



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Civil sanctions

46 Fixed monetary penalties

- (1) The Scottish Ministers may by order make provision about the imposition of fixed monetary penalties on persons in relation to offences under this Part.
- (2) Provision under subsection (1) must provide that—
 - (a) fixed monetary penalties may only be imposed where the Scottish Ministers are satisfied beyond reasonable doubt that a person has committed an offence under this Part,
 - (b) fixed monetary penalties are to be imposed by notice,
 - (c) the amount of the penalty which can be imposed in relation to an offence may not exceed the maximum amount of the fine that may be imposed on summary conviction for that offence.
- (3) For the purpose of this Part, a “fixed monetary penalty” is a requirement to pay to the Scottish Ministers a penalty of a specified amount.
- (4) For the purposes of this section “specified” means specified in an order made under this section.

Modifications etc. (not altering text)

- C1** Ss. 46-50 applied (9.11.2020) by [The Marine Licensing \(Exempted Activities\) \(Scottish Inshore Region\) Amendment Order 2020 \(S.S.I. 2020/316\)](#), arts. 1, **14**

Commencement Information

- I1** S. 46 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 46.