

STATES OF JERSEY



DRAFT SEA FISHERIES (TRAWLING, NETTING AND DREDGING) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 9th March 2007
by the Minister for Economic Development**

STATES GREFFE



Jersey

DRAFT SEA FISHERIES (TRAWLING, NETTING AND DREDGING) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200-

REPORT

Purpose of the Report

The Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) Regulations 200- introduce further restrictions on the use of beam trawls in the Jersey part of the Granville Bay Area. In applying Regulations to French fishermen that already apply to Jersey fishermen as a condition of their fishing licences, the Regulations ensure that all fishermen working in the Granville Bay Area are subject to the same restrictions.

Background

The need to restrict the use of large beam trawls and beam trawls towed by powerful trawlers was agreed between fishermen, scientists and fisheries administrators of Jersey and France meeting under the terms of the Granville Bay Agreement during 2005. Since then the various Ministers having responsibility for fisheries have approved a request for law drafting time and then that the draft Regulations be sent to the U.K. for the concurrence of the Secretary of State of the Department for Constitutional Affairs. That concurrence has now been given and the Regulations are ready to be lodged for debate.

The French Government introduced similar legislation for the French part of the Granville Bay Area on 14th December 2005.

Discussion

The Regulations form part of a package of measures intended to restrict the activity of trawlers using beam trawls, thereby affording greater protection for the marine environment of the Granville Bay area. The restrictions have been recommended by fishermen, marine biologists and fisheries administrators of Jersey and France and approved by the U.K. Secretary of State for the Department for Constitutional Affairs. The restrictions contained in the Regulations already apply to Jersey fishermen as a condition of their fishing licences and once the regulations are approved, will also apply to French fishermen. The French authorities have introduced similar Regulations for their part of the Granville Bay area.

Enforcement of these measures is already being conducted for Jersey fishermen and there will not be any significant increase in work in applying the measures to French fishermen.

Conclusion

The Regulations will ensure that French fishermen working in the Jersey part of the Granville Bay Area are bound by the same restrictions on the use of beam trawls as Jersey fishermen.

Financial and manpower implications

There are no financial or manpower implications for the States arising from these Draft Regulations.

Explanatory Note

These Regulations amend the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 2001, firstly, by substituting a new Regulation 21 for the existing provisions relating to the use of beam trawls.

The new Regulation prohibits the use of beam trawls that may extend to more than 9 metres and the use of beam trawls of any size from a fishing boat with an engine whose power exceeds 221kW. The Regulation also prohibits the carriage of beam trawls whose use is prohibited in those circumstances. However, such beams may be carried if they are stored and secured on a fishing boat in a manner that ensures they are not immediately ready for use.

The Regulations also make a minor amendment to the wording of 3 regulations in the principal Regulations, so as to better fit with the Law under which they are made.

The Regulations, if made, would come into force 7 days afterwards.



Jersey

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Arrangement

Regulation

1	Interpretation	9
2	Regulation 1 amended	9
3	Regulation 21 substituted	9
4	Regulation 23 amended	10
5	Regulation 26 amended	10
6	Citation and commencement	10



Jersey

DRAFT SEA FISHERIES (TRAWLING, NETTING AND DREDGING) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200-

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Articles 2, 5, 7, 8 and 29 of the Sea Fisheries (Jersey) Law 1994¹, having consulted with and obtained the concurrence of the Secretary of State, have made the following Regulations –

1 Interpretation

In these Regulations, “principal Regulations” means the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 2001².

2 Regulation 1 amended

In the principal Regulations, in Regulation 1, in the definition “mesh size”, in paragraph (a), for the words “fishing vessel” there shall be substituted the words “fishing boat”.

3 Regulation 21 substituted

In the principal Regulations, for Regulation 21 there shall be substituted the following Regulation –

“21 Carriage and use of certain trawls

(1) It is prohibited to –

- (a) use beam trawls, the aggregate beam length of which is greater than 9 metres; or
- (b) use beam trawls from a fishing boat with an engine whose power exceeds 221kW.

(2) It is prohibited to –

- (a) carry on a fishing boat beam trawls, the aggregate beam length of which is greater than 9 metres; or
 - (b) carry any beam trawls on a fishing boat with an engine whose power exceeds 221kW,
unless the beam trawls, and any equipment attached to them –
 - (i) are stored on the fishing boat in such a way that no part of the trawl or equipment is suspended over the side or the stern of the boat, and
 - (ii) are secured on the fishing boat in such a way that the trawls are not immediately ready for use.
- (3) The aggregate beam length of beam trawls is the sum of the length of each beam.
 - (4) The aggregate beam length of beam trawls shall be taken to be greater than 9 metres if the beams can be extended to an aggregate length greater than 9 metres.
 - (5) The length of a beam shall be measured between its extremities which shall be taken to include any attachment to the beam.”.

4 Regulation 23 amended

In the principal Regulations, in Regulation 23(2), for the words “fishing vessel” there shall be substituted the words “fishing boat”.

5 Regulation 26 amended

In the principal Regulations, in Regulation 26 –

- (a) in paragraph (1), for the words “fishing vessel” there shall be substituted the words “fishing boat”;
- (b) in paragraph (2), for the word “vessel” there shall be substituted the words “fishing boat”.

6 Citation and commencement

These Regulations may be cited as the Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) Regulations 200- and shall come into force 7 days after they are made.

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- ¹ *chapter 14.825*
² *chapter 14.825.88*