



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 6

#### MANAGEMENT OF INSHORE FISHERIES

### CHAPTER 3

#### INSHORE FISHERIES IN WALES

#### **191 Powers of court following conviction**

- (1) This section applies where a person is convicted of an offence under section 190.
- (2) The court by which the person is convicted may order the forfeiture of—
  - (a) any fishing gear used in the commission of the offence;
  - (b) any sea fisheries resources in respect of which the offence was committed.
- (3) The power conferred by subsection (2) to order the forfeiture of any sea fisheries resources includes power to order the forfeiture of any container in which the resources are being kept.
- (4) The court may, instead of ordering the forfeiture of any fishing gear or any sea fisheries resources, order the person to pay a sum of money representing the value of the fishing gear or resources.
- (5) In a case where the offence involved the breach of a condition of a permit granted by the Welsh Ministers, the court may—
  - (a) suspend the permit, or
  - (b) disqualify the person from holding or obtaining any such permit relating to any activity to which that permit related,for such period as the court thinks fit.
- (6) In this section “sea fisheries resources” has the same meaning as in Chapter 1 of this Part (see section 153).

**Changes to legislation:**

Marine and Coastal Access Act 2009, Section 191 is up to date with all changes known to be in force on or before 20 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.

[View outstanding changes](#)

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