



Policing and Crime Act 2017

2017 CHAPTER 3

PART 4

POLICE POWERS

CHAPTER 6

MARITIME ENFORCEMENT: SCOTTISH OFFENCES

Ships in England and Wales waters: hot pursuit

98 Hot pursuit of ships in England and Wales waters

- (1) A law enforcement officer may, for the purpose of preventing, detecting or investigating an offence under the law of Scotland, exercise any of the maritime enforcement powers in relation to a ship in England and Wales waters if—
 - (a) the ship is pursued there,
 - (b) immediately before the pursuit of the ship, the ship was in Scotland waters or international waters,
 - (c) before the pursuit of the ship, a signal was given for it to stop,
 - (d) the signal was given in such a way as to be audible or visible from the ship, and
 - (e) the pursuit of the ship is not interrupted.
- (2) For the purposes of subsection (1)(e), pursuit is not interrupted by reason only of the fact that—
 - (a) the method of carrying out the pursuit, or
 - (b) the identity of the ship or aircraft carrying out the pursuit,changes during the course of the pursuit.
- (3) This section is subject to section 99 (which requires the authority of the Secretary of State before the maritime enforcement powers are exercised in relation to a foreign

Status: This is the original version (as it was originally enacted).

ship, or a ship registered under the law of a relevant territory, within the territorial sea adjacent to England and Wales).

99 Restriction on exercise of maritime enforcement powers in hot pursuit

- (1) The authority of the Secretary of State is required before a law enforcement officer exercises any of the maritime enforcement powers, in reliance on section 98 in relation to a foreign ship, or a ship registered under the law of a relevant territory, within the territorial sea adjacent to England and Wales.
- (2) The Secretary of State may give authority under subsection (1) in relation to a foreign ship only if—
 - (a) the home state has requested the assistance of the United Kingdom for the purpose of preventing, detecting or investigating an offence under the law of Scotland,
 - (b) the home state has authorised the United Kingdom to act for that purpose, or
 - (c) the United Nations Convention on the Law of the Sea 1982 (Cmnd 8941) otherwise permits the exercise of the powers in relation to the ship.