



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 7

#### FISHERIES

### CHAPTER 2

#### THE SEA FISHERIES (SHELLFISH) ACT 1967

#### **212 Taking of crabs and lobsters for scientific purposes**

- (1) Section 17 of the Sea Fisheries (Shellfish) Act 1967 (c. 83) (taking and sale of certain crabs and lobsters prohibited) is amended as follows.
- (2) In subsection (1), for “subsection (2)” substitute “ subsections (2) and (2A) ”.
- (3) After subsection (2) insert—

“(2A) Any person who takes or has in his possession any edible crab falling within paragraph (a) or (b) of subsection (1) of this section shall not be guilty of an offence under that subsection if—

  - (a) the crabs were taken from that part of the sea that is within British fishery limits and does not include the Scottish zone or the Northern Ireland zone,
  - (b) the person has been granted authority by the appropriate body to take such crabs for the purpose of scientific investigation, and
  - (c) the crabs were taken for that purpose and in accordance with such authority.”
- (4) In subsection (3), for “and any person” substitute “ and, subject to subsection (3B) of this section, any person ”.
- (5) Before subsection (4) insert—

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**Changes to legislation:** *Marine and Coastal Access Act 2009, Section 212 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. (See end of Document for details) View outstanding changes*

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“(3B) Any person who lands any lobster falling within subsection (3) of this section shall not be guilty of an offence under that subsection if—

- (a) the lobsters were taken from that part of the sea that is within British fishery limits and does not include the Scottish zone or the Northern Ireland zone,
- (b) the person has been granted authority by the appropriate body to take such lobsters for the purpose of scientific investigation, and
- (c) the lobsters were taken for that purpose and in accordance with such authority.”

(6) After subsection (5) insert—

“(6) In this section—

“the appropriate body” means—

- (a) the Marine Management Organisation, in the case of crabs and lobsters taken from that part of the sea that is within British fishery limits and does not include—
  - (i) the Scottish zone,
  - (ii) the Northern Ireland zone, or
  - (iii) the Welsh zone;
- (b) the Welsh Ministers, in the case of crabs and lobsters taken from the Welsh zone;

“British fishery limits” has the meaning given by section 1 of the Fishery Limits Act 1976;

“Northern Ireland zone” has the same meaning as in the Northern Ireland Act 1998;

“Welsh zone” has the same meaning as in the Government of Wales Act 2006.”

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**Commencement Information**

**II** S. 212 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 9

**Changes to legislation:**

Marine and Coastal Access Act 2009, Section 212 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.

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