

Law Drafting Instructions

In the matter of Sea Fisheries (Spider crab – restrictions on fishing)(Jersey) Order 2019

Background

1. In 2004 the Joint Advisory Committee (JAC) of the Agreement relating to fishing in the Bay of Granville (GBA) agreed to recommend to the Joint Management Committee (JMC) the closure of the spider crab fishery on an annual basis to protect the crab population during the post moult period when the shells of the crabs are soft. The dates of 1st September until the 15th October were agreed
2. In 2008 further measures were recommended to and adopted by the JMC. (MD-E-2008-0219). One such measure related to the introduction of a ban on netting in an area to the southwest of Jersey during the annual spider crab closure, again to protect the soft-shelled crabs post-moult.
3. To accommodate this request, under the Sea Fisheries (Jersey) Law 1994 and the Sea Fisheries (Miscellaneous Provisions)(Jersey) Regulations 1998 (as amended) the Minister for the Environment made the Sea Fisheries (Spider crab – Restrictions on Fishing) Order. This Order must be made annually.
4. As part of the GBA meetings the JAC each year would consider the dates for the annual closure and make a recommendation to the JMC. It was agreed that should the JAC not be able to agree alternative dates for the closed season the standard dates of the 1st September to the 15th October would apply.
5. As of 1st January 2021, the GBA was superseded by the TCA and therefore no GBA meetings have occurred in 2021. As there has not been any discussion in respect of the spider crab closed season, the Minister has agreed that the standard closed season will apply this year and an Order for 2024 is required.
6. The closure needs to take effect from 1st September.

Detailed Instructions

7. An Order is required to close the fishery in accordance with Regulation 5(2) from 0001 hours on Sunday 1st September 2024 until 2359 hours on Tuesday 15th October 2024.
8. An area in which “passive gear” cannot be used needs to be defined in this Order as described in Regulation 5A.
9. The fishermen have agreed an area where no nets at all could be used and that area is defined below.

The area in which the restriction will apply is:

That part of the territorial sea contained within the following lines:

1 - A point to the south of the Island where the UK/France median line is intersected by the meridian of longitude 02°20.00 west,

2 - Thence following the median line in an easterly direction to a point where it is intersected by the meridian of longitude 01°55.00 west,

3 - Then following the median line in an anticlockwise north easterly, northerly and north easterly direction to the point where it is intersected by the meridian of longitude 02°00.08 west,

4 - Then south along that meridian until it reaches a line 3 nautical miles measured from the low water line of the coast of Jersey in the position 49°16.95N 02°00.08W.

5 - It follows that line in a clockwise south easterly, southerly, south westerly and westerly direction until it reaches the position 49°05.12 north, 02°02.08 west,

6 - Then follows the meridian of longitude 02°02.08 in a southerly direction until it reaches the position 49°04.47 north, 02°02.08 west,

7 - From where it follows in a north westerly direction a line located 3 nautical miles from the baseline from which the territorial sea around Jersey is measured until that line reaches the position 49°12.44 north, 02°19.65 west.

8 - From that position it follows a line in a westerly direction until it reaches a line located 6 nautical miles from the baseline from which the territorial sea around Jersey is measured in position 49°12.44 north, 02°24.68 west,

9 - From where it follows that line in a south easterly direction until it is intersected by the meridian of longitude 02°20.00 west.

10 - From that point it follows the meridian of longitude 02°20.00 west in a southerly direction back to the start point.

11 - The Order will need to state that the coordinates given are as determined in accordance with the World Geodetic system 1984 (WGS84).