



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 8

ENFORCEMENT

CHAPTER 4

FISHERIES ENFORCEMENT POWERS

Detention of vessels in connection with court proceedings

280 Release of vessels detained under section 279

- (1) This section applies where a vessel is being detained under section 279.
- (2) The vessel ceases to be detained under that section if one of the following things occurs—
 - (a) the notice of detention is withdrawn;
 - (b) the court orders the release of the vessel under section 281;
 - (c) any proceedings taken against the master, owner or charterer of the vessel have concluded;
 - (d) the court referred to in section 279(1)(b)(ii) exercises any power it has to order the vessel to be detained.
- (3) A notice of detention may be withdrawn by service of a further notice signed by an appropriate enforcement officer.
- (4) In subsection (3) the reference to an appropriate enforcement officer is a reference to any enforcement officer acting on behalf of the same relevant authority as the enforcement officer who served the notice of detention, and includes a reference to that officer.

Changes to legislation: *Marine and Coastal Access Act 2009, Section 280 is up to date with all changes known to be in force on or before 25 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) View outstanding changes*

- (5) If any of the grounds for release mentioned in subsection (6) applies, then any notice of detention must be withdrawn as soon as possible.
- (6) The grounds for release referred to in subsection (5) are—
- (a) that the relevant authority has decided not to take proceedings against the master, owner or charterer of the vessel;
 - (b) that there are no grounds for believing that any person referred to in paragraph (a) against whom proceedings have been, or may be, taken will fail to attend court;
 - (c) that there are no grounds for believing that the court referred to in section 279(1)(b)(ii) will order the vessel to be detained.
- (7) In this section “notice of detention” means a notice served under section 279(4).

Commencement Information

II S. 280 in force at 12.1.2010 by S.I. 2009/3345, art. 2, **Sch. para. 22**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58(5A) inserted by [2024 asc 3 Sch. 3 para. 10\(2\)](#)
- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- s. 243A inserted by [2024 asc 3 s. 110](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)