
WELSH STATUTORY INSTRUMENTS

2006 No. 1495

The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites (Wales) Regulations 2006

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

13.—(1) For the purpose of enforcing these Regulations or any equivalent provisions, any British sea-fishery officer may exercise the powers conferred by this article in relation to any fishing boat within Wales [^{F1}and the Welsh zone].

(2) The officer may go on board the boat, with or without persons assigned to assist in that officer's duties, and may require the boat to stop and do anything else which will facilitate either the boarding of, or the disembarkation from, the boat.

(3) The officer may require the attendance of the master and other persons on board the boat and may make any examination and inquiry which appears to the officer to be necessary for the purpose mentioned in paragraph (1) of this regulation and, in particular—

- (a) may search for fish or fishing gear on the boat and may examine any fish on the boat and the equipment of the boat, including the fishing gear, and require persons on board the boat to do anything which appears to the officer to be necessary for facilitating the examination;
- (b) may require any person on board the boat to produce any document relating to the boat, to any fishing operations or other operations ancillary thereto or to the persons on board which is in that persons custody or possession;
- (c) for the purpose of ascertaining whether an offence under these Regulations or any equivalent provisions has been committed, may search the boat for any such document and may require any person on board the boat to do anything which appears to the officer to be necessary for facilitating the search;
- (d) may inspect and take copies of any such document produced to the officer or found on board;
- (e) without prejudice to sub-paragraphs (c) and (d), may require the master and any person for the time being in charge of the boat to render all such documents on a computer system into a visible and legible form, including requiring any such document to be produced in a form in which it may be taken away; and
- (f) where the boat is one in relation to which the officer has reason to suspect that an offence under these Regulations or any equivalent provisions has been committed, may seize and detain any such document produced to the officer on board for the purpose of enabling the document to be used as evidence in proceedings for the offence;

but nothing in sub-paragraph (f) above permits any document required by law to be carried on board the boat to be seized and detained except while the boat is detained in a port.

(4) Where it appears to a British sea-fishery officer that an offence under these Regulations or any equivalent provisions has at any time been committed, the officer may—

- (a) require the master of the boat in relation to which the offence took place to take, or the officer may take, the boat and its crew to the port which appears to the officer to be the nearest convenient port; and

(b) detain or require the master to detain the boat in the port;
and where such an officer detains or requires the detention of a boat the officer must serve on the master a notice in writing stating that the boat will be or is required to be detained until the notice is withdrawn by the service on the master of a further notice in writing signed by a British sea-fishery officer.

F1 Words in [reg. 13\(1\)](#) inserted (20.11.2018) by [The Sea Fishing \(Miscellaneous Amendments\) \(Wales\) Order 2018 \(S.I. 2018/1095\)](#), arts. 1(5), **2(10)**

Commencement Information

I1 Reg. 13 in force at 9.6.2006, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites (Wales) Regulations 2006, Section 13.