

120. Who can take proceedings for offences

- (1) Proceedings for an offence against this Act may be taken —
 - (a) by a person authorised to do so by the port authority for the port within or in relation to which the offence is alleged to have been committed; or
 - (b) by a police officer.
- (2) An authorisation under subsection (1)(a) may be given generally or in relation to a specified offence or specified offences.
- (3) If a prosecution notice alleging an offence under this Act purports to be made or sworn by a person authorised by a port authority to take proceedings for offences of that kind, it is to be presumed, in the absence of proof to the contrary, that the prosecution notice was made or sworn by such a person.

[Section 120 amended by No. 84 of 2004 s. 80.]