



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 5

NATURE CONSERVATION

CHAPTER 1

MARINE CONSERVATION ZONES [F¹ AND MANAGEMENT OF SEA FISHERIES]

Offences

139 Offence of contravening byelaws or orders

(1) It is an offence for a person to contravene—

- (a) any byelaw made under section 129 [F¹, 129A, 129B or 132(1) or (1A)];
- (b) any order made under section 134 [F², 134A, 134B, 136(1) or (1A), 137A, 137C, 137E or 137G].

[F³(2) A person who is guilty of an offence under this section in respect of a contravention of—

- (a) a byelaw made under section 129 or 129A,
- (b) a byelaw made under section 132(1),
- (c) an order made under section 134 or 134A, or
- (d) an order made under section 136(1),

is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2A) A person who is guilty of an offence under this section in respect of a contravention of a byelaw or order not specified in subsection (2) is liable—

- (a) on conviction on indictment, to a fine, or
- (b) on summary conviction, to a fine (in Scotland or Northern Ireland, not exceeding the statutory maximum).]

Changes to legislation: *Marine and Coastal Access Act 2009, Section 139 is up to date with all changes known to be in force on or before 19 April 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*

- (3) In this section “contravene” includes fail to comply.
- (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 [^{F4}the United Kingdom].

Textual Amendments

- F1** Words in s. 139(1)(a) substituted (23.1.2021) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(4)(d), **Sch. 10 para. 23(2)(a)** (with [Sch. 4 para. 31](#))
- F2** Words in s. 139(1)(b) substituted (23.1.2021) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(4)(d), **Sch. 10 para. 23(2)(b)** (with [Sch. 4 para. 31](#))
- F3** S. 139(2)(2A) substituted for s. 139(2) (23.1.2021) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(4)(d), **Sch. 10 para. 23(3)** (with [Sch. 4 para. 31](#))
- F4** Words in s. 139(4) substituted (23.1.2021) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(4)(d), **Sch. 10 para. 23(4)** (with [Sch. 4 para. 31](#))

Modifications etc. (not altering text)

- C1** Pt. 5 Ch. 1 applied (with modifications) by S.I. 1994/2716, reg. 36(3)(4) (as substituted (E.W.) (12.1.2010 for specified purposes, 12.12.2014 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(2)(b)(i), **Sch. 11 para. 4(1)**; S.I. 2014/3088, art. 2(b))

Commencement Information

- I1** S. 139 partly in force; s. 139 in force for specified purposes at 12.1.2010 see s. 324(2)(b)(i)
- I2** S. 139 in force at 12.12.2014 in so far as not already in force by [S.I. 2014/3088](#), **art. 2(b)**

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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. 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\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)