

*Status:* This version of this cross heading contains provisions that are prospective.

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

### SCHEDULE 3 WARRANTS ISSUED UNDER SECTION 137

#### Modifications etc. (not altering text)

- C1** Sch. 3 excluded (31.12.2010) by [The Marine \(Scotland\) Act 2010 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2870\)](#), arts. 1, **10**

PROSPECTIVE

#### *Execution of warrants*

- 6 A warrant may be executed by any marine enforcement officer.
- 7 (1) A warrant may authorise persons to accompany any marine enforcement officer who is executing it.
- (2) A person authorised under this paragraph has the same powers as the officer whom the person is accompanying in respect of the execution of the warrant, but may exercise those powers only in the company of, and under the supervision of, an enforcement officer.
- 8 (1) Execution of a warrant must be within 3 months from the date of its issue.
- (2) Execution of a warrant must be at a reasonable time, unless it appears to the officer executing it that there are grounds for suspecting that the purpose of entering the dwelling may be frustrated if the officer seeks to enter at a reasonable time.
- 9 (1) Where the occupier of a dwelling that is to be entered under a warrant is present at the time when a marine enforcement officer seeks to execute the warrant, the following requirements must be satisfied—
- (a) the occupier must be told the officer's name,
  - (b) the officer must produce to the occupier documentary evidence of the fact that the officer is a marine enforcement officer,
  - (c) the officer must produce the warrant to the occupier,
  - (d) the officer must supply the occupier with a certified copy of it.
- (2) Where—
- (a) the occupier of a dwelling that is to be entered under a warrant is not present when a marine enforcement officer seeks to execute it, but
  - (b) some other person who appears to the officer to be in charge of the dwelling is present,
- sub-paragraph (1) has effect as if any reference to the occupier were a reference to that other person.
- (3) If there is no person present who appears to the marine enforcement officer to be in charge of the dwelling, the officer must leave a certified copy of the warrant in a prominent place there.

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