



Protection of Military Remains Act 1986

1986 CHAPTER 35

6 Powers of boarding by authorised persons.

Subject to the following provisions of this section, an authorised person shall be entitled for the purpose of determining whether an offence under this Act is being, has been or is to be committed to board and search—

- (a) any vessel which is in United Kingdom waters; or
 - (b) any vessel which is in international waters and is a British-controlled ship.
- (2) An authorised person shall not board a vessel under this section unless at the time he made his first request to board the vessel he had reasonable grounds for believing—
- (a) in the case of a vessel other than a British-controlled ship, that an offence under this Act was being committed on board the vessel; or
 - (b) in the case of a British-controlled ship, that such an offence was being, had been or was to be so committed.
- (3) An authorised person who has boarded a vessel under this section may seize anything which is on board the vessel if he has reasonable grounds for believing—
- (a) that it is evidence of an offence under this Act or has been obtained in consequence of the commission of such an offence; and
 - (b) that it is necessary to seize it to prevent its being concealed, lost, altered or destroyed.
- (4) An authorised person may use such force as is reasonably necessary for the purpose of exercising any power conferred on him by this section and may do anything else reasonably necessary for that purpose, including ordering a vessel to stop.
- (5) A person on whom a power is conferred by this section shall, if required to do so by the master of the vessel, produce his authority before exercising the power.
- (6) Any person who intentionally obstructs a person who is exercising any power conferred by this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Changes to legislation: There are currently no known outstanding effects for the Protection of Military Remains Act 1986, Section 6. (See end of Document for details)

- (7) For the purpose only of conferring jurisdiction on any court, an offence under subsection (6) above shall be deemed to have been committed in any place where the offender may for the time being be.
- (8) In this section “authorised person” means a person authorised in writing by the Secretary of State to exercise the powers conferred by this section (whether in all cases or only in cases specified or described in the authority) or a person of a description of persons so authorised.

Modifications etc. (not altering text)

- C1** S. 6(3) powers of seizure extended (1.4.2003) by [Criminal Justice and Police Act 2001 \(c. 16\)](#), ss. 50, 138(2), [Sch. 1 paras. 39](#) (with ss. 52-54, 68); S.I. 2003/708, art. 2(a)

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