



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 8

ENFORCEMENT

CHAPTER 5

COMMON ENFORCEMENT PROVISIONS

Offences in relation to enforcement officers

292 Offences in relation to enforcement officers

- (1) A person is guilty of an offence if—
 - (a) the person fails without reasonable excuse to comply with a requirement reasonably made, or a direction reasonably given, by an enforcement officer in the exercise of any power conferred by this Part, or
 - (b) the person prevents any other person from complying with any such requirement or direction.
- (2) A person is not guilty of an offence by reason of a failure to comply with a requirement made under subsection (1) of section 257 if the person complies with subsection (2) of that section.
- (3) A person who provides information in pursuance of a requirement reasonably made by an enforcement officer in the exercise of the power conferred by section 263 is guilty of an offence if—
 - (a) the information is false in a material particular, and the person knows that it is or is reckless as to whether it is, or
 - (b) the person intentionally fails to disclose any material particular.
- (4) A person who intentionally obstructs an enforcement officer in the performance of any of the officer's functions under this Act is guilty of an offence.

Changes to legislation: *Marine and Coastal Access Act 2009, Section 292 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes*

- (5) A person who assaults an enforcement officer in the performance of any of the officer's functions under this Act is guilty of an offence.
- (6) A person who, with intent to deceive, falsely pretends to be an enforcement officer is guilty of an offence.
- (7) A person who is guilty of an offence under subsection (1), (3) or (6) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.
- (8) A person who is guilty of an offence under subsection (4)^[F1] or (5) is liable on summary conviction to ^[F2]a fine not exceeding £20,000^[F2] a fine[]].
- (9) ^[F3]A person who is guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding £50,000.]
- (10) Proceedings for an offence under this section may be taken, and the offence may for all incidental purposes be treated as having been committed, in any part of the United Kingdom.
- (11) In this section any reference to an enforcement officer includes a reference to a person assisting an enforcement officer by virtue of section 260.

Textual Amendments

- F1** Words in s. 292(8) inserted (E.W.) (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 43(9)(a)** (with reg. 5(1))
- F2** Words in s. 292(8) substituted (E.W.) (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 43(9)(b)** (with reg. 5(1))
- F3** S. 292(9) omitted (E.W.) (12.3.2015) by virtue of [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 43(9)(c)** (with reg. 5(1))

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)
- C2** S. 292 applied in part (E.) (31.10.2015) by [The Grants for Fishing and Aquaculture Industries Regulations 2015 \(S.I. 2015/1711\)](#), regs. 1(1), **14(2)**

Commencement Information

- I1** S. 292 in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, **Sch. para. 23**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)