



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 8 **U.K.**

ENFORCEMENT

CHAPTER 5 **U.K.**

COMMON ENFORCEMENT PROVISIONS

Duties of enforcement officers

289 Duty to provide evidence of authority **U.K.**

- (1) Before exercising any power conferred by this Part, an enforcement officer must, if requested to do so, produce evidence that the officer is authorised to exercise that power.
- (2) An enforcement officer may exercise a power conferred by this Part only if the officer complies with the duty imposed by subsection (1).
- (3) If, at the time the request is made, the officer does not consider it practicable to produce the evidence referred to in subsection (1), that subsection does not apply until such time as the officer considers it practicable to comply with the request.
- (4) Nothing in this section applies to a person falling within paragraph (c) or (d) of section 235(1).

Modifications etc. (not altering text)

- C1** Ss. 289-292 applied (with modifications) (N.I.) (18.9.2013) by [Marine Act \(Northern Ireland\) 2013](#) (c. 10), **ss. 38(8), 49** (with ss. 1(1), 46(3), 47)

Status: Point in time view as at 18/09/2013.

Changes to legislation: Marine and Coastal Access Act 2009, Cross Heading: Duties of enforcement officers is up to date with all changes known to be in force on or before 07 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)

Commencement Information

I1 S. 289 in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, [Sch. para. 23](#)

290 Duty to state name and purpose, etc U.K.

- (1) Before exercising any power conferred by this Part, an enforcement officer must, if requested to do so, give the information in subsection (3).
- (2) Before exercising any power conferred by this Part, any person assisting an enforcement officer by virtue of section 260 must, if requested to do so, give the information in paragraphs (b) and (c) of subsection (3).
- (3) The information is—
 - (a) the person's name;
 - (b) the power the person is proposing to exercise;
 - (c) the grounds for proposing to do so.
- (4) A person may exercise a power conferred by this Part only if the person complies with the duty imposed by subsection (1) or the duty imposed by subsection (2) (as the case may be).
- (5) If, at the time the request is made, the person does not consider it practicable to give the information referred to in subsection (1) or the information referred to in subsection (2) (as the case may be), that subsection does not apply until such time as the person considers it practicable to comply with the request.

Modifications etc. (not altering text)

C1 Ss. 289-292 applied (with modifications) (N.I.) (18.9.2013) by [Marine Act \(Northern Ireland\) 2013](#) (c. 10), [ss. 38\(8\), 49](#) (with [ss. 1\(1\), 46\(3\), 47](#))

Commencement Information

I2 S. 290 in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, [Sch. para. 23](#)

Status:

Point in time view as at 18/09/2013.

Changes to legislation:

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