

## SCHEDULES

### SCHEDULE 2

#### ENFORCEMENT POWERS IN RELATION TO SHIPS

##### PART 1

##### ENGLAND AND WALES

###### *Power to search and obtain information*

- 3 (1) This paragraph applies if an English and Welsh constable or an enforcement officer has reasonable grounds to suspect that there is evidence on the ship (other than items subject to legal privilege) relating—
- (a) to an offence under section 1 or 2, or
  - (b) to an offence that is connected with an offence under either of those sections.
- (2) The constable or enforcement officer may search—
- (a) the ship;
  - (b) anyone on the ship;
  - (c) anything on the ship (including cargo).
- (3) The constable or enforcement officer may require a person on the ship to give information about himself or herself or about anything on the ship.
- (4) The power to search conferred by sub-paragraph (2)—
- (a) is only a power to search to the extent that it is reasonably required for the purpose of discovering evidence of the kind mentioned in sub-paragraph (1), and
  - (b) in the case of a search of a person, does not authorise a constable or an enforcement officer to require the person to remove any clothing in public other than an outer coat, jacket or gloves.
- (5) In exercising a power conferred by sub-paragraph (2) or (3) a constable or an enforcement officer may—
- (a) open any containers;
  - (b) require the production of documents, books or records relating to the ship or anything on it (but not including anything the constable or 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 constable or enforcement officer has power to require.
- (6) The power in sub-paragraph (5)(b) to require the production of documents, books or records includes, in relation to documents, books or records kept in electronic form,

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*Status: This is the original version (as it was originally enacted).*

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power to require the provision of the documents, books or records in a form in which they are legible and can be taken away.

- (7) Sub-paragraph (5) is without prejudice to the generality of the powers conferred by sub-paragraphs (2) and (3).