



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 5

#### NATURE CONSERVATION

#### CHAPTER 1

#### MARINE CONSERVATION ZONES <sup>[F1]</sup> AND MANAGEMENT OF SEA FISHERIES]

*Orders for <sup>[F1]</sup>marine conservation: Wales and the Welsh offshore region]*

#### <sup>[F1]</sup>134A Orders relating to exploitation of sea fisheries resources: Wales

- (1) The Welsh Ministers may make one or more orders relating to the exploitation of sea fisheries resources in Wales for the purposes of conserving—
  - (a) marine flora or fauna, or
  - (b) marine habitats or types of marine habitat.
- (2) An order under this section may be made so as to apply to any area in Wales.
- (3) An order under this section must specify the flora or fauna, or habitat or type of habitat, for the conservation of which the order is made.
- (4) The provision that may be made by an order under this section includes provision that prohibits, restricts or otherwise interferes with the exercise of—
  - (a) a right of several fishery;
  - (b) any right on, to or over any portion of the seashore that is enjoyed by a person under a local or special Act, a Royal charter, letters patent or by prescription or immemorial usage.
- (5) But the Welsh Ministers may make an order that prohibits, or significantly restricts or interferes with, a right referred to in subsection (4), only if the person who enjoys the right consents.

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**Changes to legislation:** Marine and Coastal Access Act 2009, Section 134A is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (6) Subsection (5) does not apply in relation to the exercise of such a right in relation to—
- (a) a site of special scientific interest, within the meaning of Part 2 of the Wildlife and Countryside Act 1981,
  - (b) a national nature reserve declared in accordance with section 35 of that Act,
  - (c) a Ramsar site, within the meaning of section 37A of that Act,
  - (d) a European marine site, within the meaning of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012), or
  - (e) an MCZ.

(7) See also section 134C (supplementary).]

#### Textual Amendments

- F1** Ss. 134A-134C inserted (23.1.2021) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(4)(d), [Sch. 10 para. 17](#) (with [Sch. 4 para. 31](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58(5A) inserted by [2024 asc 3 Sch. 3 para. 10\(2\)](#)
- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- s. 243A inserted by [2024 asc 3 s. 110](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)