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STATUTORY INSTRUMENTS

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**2008 No. 2360**

**The Fal & Helford Designated Area  
(Fishing Restrictions) Order 2008**

**Powers of British sea-fishery officers in relation to fishing boats**

3.—(1) For the purpose of enforcing this Order, a British sea-fishery officer has the powers set out in this article in relation to a fishing boat to which the prohibition in article 2 applies.

(2) A British sea-fishery officer may go on board the boat, with or without persons assigned to assist in that officer's duties, and may require it to stop and do anything else that will facilitate boarding or disembarkation.

(3) A British sea-fishery officer may require the attendance of the master and other persons on board and may make any examination and inquiry as appears to the officer to be necessary for the purpose of enforcing this Order, and in particular may—

- (a) search for fish or fishing gear on the boat and examine any fish on the boat and the equipment of the boat, including the fishing gear, and require persons on board to do anything that appears to the officer to be necessary for facilitating the examination;
- (b) require any person on board to produce any document in that person's custody or possession relating to the boat, to any fishing or ancillary operations or to persons on board;
- (c) for the purpose of ascertaining whether an offence under this Order has been committed, search the boat for any such document and may require any person on board to do anything that appears to the officer to be necessary for facilitating the search;
- (d) inspect and copy any such document produced or found on board and, where any such document is kept by means of a computer, require it to be produced in a form in which it may be taken away; and
- (e) where the boat is one in relation to which the officer has reason to suspect that an offence under this Order has been committed, seize and detain any such document produced or found on board for the purpose of enabling it to be used as evidence in proceedings in connection with any offence under this Order.

(4) Where it appears to a British sea-fishery officer that an offence under this Order has at any time been committed in relation to a fishing boat, the officer may—

- (a) take, or require the master of the boat to take, the boat and its crew to the port that appears to the officer to be the nearest convenient port; and
- (b) detain, or require the master to detain, the boat in the port.

(5) A British sea-fishery officer who detains or requires the detention of a boat must serve on the master a written notice stating that the boat is, or is required to be, detained until the notice is withdrawn by the service on the master of a further written notice signed by a British sea-fishery officer.