



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Enforcement notices

45 Further provision as to compliance and remediation notices

- (1) A compliance notice or remediation notice—
 - (a) must be served on any person carrying on or in control of the activity to which the notice relates,
 - (b) if a marine licence has been granted in relation to that activity, may also be served on the licensee.
- (2) The Scottish Ministers may by a further notice—
 - (a) revoke a compliance notice or remediation notice,
 - (b) vary a compliance notice or remediation notice so as to extend the period specified in accordance with section 43(4)(c) or (as the case may be) section 44(5)(d).
- (3) A person who fails to comply with—
 - (a) a compliance notice, or
 - (b) a remediation notice,commits an offence.
- (4) A person guilty of an offence under subsection (3) is liable—
 - (a) on summary conviction, to a fine not exceeding £50,000,
 - (b) on conviction on indictment, to a fine or to imprisonment for a period not exceeding 2 years, or to both.

Modifications etc. (not altering text)

- C1** Ss. 43-45 applied (9.11.2020) by [The Marine Licensing \(Exempted Activities\) \(Scottish Inshore Region\) Amendment Order 2020 \(S.S.I. 2020/316\)](#), arts. 1, **13**

Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 45. (See end of Document for details)

Commencement Information

II S. 45 in force at 6.4.2011 by [S.S.I. 2011/58](#), [art. 3\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 45.