



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 5

#### NATURE CONSERVATION

#### CHAPTER 1

#### MARINE CONSERVATION ZONES [F<sup>1</sup> AND MANAGEMENT OF SEA FISHERIES]

#### *Miscellaneous and supplemental*

#### **145 Application to the Crown**

- (1) This Chapter is binding on the Crown and applies in relation to any Crown land as it applies in relation to any other land.

This is subject to subsection (2).

- (2) No contravention by the Crown of any provision of this Chapter is to make the Crown criminally liable; but the High Court or, in Scotland, the Court of Session may, on the application of the appropriate authority or any other authority charged with enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (3) Despite subsection (2), the provisions of this Chapter apply to persons in the public service of the Crown as they apply to other persons.
- (4) For the purposes of this section “Crown land” means land an interest in which—
- belongs to Her Majesty in right of the Crown or in right of Her private estates,
  - belongs to Her Majesty in right of the Duchy of Lancaster,
  - belongs to the Duchy of Cornwall, or
  - belongs to a government department or is held in trust for Her Majesty for the purposes of a government department.

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**Changes to legislation:** *Marine and Coastal Access Act 2009, Section 145 is up to date with all changes known to be in force on or before 21 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*

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(5) In this section references to Her Majesty's private estates are to be construed in accordance with section 1 of the Crown Private Estates Act 1862 (c. 37).

**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. 145 partly in force; s. 145 in force for specified purposes at 12.1.2010 see s. 324(2)(b)(i)  
**I2** S. 145 in force at 12.12.2014 in so far as not already in force by [S.I. 2014/3088](#), **art. 2(b)**

**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. 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\(2\)\(a\)](#)