

*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 5 – Marine Protection and Enhancement: the Scottish Marine Protection Area

Offences

Section 94 - Offences: contravening a marine conservation order

149. **Section 94** provides for the offence of contravening an MCO. A person who contravenes an MCO is liable to a fine not exceeding £50,000 on summary conviction or on conviction on indictment to a fine. In determining the amount of fine to be imposed on a person convicted of an offence, the court must in particular have regard to any financial benefit which has accrued or appears likely to accrue to the person in consequence of the offence. In this section, the term “contravene” includes failing to comply.