



# Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

## PART 1

### AQUACULTURE

## CHAPTER 2

### FISH FARMING: EQUIPMENT AND WELLBOATS

#### *Wellboats*

#### **10 Power of sheriff to order release of wellboats**

- (1) This section applies where a wellboat is being detained under section 8.
- (2) If, on an application to a sheriff by the master, an owner or a charterer of the wellboat, the sheriff is satisfied as to either of the matters mentioned in subsection (4), the sheriff may order that the wellboat be released.
- (3) An application under subsection (2) is to be made by way of summary application.
- (4) Those matters are that—
  - (a) the continued detention of the wellboat under section 8 is not necessary to secure that the master, an owner or a charterer of the wellboat will attend court, or
  - (b) there are no grounds for believing that the court referred to in subsection (1) (b)(ii) of that section will order the vessel to be detained.

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#### **Commencement Information**

**11** [S. 10](#) in force at 16.9.2013 by [S.S.I. 2013/249](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 10.