



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 6

#### MANAGEMENT OF INSHORE FISHERIES

### CHAPTER 3

#### INSHORE FISHERIES IN WALES

#### 190 Offences

- (1) A person who contravenes any provision of an order made under section 189 is guilty of an offence under this section.
- (2) Where any vessel is used in contravention of any provision of an order made under section 189, the master, the owner and the charterer (if any) are each guilty of an offence under this section.
- (3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding £50,000.
- (4) Proceedings for an offence under this section may be taken, and the offence may for all incidental purposes be treated as having been committed, in any part of England and Wales.
- (5) No contravention by the Crown of this section is to make the Crown criminally liable; but the High Court may declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (6) Despite subsection (5), this section applies to persons in the public service of the Crown as it applies to other persons.
- (7) In this section “contravention” includes failure to comply; and “contravene” is to be read accordingly.

**Status:**

Point in time view as at 01/10/2011. This version of this provision has been superseded.

**Changes to legislation:**

Marine and Coastal Access Act 2009, Section 190 is up to date with all changes known to be in force on or before 14 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.