
Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Paragraph 4A. (See end of Document for details)

SCHEDULE 2
FURTHER PROVISION ABOUT CIVIL SANCTIONS UNDER PART 4 (MARINE LICENSING)

Modifications etc. (not altering text)

- C1** Sch. 2 applied (9.11.2020) by [The Marine Licensing \(Exempted Activities\) \(Scottish Inshore Region\) Amendment Order 2020 \(S.S.I. 2020/316\)](#), arts. 1, **14**

[^{F1}Civil sanctions and fixed penalty notices

Textual Amendments

- F1** Sch. 2 para. 4A and cross-heading inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), ss. **61(5)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2

- 4A (1) Provision under section 46 must secure that, in a case where a fixed penalty notice is issued to a person in respect of a relevant offence, the Scottish Ministers may not—
- (a) serve on the person a notice of intent referred to in section 47(2)(a) in relation to an act or omission constituting the relevant offence, or
 - (b) impose a fixed monetary penalty on the person in relation to an act or omission constituting the relevant offence.
- (2) Provision under section 48 must secure that, in a case where a fixed penalty notice is issued to a person in respect of a relevant offence, the Scottish Ministers may not—
- (a) serve on the person a notice of intent referred to in section 49(2)(a) in relation to an act or omission constituting the relevant offence, or
 - (b) impose a variable monetary penalty on the person in relation to an act or omission constituting the relevant offence.
- (3) In this paragraph “relevant offence” has the meaning given in section 25(2) of the Aquaculture and Fisheries (Scotland) Act 2007.]

Changes to legislation:

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Paragraph 4A.