



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 7

#### FISHERIES

### CHAPTER 3

#### MIGRATORY AND FRESHWATER FISH

#### *Taking fish etc*

#### 215 Prohibited implements

- (1) In the [Salmon and Freshwater Fisheries Act 1975 \(c. 51\)](#), section 1 (prohibited implements) is amended as follows.
- (2) In subsection (1), in paragraph (a)—
  - (a) in sub-paragraph (iv) after “gaff,” insert “tailer,”;
  - (b) for “salmon, trout or freshwater fish” substitute “salmon, trout, eels, lampreys, smelt, shad, freshwater fish and any specified fish in any waters”.
- (3) In that subsection, in paragraph (b), for “salmon, trout or freshwater fish” substitute “any such fish in any waters”.
- (4) In that subsection, in paragraph (c), for “any salmon, trout or freshwater fish” substitute “any such fish in any waters”.
- (5) After that subsection insert—
  - “(1A) In this section “specified fish” means fish of such description as may be specified for the purposes of this section by order under section 40A below.
  - (1B) The appropriate national authority may by order amend subsection (1)(a) above so as to—

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*Status: This is the original version (as it was originally enacted).*

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- (a) add any instrument to it; or
  - (b) remove any instrument for the time being specified in it.”
- (6) After subsection (3) insert—
  - “(3A) References in this section to any waters include waters adjoining the coast of England and Wales to a distance of six nautical miles measured from the baselines from which the breadth of the territorial sea is measured.”
- (7) The following are omitted—
  - (a) in subsection (1), the words “Subject to subsection (4) below,”;
  - (b) subsection (4).