

case of an aircraft or vessel which is registered in The Gambia.

(2) A master of an aircraft or vessel who contravenes Subsection (1) shall, unless prevented from complying with that Subsection by circumstances beyond his control, the proof whereof shall lie on the master, be guilty of an offence and liable-

- (a) in the case of the master of a vessel of less than two hundred and fifty tons register, to a fine not exceeding one hundred and twenty thousand Dalasis; and the vessel in respect of which the offence has been committed shall be liable to forfeiture;
- (b) in the case of the master of an aircraft, or of a vessel of two hundred and fifty tons register or more, to a fine of not less than five hundred thousand Dalasis ; and the aircraft or vessel in respect of which the offence has been committed may be seized and detained.

Power to patrol freely and moor vessels, etc.

**225.** (1) An officer when on duty, may patrol upon and pass freely along and over and enter any part of The Gambia other than a dwelling house or other building, and any such officer so patrolling shall not be liable to any prosecution or action in law for so doing.

(2) An officer in charge of an aircraft, vessel or vehicle employed in the prevention of smuggling or evasion of the provisions of this Act, may take the aircraft, vessel or vehicle to such place as he may consider most convenient for that purpose, and may there keep the aircraft, vessel or vehicle for such time as he may consider necessary for that purpose.

(3) No officer shall be liable to legal proceedings for any action taken in good faith in accordance with this Section.

Power to board vessel, etc., and search

**226.** (1) An officer may, in the course of his duty, stop, board and search an aircraft, vessel or vehicle within The Gambia and may examine, lock up, seal, mark or otherwise secure any goods on the aircraft, vessel or

vehicle, and for the purposes of the examination or security of any goods, the officer may require the goods to be unloaded or removed, at the expense of the master of the aircraft or vessel, or the person in charge of the vehicle.

(2) An officer acting under this Section who is unable to obtain free access to any part of the aircraft, vessel or vehicle or to any container therein, may enter that part or open that container in such manner, if necessary by force, as he may think necessary.

(3) An officer boarding an aircraft or vessel under this Section may remain thereon for such time as he may consider necessary and the master of the aircraft or vessel shall either provide the officer with proper and sufficient food and suitable bedding accommodation or, with the approval of the proper officer and subject to such conditions as he may impose, pay such sum as may be prescribed in lieu thereof; and a master who contravenes this Subsection, or of any such conditions, shall be guilty of an offence and liable to a fine not exceeding twenty-five thousand Dalasis.

(4) A master of an aircraft or vessel, or the owner or a person in charge of a vehicle-

- (a) who refuses to stop or to permit the aircraft, vessel or vehicle to be searched in accordance with this Section; or
- (b) in which goods which have been locked up, sealed, marked or otherwise secured in accordance with this Section are in any way interfered with except in accordance with the permission of the proper officer; or
- (c) in which a lock, seal or mark placed on any place or goods in accordance with this Section is in any way opened, broken or altered,

shall be guilty of an offence.

(5) Where, on the search of an aircraft vessel or