



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 6

MANAGEMENT OF INSHORE FISHERIES

CHAPTER 1

INSHORE FISHERIES AND CONSERVATION AUTHORITIES

Enforcement

165 Inshore fisheries and conservation officers

- (1) An IFC authority may appoint persons to be inshore fisheries and conservation officers (“IFC officers”).
- (2) The carrying out of any functions of an IFC officer by a person appointed by an IFC authority under this section is subject to any limitations specified by the authority in relation to that person.
- (3) In this Chapter any reference to the IFC district for which an officer has been appointed is a reference to the district of the IFC authority that appointed the officer.

Commencement Information

II S. 165 in force at 1.10.2010 by S.I. 2010/2195, art. 3(2)(e)

166 Powers of IFC officers

- (1) An IFC officer appointed for an IFC district has the powers referred to in subsection (3) for the purposes of enforcing—

Status: Point in time view as at 01/10/2010.

Changes to legislation: Marine and Coastal Access Act 2009, Cross Heading: Enforcement is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) any byelaws made under section 155 for the district (or having effect as if so made);
 - (b) sections 1 to 3, 5 and 6 of the Sea Fish (Conservation) Act 1967 (c. 84) and any orders made under any of those sections;
 - (c) any provision made by or under an order under section 1 of the Sea Fisheries (Shellfish) Act 1967 (c. 83) conferring a right of regulating a fishery;
 - (d) any provision of, or any rights conferred by, section 7 of that Act;
 - (e) any byelaws made under section 129 or 132 of this Act;
 - (f) section 140 of this Act.
- (2) The Secretary of State may by order amend subsection (1).
- (3) The powers are—
- (a) the common enforcement powers conferred by this Act;
 - (b) the powers conferred by sections 264, 268, 269 and 284.
- (4) Subject to subsection (9), the powers which an IFC officer has for the purposes referred to in subsection (1) may be exercised—
- (a) in the IFC district for which the officer has been appointed;
 - (b) in any IFC district adjoining that district;
 - (c) in any other place in England and Wales, in relation to an offence which the officer reasonably believes has been committed within the IFC district for which the officer has been appointed;
 - (d) in relation to any vessel in waters within British fishery limits, excluding the Scottish zone and the Northern Ireland zone, which the officer reasonably believes has been involved in the commission of an offence within the IFC district for which the officer has been appointed;
 - (e) in relation to any vessel or vehicle in Scotland or the Scottish zone which has been pursued there in accordance with subsection (5).
- (5) A vessel or vehicle is pursued in accordance with this subsection if—
- (a) immediately before the pursuit of the vessel or vehicle commences—
 - (i) the vessel or vehicle is in the IFC district for which the officer has been appointed, or
 - (ii) in the case of a vessel operating together with one or more other vessels to carry out a single activity, any of those vessels is in that district,
 - (b) before the pursuit of the vessel or vehicle commences, a signal is given for it to stop, and
 - (c) the pursuit of the vessel or vehicle is not interrupted.
- (6) The signal referred to in subsection (5)(b) must be given in such a way as to be audible or visible from the vessel or vehicle in question.
- (7) For the purposes of subsection (5)(c), pursuit is not interrupted by reason only of the fact that—
- (a) the method of carrying out the pursuit, or
 - (b) the identity of the vessel, vehicle or aircraft carrying out the pursuit, changes during the course of the pursuit.
- (8) Nothing in this section affects any right of hot pursuit which an IFC officer may have under international law.

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- (9) The powers which an IFC officer has for the purposes referred to in subsection (1) may not be exercised in relation to any warship belonging to Her Majesty and forming part of Her Majesty's armed forces.

Commencement Information

I2 S. 166 partly in force; s. 166 in force for specified purposes at Royal Assent see s. 324(1)(c)

Status:

Point in time view as at 01/10/2010.

Changes to legislation:

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