
STATUTORY INSTRUMENTS

2004 No. 1495

The Ship and Port Facility (Security) Regulations 2004

PART 4

RESTRICTED AREAS

Unauthorised presence in a restricted area of a ship

10.—(1) A person shall not —

- (a) go, onto or into any part of a restricted area of a ship except with the permission of the master or the ship security officer or a person acting on their behalf, and in accordance with any conditions subject to which that permission is for the time being granted, or
- (b) remain in any part of such a restricted area after being requested to leave by the master or the ship security officer or a person acting on their behalf.

^{F1}(2)

(3) [^{F2}Subject to paragraph 3A,] a person who contravenes paragraph (1) without lawful authority or reasonable excuse is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

[^{F3}(3A) A person who contravenes paragraph (1)(a) is not guilty of an offence unless it is proved that, at the material time, notices stating that the area concerned was a restricted area were posted so as to be readily seen and read by persons entering the area.]

(4) A constable, or the master or the ship security officer, or a person acting on behalf of the master or the ship security officer, may use such force as is reasonable in the circumstances to remove from a restricted area a person remaining in it in contravention of paragraph (1)(b).

Textual Amendments

- F1** Reg. 10(2) omitted (1.7.2005) by virtue of [The Ship and Port Facility \(Security\) \(Amendment\) Regulations 2005 \(S.I. 2005/1434\)](#), regs. 1, **2(4)(a)**
- F2** Words in reg. 10(3) inserted (1.7.2005) by [The Ship and Port Facility \(Security\) \(Amendment\) Regulations 2005 \(S.I. 2005/1434\)](#), regs. 1, **2(4)(b)**
- F3** Reg. 10(3A) inserted (1.7.2005) by [The Ship and Port Facility \(Security\) \(Amendment\) Regulations 2005 \(S.I. 2005/1434\)](#), regs. 1, **2(4)(c)**

Unauthorised presence in a restricted area of a port facility

11.—(1) A person shall not—

- (a) go, onto or into any part of a restricted area of a port facility except with the permission of the port facility security officer or a person acting on his behalf, and in accordance with any conditions subject to which that permission is for the time being granted, or

(b) remain in any part of such a restricted area after being requested to leave by the port facility security officer or a person acting on his behalf.

^{F4}(2)

(3) [^{F5}Subject to paragraph 3A,] a person who contravenes paragraph (1) without lawful authority or reasonable excuse is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

[^{F6}(3A) A person who contravenes paragraph (1)(a) is not guilty of an offence unless it is proved that, at the material time, notices stating that the area concerned was a restricted area were posted so as to be readily seen and read by persons entering the area.]

(4) A constable, or the port facility security officer, or a person acting on behalf of the port facility security officer, may use such force as is reasonable in the circumstances to remove from a restricted area a person remaining in it in contravention of paragraph (1)(b).

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Textual Amendments

F4 Reg. 11(2) omitted (1.7.2005) by virtue of The Ship and Port Facility (Security) (Amendment) Regulations 2005 (S.I. 2005/1434), regs. 1, 2(4)(a)

F5 Words in reg. 11(3) inserted (1.7.2005) by The Ship and Port Facility (Security) (Amendment) Regulations 2005 (S.I. 2005/1434), regs. 1, 2(4)(b)

F6 Reg. 11(3A) inserted (1.7.2005) by The Ship and Port Facility (Security) (Amendment) Regulations 2005 (S.I. 2005/1434), regs. 1, 2(4)(c)

Changes to legislation:

There are currently no known outstanding effects for the The Ship and Port Facility (Security) Regulations 2004, PART 4.