



# Policing and Crime Act 2017

## 2017 CHAPTER 3

### PART 4

#### POLICE POWERS

#### CHAPTER 5

##### MARITIME ENFORCEMENT: ENGLISH AND WELSH OFFENCES

##### *The maritime enforcement powers*

#### **88 Power to stop, board, divert and detain**

- (1) This section applies if a law enforcement officer has reasonable grounds to suspect that—
  - (a) an offence under the law of England and Wales is being, or has been, committed on a ship in relation to which the powers conferred by this section are exercisable by virtue of section 84 or 86, or
  - (b) a ship in relation to which those powers are so exercisable is otherwise being used in connection with the commission of an offence under that law.
- (2) The law enforcement officer may—
  - (a) stop the ship;
  - (b) board the ship;
  - (c) require the ship to be taken to a port in England and Wales or elsewhere and detained there.
- (3) Except as provided by subsection (5), the authority of the Secretary of State is required before a law enforcement officer may exercise the power conferred by subsection (2)
  - (c) to require the ship to be taken to a port outside the United Kingdom.
- (4) The Secretary of State may give authority for the purposes of subsection (3) only if the State, or the relevant territory, in which the port is located is willing to receive the ship.

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*Status: Point in time view as at 31/01/2017. This version of this provision has been superseded.*

*Changes to legislation: Policing and Crime Act 2017, Section 88 is up to date with all changes known to be in force on or before 19 May 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)*

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- (5) If the law enforcement officer is acting under authority given for the purposes of section 85(3) or 87(1), the law enforcement officer may require the ship to be taken to—
- (a) a port in the home state or relevant territory in question, or
  - (b) if the home state or relevant territory requests, a port in any other State or relevant territory willing to receive the ship.
- (6) The law enforcement officer may require the master of the ship, or any member of its crew, to take such action as is necessary for the purposes of subsection (2)(c).
- (7) A law enforcement officer must give notice in writing to the master of any ship detained under this section.
- (8) The notice must state that the ship is to be detained until the notice is withdrawn by the giving of a further notice in writing signed by a law enforcement officer.

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**Commencement Information**

**II** S. 88 in force for specified purposes at Royal Assent, see s. 183

**Status:**

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