

*These notes relate to the Marine (Scotland) Act 2010
(asp 5) which received Royal Assent on 10 March 2010*

MARINE (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 4 – Marine Licensing

Offences: supplementary provision

Section 62 - General defence of due diligence

97. **Section 62** provides a defence for a person charged with an offence under this Part if the person can demonstrate they took all reasonable precautions and exercised due diligence to avoid committing that offence. Section 62(2) to (5) outline some circumstances in which the defence is available and sets out procedures which apply to the proving of this defence. Section 62(2) includes defences where the accused acted under an employer's instructions or acted in reliance on information supplied by another person.