



Food and Environment Protection Act 1985

1985 CHAPTER 48

PART II

DEPOSITS IN THE SEA

Enforcement

11 Powers of officers

- (1) Either of the Ministers 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 the United Kingdom ;
 - (b) foreign vessels, foreign aircraft, foreign hovercraft and foreign marine structures in the United Kingdom or within British fishery limits ;
 - (c) British vessels, British aircraft, British hovercraft and British marine structures, wherever they may be,if he has reasonable grounds for believing that any substances or articles intended to be deposited in the sea or under the seabed or incinerated on a vessel or marine structure at sea are or have been present there.
- (3) A person so authorised may board—
 - (a) any vessel within British fishery limits ; and
 - (b) any British vessel wherever it may be,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.

12 Enforcement of Conventions

- (1) The Ministers may jointly 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.