



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Stop notices and emergency safety notices

57 **Emergency safety notices**

- (1) This section applies if it appears to the Scottish Ministers that serious interference with legitimate uses of the sea is occurring, or is likely to occur, as a result of—
 - (a) any works for the carrying out of which a marine licence is or was needed, or
 - (b) any substantial and unforeseen change in the state or position of any such works.
- (2) The Scottish Ministers may issue a notice (an “emergency safety notice”) to any person who is in control of the works to which the notice relates.
- (3) By issuing an emergency safety notice to a person, the Scottish Ministers impose on that person such requirements as are specified in the notice with respect to any of the matters specified in subsection (4).
- (4) The matters are—
 - (a) the provision of lights, signals or other aids to navigation,
 - (b) the stationing of guard ships.
- (5) An emergency safety notice (in addition to specifying the requirements which it imposes)—
 - (a) must state the Scottish Ministers’ grounds for believing that serious interference with legitimate uses of the sea is occurring, or is likely to occur,
 - (b) must state the date and time from which the requirements are to take effect (which may be at a time on the date of the notice but must allow a period for compliance which is reasonable in all the circumstances of the case),
 - (c) may require the person to take such steps as the Scottish Ministers consider appropriate to ensure that compliance with the requirements takes place safely.