



Food and Environment Protection Act 1985

1985 CHAPTER 48

PART II

DEPOSITS IN THE SEA

Enforcement

11 Powers of officers.

- (1) [^{F1}Alicensing authority] may authorise any person, subject to such limitations as may be specified in the instrument authorising him, to enforce this Part of this Act; and the following provisions of this Act shall be construed, in reference to a person so authorised, as subject to any such limitations.
- (2) Subject to the following provisions of this Act, a person so authorised may enter—
 - (a) land and vehicles in [^{F2} Scotland];
 - [^{F3}(b) vessels, aircraft, hovercraft and marine structures in Scotland or within the Scottish inshore region,]if he has reasonable grounds for believing that any substances or articles intended to be deposited in the sea or under the sea-bed or incinerated on a vessel or marine structure at sea are or have been present there.
- (3) A person so authorised may board [^{F4} any vessel within the Scottish inshore region] if it appears to him that it is intended to be scuttled.
- (4) A person so authorised shall not enter premises used only as a dwelling for the purpose of enforcing this Part of this Act.
- (5) Schedule 2 to this Act shall have effect with respect to persons authorised to enforce this Part of this Act.

Changes to legislation: There are currently no known outstanding effects for the Food and Environment Protection Act 1985, Cross Heading: Enforcement. (See end of Document for details)

Textual Amendments

- F1** Words in s. 11(1) substituted (30.6.1999) by [S.I. 1999/1756, art. 2, Sch. para. 10\(9\)](#) (with art. 8); [S.I. 1998/3178](#)
- F2** Word in s. 11(2)(a) substituted (6.4.2011) by [Marine and Coastal Access Act 2009 \(c. 23\), s. 324\(3\), Sch. 8 para. 2\(7\)\(a\)\(i\)](#) (with ss. 111, 323(6), Sch. 9 Pts. 3); [S.I. 2011/556, art. 3\(2\)\(a\)](#)
- F3** S. 11(2)(b) substituted for s. 11(2)(b)(c) (6.4.2011) by [Marine and Coastal Access Act 2009 \(c. 23\), s. 324\(3\), Sch. 8 para. 2\(7\)\(a\)\(ii\)](#) (with ss. 111, 323(6), Sch. 9 Pts. 3); [S.I. 2011/556, art. 3\(2\)\(a\)](#)
- F4** Words in s. 11(3) substituted for s. 11(2)(a)(b) (6.4.2011) by [Marine and Coastal Access Act 2009 \(c. 23\), s. 324\(3\), Sch. 8 para. 2\(7\)\(b\)](#) (with ss. 111, 323(6), Sch. 9 Pts. 3); [S.I. 2011/556, art. 3\(2\)\(a\)](#)

Modifications etc. (not altering text)

- C1** S. 11 power to transfer functions conferred (1.12.1998) by [1998 c. 38, s. 22\(1\)\(c\)\(5\), Sch. 3 Pt. I, para. 4\(1\)\(a\)](#) (with ss. 139(2), 143(2)); [S.I. 1998/2789, art. 2](#)

12 Enforcement of Conventions.

- (1) [^{F5}Alicensing authority] by order made by statutory instrument—
- (a) declare that any procedure which has been developed for the effective application of the London Convention or the Oslo Convention and is specified in the order is an agreed procedure as between Her Majesty's Government in the United Kingdom and the Government of any Convention State so specified; and
 - (b) specify any of the powers conferred by this Act for the purpose of enforcing this Part of this Act as a power that may be exercised, by such persons in such circumstances and subject to such conditions or modifications as may be specified, for the purpose of enforcing that procedure.
- (2) A person who exercises any powers by virtue of an order under this section shall have the same rights and liabilities in relation to their exercise that a person authorised under section 11 above would have in relation to the exercise of any powers for the purpose of enforcing this Part of this Act.
- (3) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F5** Words in s. 12(1) substituted (30.6.1999) by [S.I. 1999/1756, art. 2, Sch. para. 10\(10\)](#) (with art. 8); [S.I. 1998/3178](#)

Modifications etc. (not altering text)

- C2** S. 12 power to transfer functions conferred (1.12.1998) by [1998 c. 38, s. 22\(1\)\(c\)\(5\), Sch. 3 Pt. I, para. 4\(1\)\(a\)](#) (with ss. 139(2), 143(2)); [S.I. 1998/2789, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Food and Environment Protection Act 1985, Cross Heading: Enforcement.