



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 8

ENFORCEMENT

CHAPTER 2

COMMON ENFORCEMENT POWERS

Entry, search and seizure

250 Powers of search, examination, etc

- (1) Where an enforcement officer is exercising a power of inspection conferred by section 246, 247 or 248, the officer may—
 - (a) search the relevant premises for any item;
 - (b) examine anything that is in or on the relevant premises.
- (2) Where an enforcement officer reasonably believes that a person is or has been carrying on a relevant activity, the officer may—
 - (a) search or examine anything which appears to be in the person's possession or control;
 - (b) stop and detain the person for the purposes of such a search or examination.
- (3) An enforcement officer may carry out any measurement or test of anything which the officer has power under this section to examine.
- (4) The power conferred by subsection (3) includes power to take a sample from any live animal or plant.
- (5) For the purpose of exercising any power conferred by this section, an enforcement officer may, so far as is reasonably necessary for that purpose, break open any container or other locked thing.

Status: Point in time view as at 12/01/2010.

Changes to legislation: Marine and Coastal Access Act 2009, Section 250 is up to date with all changes known to be in force on or before 20 July 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)

- (6) Where an enforcement officer is exercising a power of inspection conferred by section 246, 247 or 248, the officer may require any person in or on the relevant premises to afford such facilities and assistance with respect to matters under that person's control as the officer considers would facilitate the exercise of any power conferred by this section.
- (7) Where an enforcement officer reasonably believes that a person is or has been carrying on a relevant activity, the officer may require that person to afford such facilities and assistance with respect to matters under that person's control as the officer considers would facilitate the exercise in relation to that person of any power conferred by this section.
- (8) Nothing in this section confers any power to search a person.
- (9) The reference in subsection (1) to anything that is in or on the relevant premises includes a reference to—
- (a) anything that is attached to or otherwise forms part of the relevant premises, and
 - (b) anything that is controlled from the relevant premises.
- (10) In this section—
- “animal” includes any egg, larva, pupa, or other immature stage of an animal;
 - “item” includes—
 - (a) any document or record (in whatever form it is held);
 - (b) any animal or plant;
 - “sample” means a sample of blood, tissue or other biological material.

Commencement Information

II S. 250 in force at 12.1.2010 by S.I. 2009/3345, art. 2, **Sch. para. 21**

Status:

Point in time view as at 12/01/2010.

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