

STATES OF JERSEY



DRAFT SEA FISHERIES (INSHORE WATERS) (AMENDMENT No. 3) (JERSEY) REGULATIONS 201-

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

STATES GREFFE



Jersey

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REPORT

In June 2016 the States of Jersey approved an amendment to the Sea Fisheries (Inshore Waters) (Jersey) Regulations 1998 in order to limit the number of hooks that could be set on the beach to 50 hooks. A further amendment to these Regulations was approved in November 2016 to allow the Minister to set the number of hooks by Order. Subsequent to this amendment, upon receipt of further advice, another amendment is required to allow for the number of hooks to be set at zero (0), i.e. to prohibit the setting of hooks.

These draft amending Regulations seek to prohibit the setting of hooks, but would allow the Minister by Order to prescribe the times at which, and locations where hooks 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

These Regulations amend the Sea Fisheries (Inshore Waters) (Jersey) Regulations 1998 to prohibit the use of fishing lines 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 the Minister in an Order. These Regulations also prohibit the use of ground lines on any beach by any such person or class of person so specified unless the requirements set out in the substituted Regulation 3 are complied with. These include requirements as to the size and number of hooks, the length of the line and the location of the line.

Regulation 2 gives the title of these Regulations and provides for them to 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 2, 5 and 29 of the Sea Fisheries (Jersey) Law 1994¹, have made the following Regulations –

1 Regulation 3 amended

For Regulation 3 of the Sea Fisheries (Inshore Waters) (Jersey) Regulations 1998² there shall be substituted the following Regulation –

“3 Restrictions on the use of fishing lines

- (1) It is prohibited to use or cause to be used for the purpose of fishing for sea fish any ground line except as specified in an Order made by the Minister.
- (2) The Minister may in an Order –
 - (a) specify a person or a class of person who may use a ground line for the purpose of fishing for sea fish; or
 - (b) specify the times or places that such persons or classes of persons may use such ground lines.
- (3) A person specified under paragraph (2) shall not use or cause to be used –
 - (a) any ground line on any part of any beach above the half-tide mark;
 - (b) any ground line with a single hook unless it is marked with a buoy, float or other identification mark having a diameter or width of 10 centimetres indelibly marked with the contact details of the owner except that where such lines are anchored in a row it shall be sufficient to so mark –
 - (i) the lines at the ends of the row, and
 - (ii) intermediate lines at intervals not exceeding 10 metres or such other distance that the Minister may specify in an Order;

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- (c) any ground line to which paragraph (b) does not apply, unless it is marked at either end and at 10 metre intervals over its entire length with a buoy, float or other identification mark having a diameter or width of 10 centimetres, and in the case of the marks at either end of the ground line, indelibly marked with the contact details of the owner;
 - (d) any ground line the hooks of which have an opening of less than one centimetre between the point of the hook and its shaft;
 - (e) any ground line on a beach if the maximum number of hooks set on the beach at any one time by the owner exceeds 50 or such other number that the Minister may specify in an Order;
 - (f) any pegs or stakes on any beach to hold fishing lines.”.

2 Citation and commencement

These Regulations may be cited as the Sea Fisheries (Inshore Waters) (Amendment No. 3) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

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- ¹ *chapter 14.825*
² *chapter 14.825.40*