



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Enforcement notices

VALID FROM 06/04/2011

43 Compliance notice

- (1) If it appears to the Scottish Ministers that subsection (3) is satisfied in relation to a person carrying on an activity, they may issue a compliance notice to that person.
- (2) A compliance notice is a notice requiring a person to take such steps (falling within subsection (4)(b)) as are specified in it.
- (3) This subsection is satisfied if—
 - (a) a person holding a marine licence—
 - (i) has carried on, or is carrying on, a licensable marine activity under the licence,
 - (ii) in carrying on that activity has failed, or is failing, to comply with a condition of the licence, and
 - (b) the carrying on of the activity has not caused, and is not likely to cause, any of the following—
 - (i) serious harm to the environment,
 - (ii) serious harm to human health,
 - (iii) serious interference with legitimate uses of the sea.
- (4) A compliance notice must—
 - (a) state the Scottish Ministers' grounds for believing that subsection (3) is satisfied,
 - (b) require the person to take such steps as the Scottish Ministers consider appropriate to ensure that the condition in question is complied with,

Status: Point in time view as at 01/07/2010. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 43. (See end of Document for details)

(c) state the period before the end of which those steps must be taken.

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