



Inshore Fishing (Scotland) Act 1984

1984 CHAPTER 26

[^{F1}6A Power to enter land

- (1) The powers conferred by this section are exercisable by British sea-fisheries officers in relation to any land for the purposes of enforcing the provisions of any order under section 1 of this Act and the provisions of section 3 of this Act.
- (2) Any such officer may at any time enter any land (including the foreshore) other than a dwelling house, on foot or in a vehicle, with or without persons assigned to the officer in the officer's duties, and for that purpose may—
 - (a) open lockfast places;
 - (b) remove any objects preventing the officer from gaining access to the land;
 - (c) require any person who has placed an object in such a position as to prevent the officer from gaining access to the land to remove the object;
 - (d) require the owner or occupier of the land to allow the officer access to the land.
- (3) Any officer who proposes to exercise the power of entry conferred by subsection (2) above must, if so requested, produce evidence of the officer's identity.
- (4) A person commits an offence if the person—
 - (a) wilfully obstructs a British sea-fishery officer exercising a right of entry under subsection (2) above;
 - (b) refuses or fails to comply with a requirement imposed by such an officer under paragraph (c) or (d) of that subsection.
- (5) It is a defence for a person charged with an offence under subsection (4)(b) above of failing to comply with a requirement mentioned in that subsection to show that the person had a reasonable excuse for failing to so comply.
- ^{F2}(6)
- ^{F2}(7)
- (8) A person who commits an offence under subsection (4) above is liable—
 - (a) on summary conviction to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment to a fine.

Changes to legislation: There are currently no known outstanding effects for the Inshore Fishing (Scotland) Act 1984, Section 6A. (See end of Document for details)

- (9) A British sea-fishery officer is not liable in any civil or criminal proceedings for anything done in purported exercise of the powers conferred on the officer by this section, if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.]

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Textual Amendments

- F1** S. 6A inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 50(2)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F2** S. 6A(6)(7) repealed (25.1.2018) by [The Criminal Justice \(Scotland\) Act 2016 \(Consequential and Supplementary Modifications\) Regulations 2017 \(S.S.I. 2017/452\)](#), reg. 1, **sch. para. 9**

Changes to legislation:

There are currently no known outstanding effects for the Inshore Fishing (Scotland) Act 1984, Section 6A.