



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 8

ENFORCEMENT

CHAPTER 5

COMMON ENFORCEMENT PROVISIONS

Liability of enforcement officers

291 Liability of enforcement officers etc

- (1) A person within subsection (2) is not to be liable in any civil or criminal proceedings for anything done (or omitted to be done) in, or in connection with, the discharge or purported discharge of the person's functions under this Act.
- (2) The persons are—
 - (a) any enforcement officer;
 - (b) any person assisting an enforcement officer by virtue of section 260.
- (3) Subsection (1) does not apply—
 - (a) if the act or omission is shown to have been in bad faith,
 - (b) if there were no reasonable grounds for the act or omission, or
 - (c) so as to prevent an award of damages in respect of the act or omission on the ground that it was unlawful as a result of section 6(1) of the Human Rights Act 1998 (c. 42) (acts of public authorities incompatible with Convention rights).

Modifications etc. (not altering text)

- C1** Ss. 289-292 applied (with modifications) (N.I.) (18.9.2013) by [Marine Act \(Northern Ireland\) 2013](#) (c. 10), [ss. 38\(8\), 49](#) (with [ss. 1\(1\), 46\(3\), 47](#))

Status: Point in time view as at 01/12/2022.

Changes to legislation: Marine and Coastal Access Act 2009, Section 291 is up to date with all changes known to be in force on or before 16 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)

Commencement Information

II S. 291 in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, [Sch. para. 23](#)

Status:

Point in time view as at 01/12/2022.

Changes to legislation:

Marine and Coastal Access Act 2009, Section 291 is up to date with all changes known to be in force on or before 16 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.