

# STATES OF JERSEY



## **DRAFT SEA FISHERIES (INSHORE TRAWLING, NETTING AND DREDGING) (AMENDMENT No. 4) (JERSEY) REGULATIONS 201-**

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Lodged au Greffe on 16th May 2017  
by the Minister for the Environment

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**STATES GREFFE**





Jersey

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### **REPORT**

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In June 2016 the States of Jersey approved an amendment to the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001 in order to limit the length of net that could be set on the beach to 100 metres. A further amendment to these Regulations was approved in November 2016 to allow the Minister to set the length of net by Order. Subsequent to this amendment, upon receipt of further advice, another amendment is required to allow for the length of net to be set at zero (0), i.e. to prohibit the setting of nets on the beach.

These draft amending Regulations seek to prohibit the setting of nets on the beach, but would allow the Minister by Order to prescribe the times at which, and locations where nets can be set.

#### **Financial and manpower implications**

There are no financial or manpower implications for the States arising from the adoption of these draft Regulations.

#### **Collective responsibility under Standing Order 21(3A)**

The Council of Ministers has a single policy position on this proposition, and as such, all Ministers, and the Assistant Ministers for the Environment, are bound by the principle of collective responsibility to support the proposition, as outlined in the Code of Conduct and Practice for Ministers and Assistant Ministers ([R.11/2015](#) refers).

## Explanatory Note

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These Regulations amend the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001 to prohibit the use of fishing nets on beaches unless they are used at such times and in such areas and by such persons or classes of persons as may be specified by an Order made by the Minister. These Regulations also prohibit the use of beach set nets by any such person or class of person so specified unless the requirements set out in the substituted Regulations 6 and 7 are complied with. These include requirements as to the net mesh size, the length of net, the precise location of the nets in relation to the half-tide mark and depth of water and the maximum time during which a net may be left in a particular location.

*Regulation 2* gives the title of these Regulations and provides for them to come into force 7 days after they are made.



Jersey

## **DRAFT SEA FISHERIES (INSHORE TRAWLING, NETTING AND DREDGING) (AMENDMENT No. 4) (JERSEY) REGULATIONS 201-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Articles 2, 5 and 29 of the Sea Fisheries (Jersey) Law 1994<sup>1</sup>, have made the following Regulations –

### **1 Regulations 6, 6A and 7 substituted**

For Regulation 6, 6A and 7 of the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001<sup>2</sup> there shall be substituted the following Regulations –

#### **“6 Further restrictions on the use of fishing nets**

- (1) It is prohibited to use a beach set net except as specified by an Order made by the Minister.
- (2) The Minister may by an Order –
  - (a) specify a person or a class of person who may use a beach set net; or
  - (b) specify the times or places that such persons or classes of persons may use such beach set nets.
- (3) It is prohibited to use a beach set net at a time, in an area or by a person or class of persons that has been specified under paragraph (2) unless –
  - (a) it has a mesh size of at least 110 mm, or such larger size that the Minister may specify by an Order;
  - (b) it is below the half-tide mark and amongst rocks situated no more than 120 metres apart, or such other distance that the Minister may specify by an Order;
  - (c) it is marked at either end and at 10 metre intervals over its entire length with a buoy, float or other identification mark each with a diameter or width of at least 10 cm;
  - (d) the marks at either end of the beach set net are indelibly marked with the owner’s contact details; and

- (e) the maximum length of net set on the beach at any one time by the owner is 100 metres or such other length that the Minister may specify by an Order.
- (4) It is prohibited to use passive gear other than a beach set net where the depth of the sea is less than 130 cm or such other depth that the Minister may specify by an Order.
- (5) It is prohibited to use a peg or a stake on a beach to hold a beach set net.

## **7 Restrictions on certain beach set nets**

- (1) It is prohibited to use a beach set net at a time or place or by a person or class of persons specified by an Order made under Regulation 6(1) unless the requirements of paragraph (2) are met.
- (2) A person using a beach set net for more than 96 hours must move that beach set net to another location within each 96 hour period.
- (3) For the purposes of paragraph (2) –
  - (a) a beach set net is moved to another location only if each part of that beach set net is located in a different place to where that part was located immediately prior to the move;
  - (b) each 96 hour period shall be measured from the time the beach set net is first used and, thereafter, from each time it is moved to another location; and
  - (c) a person uses a beach set net throughout any period of time whether or not the person abandons the beach set net during that period.
- (4) The Minister may by an Order specify a different maximum period for the purposes of paragraphs (2) and (3)(b).”

## **2 Citation**

These Regulations may be cited as the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment No. 4) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

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- <sup>1</sup> *chapter 14.825*  
<sup>2</sup> *chapter 14.825.32*