



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 7

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

#### *Common enforcement powers of entry, search and seizure*

#### **139 Power to require production of documents, etc.**

- (1) This section applies where a marine enforcement officer is exercising a power of inspection conferred by section 134, 135 or 136.
- (2) The officer may require any person in or on the relevant premises to produce any document or record that is in the person's possession or control.
- (3) A reference in this section to the production of a document includes a reference to the production of—
  - (a) a hard copy of information recorded otherwise than in hard copy form,
  - (b) information in a form from which a hard copy can readily be obtained.
- (4) For the purposes of this section—
  - (a) information is recorded in hard copy form if it is recorded in a paper copy or similar form capable of being read (and references to hard copy have a corresponding meaning),
  - (b) information can be read only if—
    - (i) it can be read with the naked eye,
    - (ii) to the extent that it consists of images (for example photographs, pictures, maps, plans or drawings), it can be seen with the naked eye.

#### **Commencement Information**

**II** S. 139 in force at 1.7.2010 by [S.S.I. 2010/230](#), [art. 2\(e\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 139.