



# Policing and Crime Act 2017

## 2017 CHAPTER 3

### PART 4

#### POLICE POWERS

#### CHAPTER 7

##### MARITIME ENFORCEMENT: NORTHERN IRISH OFFENCES

##### *The maritime enforcement powers*

#### **109 Power to stop, board, divert and detain**

- (1) This section applies if a law enforcement officer has reasonable grounds to suspect that—
  - (a) an offence under the law of Northern Ireland is being, or has been, committed on a ship in relation to which the powers conferred by this section are exercisable by virtue of section 107, or
  - (b) a ship in relation to which those powers are so exercisable is otherwise being used in connection with the commission of an offence under that law.
- (2) The law enforcement officer may—
  - (a) stop the ship;
  - (b) board the ship;
  - (c) require the ship to be taken to a port in Northern Ireland.
- (3) The law enforcement officer may require the master of the ship, or any member of its crew, to take such action as is necessary for the purposes of subsection (2)(c).
- (4) A law enforcement officer must give notice in writing to the master of any ship detained under this section.

*Status: Point in time view as at 31/01/2017.*

*Changes to legislation: Policing and Crime Act 2017, Cross Heading: The maritime enforcement powers is up to date with all changes known to be in force on or before 09 June 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)*

- (5) The notice must state that the ship is to be detained until the notice is withdrawn by the giving of a further notice in writing signed by a law enforcement officer.

**Commencement Information**

**I1** [S. 109](#) in force for specified purposes at Royal Assent, see [s. 183](#)

**110 Power to search and obtain information**

- (1) This section applies if a law enforcement officer has reasonable grounds to suspect that there is evidence relating to an offence under the law of Northern Ireland (other than items subject to legal privilege) on a ship in relation to which the powers conferred by this section are exercisable by virtue of section 107.
- (2) The law enforcement officer may search—
- (a) the ship;
  - (b) anyone found on the ship;
  - (c) anything found on the ship (including cargo).
- (3) The law enforcement officer may require a person found on the ship to give information about himself or herself.
- (4) The power to search conferred by subsection (2) is a power to search only to the extent that it is reasonably required for the purpose of discovering evidence of the kind mentioned in subsection (1).
- (5) The power to search a person conferred by subsection (2) does not authorise a law enforcement officer to require the person to remove any clothing in public other than an outer coat, jacket or gloves.
- (6) In exercising a power conferred by subsection (2) or (3), a law enforcement officer may (amongst other things)—
- (a) open any containers;
  - (b) require the production of documents, books or records relating to the ship or anything on it, other than anything that the law enforcement officer has reasonable grounds to believe to be an item subject to legal privilege;
  - (c) make photographs or copies of anything the production of which the law enforcement officer has power to require.
- (7) The power in subsection (6)(b) to require the production of documents, books or records includes, in relation to documents, books or records kept in electronic form, power to require the provision of the documents, books or records in a form in which they are legible and can be taken away.
- (8) The power of a law enforcement officer under subsection (2)(b) or (c) or (3) may be exercised on the ship or elsewhere.

**Commencement Information**

**I2** [S. 110](#) in force for specified purposes at Royal Assent, see [s. 183](#)

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**Status:** Point in time view as at 31/01/2017.

**Changes to legislation:** Policing and Crime Act 2017, Cross Heading: The maritime enforcement powers is up to date with all changes known to be in force on or before 09 June 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)

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## 111 Power of arrest and seizure

- (1) This section applies if a law enforcement officer has reasonable grounds to suspect that an offence under the law of Northern Ireland has been, or is being, committed on a ship in relation to which the powers conferred by this section are exercisable by virtue of section 107.
- (2) The law enforcement officer may arrest without warrant anyone whom the officer has reasonable grounds for suspecting to be guilty of the offence.
- (3) The law enforcement officer may seize and retain anything found on the ship which appears to the officer to be evidence of the offence, other than anything that the officer has reasonable grounds to believe to be an item subject to legal privilege.
- (4) The power of a law enforcement officer under subsection (2) or (3) may be exercised on the ship or elsewhere.

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### Commencement Information

**I3** [S. 111](#) in force for specified purposes at Royal Assent, see [s. 183](#)

**Status:**

Point in time view as at 31/01/2017.

**Changes to legislation:**

Policing and Crime Act 2017, Cross Heading: The maritime enforcement powers is up to date with all changes known to be in force on or before 09 June 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.