to legislation:**
There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 155.