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

SCHEDULE 2

FURTHER PROVISION ABOUT CIVIL SANCTIONS UNDER PART 4 (MARINE LICENSING)

Modifications etc. (not altering text)

- C1** Sch. 2 applied (9.11.2020) by [The Marine Licensing \(Exempted Activities\) \(Scottish Inshore Region\) Amendment Order 2020 \(S.S.I. 2020/316\)](#), arts. 1, 14

Combination of sanctions

- 4 (1) Provision may not be made under section 46 and section 48 in relation to the same offence unless it secures that—
- (a) the Scottish Ministers may not serve a notice of intent referred to in section 47(2)(a) on a person in relation to any act or omission where a variable monetary penalty has been imposed on the person in relation to the act or omission,
 - (b) the Scottish Ministers may not serve a notice of intent referred to in section 49(2)(a) on a person in relation to any act or omission where—
 - (i) a fixed monetary penalty has been imposed on the person in relation to the act or omission, or
 - (ii) the person has discharged liability to a fixed monetary penalty in relation to that act or omission pursuant to section 47(2)(b).
- (2) Provision under section 46 which results in the Scottish Ministers having power to impose a fixed monetary penalty or to issue a stop notice in relation to the same offence must secure that—
- (a) the Scottish Ministers may not serve a notice of intent referred to in section 47(2)(a) on a person in relation to any act or omission where a stop notice has been served on the person in relation to the act or omission,
 - (b) the Scottish Ministers may not serve a stop notice on a person in relation to any act or omission where—
 - (i) a fixed monetary penalty has been imposed on the person in relation to the act or omission, or
 - (ii) the person has discharged liability to a fixed monetary penalty in relation to the act or omission pursuant to section 47(2)(b).

Commencement Information

- I1** Sch. 2 para. 4 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, Cross
Heading: Combination of sanctions.