



Marine (Scotland) Act 2010

2010 asp 5

PART 7

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

Duties of marine enforcement officers

151 Duty to provide evidence of authority where a person is present

- (1) Where one or more persons are present at the time a marine enforcement officer intends to exercise a power conferred by this Part, the officer may exercise the power only after complying with subsection (2) or, as the case may be, (3).
- (2) Where one person is present at that time, the officer must produce to the person evidence that the officer is authorised to exercise the power.
- (3) Where more than one person is present at that time, the officer must produce such evidence to the person who appears to the officer to have the greatest interest of those present in the exercise of the power, and is not required to produce it to any other person present.

Commencement Information

II S. 151 in force at 1.7.2010 by S.S.I. 2010/230, art. 2(f)

152 Duty to state name and purpose, etc.

- (1) Before exercising any power conferred by this Part, a marine enforcement officer must if requested to do so give the information mentioned in subsection (3).
- (2) Before exercising any power conferred by this Part, any person assisting a marine enforcement officer by virtue of section 148 must, if requested to do so, give the information mentioned in paragraph (b) and (c) of subsection (3).
- (3) The information is—
 - (a) the person's name,

Status: Point in time view as at 01/07/2010.

Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Cross Heading: Duties of marine enforcement officers. (See end of Document for details)

- (b) the power the person is proposing to exercise,
 - (c) the grounds for proposing to do so.
- (4) A person may exercise a power conferred by this Part only if the person complies with the duty imposed by subsection (1) or (as the case may be) that imposed by subsection (2).

Commencement Information

I2 [S. 152](#) in force at 1.7.2010 by [S.S.I. 2010/230](#), [art. 2\(f\)](#)

153 Disapplication of sections 151 and 152 in relation to dwellings

Sections 151 and 152 do not apply as regards the exercise by a marine enforcement officer of any power conferred by this Part in relation to entry to a dwelling. (Schedule 3 makes specific provision in relation to the exercise of warrants under section 137 authorising a marine enforcement officer to enter a dwelling, in particular in paragraphs 6 to 9).

Commencement Information

I3 [S. 153](#) in force at 1.7.2010 by [S.S.I. 2010/230](#), [art. 2\(f\)](#)

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Changes to legislation:

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