

STATES OF JERSEY



DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 20th June 2006
by the Minister for Planning and Environment**

STATES GREFFE



Jersey

DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 2) (JERSEY) REGULATIONS 200-

REPORT

The annual renewal of commercial fishing boat licences was originally necessary to ensure that records were kept up to date. Since the introduction of the licensing scheme tighter links have been established with the Registry and fishermen understand better the need to notify administrators of changes in details, rendering the need for annual renewal an unnecessary burden on both administrators and fishermen.

There are some 200 fishing boat licences and at the end of each year the applicant has to apply for the licence to be renewed for the following year. Each licence comprises of between 12 and 20 pages and so there are minor financial and manpower costs associated with licence renewal.

The amendment seeks to reduce the administrative burden on both fishermen and administrators by bringing Jersey in to line with the United Kingdom and Guernsey by increasing the period of validity of fishing boat licences from one to two years.

Financial and Manpower Implications

The proposed amendment will result in a small reduction in the administrative and financial costs associated with the fishing boat licensing scheme. Professional fishermen will benefit from a reduction in their administrative workload.

Explanatory Note

Regulation 1 inserts a new Regulation 12A into the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003. Regulation 12A provides for the period for which a fishing boat licence will be in force. It is proposed to grant a fishing boat licence once in every 2 year period after the 1st January 2007. A licence that takes effect on or after 1st January 2007 will be in force until 31st December 2008 (subject to its suspension, revocation etc). A licence may be granted at any time during this period but regardless of when it takes effect it will expire at the end of the 2 year period for which it may remain in force. These 2 year periods are described as a “granting period”. The first granting period will be from 1st January 2007 to 31st December 2008. After the first granting period each successive granting period will commence on the second anniversary of the commencement date of the previous granting period and expire on the 31st December of the year following the year in which it commences.

The new period for which a fishing boat licence is in force applies to a fishing boat licence that takes effect on or after 1st January 2007. It will not apply to a fishing boat licence that takes effect on any date before 1st January 2007.

Regulation 2 provides for the name of these Regulations and that they will come into force 7 days after they are made.



Jersey

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Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES, in pursuance of Articles 25, 26 and 29 of the Sea Fisheries (Jersey) Law 1994¹, have made the following Regulations –

1 Regulation 12A inserted

After Regulation 12 of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003² there shall be inserted the following Regulation –

“12A Period for which licence in force

- (1) A fishing boat licence shall, subject to its suspension or revocation, be in force on and from the date on which it takes effect until the end of the granting period within which it takes effect.
- (2) Paragraph (1) applies to a Class A licence and a Class B licence referred to in Regulation 6(1).
- (3) In this Regulation, ‘granting period’ means –
 - (a) the period that commences on 1st January 2007 and ends on 31st December 2008; or
 - (b) a period, determined in accordance with paragraph (4), that follows the period specified in sub-paragraph (a), or comes at a later time.
- (4) For the purposes of paragraph (3)(b), a period that follows the period specified in paragraph (3)(a), or comes at a later time to that period, shall –
 - (a) commence on the second anniversary of the commencement date of the preceding granting period; and
 - (b) end on the 31st December of the year following the year in which it commences.

- (5) This Regulation shall apply to a fishing boat licence that takes effect on or after 1st January 2007.”.

2 Commencement and citation

These Regulations may be cited as the Sea Fisheries (Licensing of Fishing Boats) (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 14.825.56*