

FISHERIES ACT 1996

PART 11 - APPOINTMENT AND POWERS OF FISHERY OFFICERS

Powers of entry, search, and questioning

199. Powers of entry and search—

(1) In the course of the enforcement and administration of this Act, a fishery officer may, at any reasonable time,—

(a) Stop, enter, or pass across any land in order to enter and examine any vessel or vehicle, or enter and examine any premises or place, or examine any record, document, article, and any gear, apparatus, device, or contents of any kind therein:

(b) Stop any person and examine any record, document, article, container, gear, apparatus, device, fish, aquatic life, or seaweed in the possession of that person.

(2) If a fishery officer believes, on reasonable grounds,—

(a) That an offence is being or has been committed against this Act; and

(b) That—

(i) Any fish, aquatic life, or seaweed taken or thing used or intended to be used in contravention of this Act; or

(ii) Any record or information required by or under this Act to be kept, completed, or provided; or

(iii) Any article, record, document, or thing which there is reasonable ground to believe will be evidence as to the commission of an offence against this Act,—

may be concealed or located or held in any vessel, vehicle, conveyance of any kind, premises, place, parcel, package, record, or thing—

then, for the purpose of the enforcement of this Act, that officer may at any reasonable time enter or pass across any land in order to enter, examine, and search any such premises or place, or any such vessel, vehicle, or conveyance of any kind (by stopping or opening where necessary), and may examine and search (by stopping or opening where necessary) any such parcel, package, record, or thing.

(3) A fishery officer may detain any vessel, vehicle, conveyance of any kind, parcel, package, record, document, article, gear, apparatus, device, container, fish, aquatic life, seaweed, or thing for such period as is reasonably necessary to enable the fishery officer to carry out an examination or search under this section.