Notice of Inspection and Seizure

The following fishing gear has been inspected and seized by Eastern Inshore Fisheries and Conservation Authority:

6 Round Black plastic whelk pots and rope

Identifying Markings: **none**

Inspection and seizure details:

Date: **10/11/2016**

Time: **14:57**

Position found (Lat/Long) **52° 13'.186N 001° 42'.740E**

Inspecting Officers: **A. Woods, A Garnham**

On inspection, this gear has **failed to comply** with EIFCA Bylaws and/or EU regulations and **has been seized**.

Offence(s): **breach of Whelk Permit Byelaw 2016 and breach of Byelaw 5 (Prohibition on use of crab (*Cancer pagurus*) for bait)**

Further action

Eastern IFCA may retain the seized item(s) for the purpose of an investigation including identifying the owner. If the seized item(s) are not claimed within 3 months, they may be disposed of.

If you wish to claim ownership of the seized items, please contact the EIFCA Office at the following:

Eastern Inshore Fisheries and Conservation Authority

Unit 6 Bergen Way

North Lynn Business Village

King's Lynn

PE30 2JG

Email: mail@eastern-ifca.gov.uk

Tel: 01553 775321

Marine and Coastal Access Act 2009

Part 8 — Enforcement

Chapter 4 — Fisheries enforcement powers

264 Power to inspect and seize objects at sea

(1) For the purposes of carrying out any relevant functions, an enforcement officer who has the power conferred by this section may inspect any object in the sea which the officer believes has been or is being used for or in connection with fishing. The officer may lift an object out of the sea for the purposes of inspecting it under this section.

(2) An enforcement officer who has inspected an object under this section may seize the object.

(3) The power conferred by subsection (2) may only be exercised—

(a) for the purposes of determining whether a relevant offence has been committed, or

(b) in relation to an object which an enforcement officer reasonably

believes to be evidence of the commission of a relevant offence.

(4) If, having inspected an object under this section, the officer decides not to seize it under subsection (2), the officer must, if it is reasonably practicable to do so, replace the object in the location where it was found.

(5) If it is not reasonably practicable to replace the object in accordance with subsection (4), the officer may seize the object until such time as it may be collected by its owner.

(6) Any power conferred by this section to seize an object includes power to seize—

(a) anything that is attached to the object;

(b) anything that is contained within the object.

(7) Any reference in this section to replacing an object includes, in the case of fishing gear, a reference to re-setting the gear in the same way in which it was placed in the sea.

(8) The powers conferred on an enforcement officer by this section are without prejudice to any powers exercisable by the officer apart from this section.