

STATES OF JERSEY



Jersey

DRAFT SEA FISHERIES AND AQUATIC RESOURCES (PORTELET BAY) (JERSEY) REGULATIONS 202-

**Lodged au Greffe on 15th February 2022
by the Minister for the Environment
Earliest date for debate: 29th March 2022**

STATES GREFFE

REPORT

The Sea Fisheries and Aquatic Resources (Portelet Bay) (Jersey) Regulations 202-, if adopted, will define the area to be known as the “Portelet no-take zone”. This will make it an offence under the [Sea Fisheries \(Jersey\) Law 1994](#) for a person to remove any fish or shellfish from the Portelet no-take zone, or to use a fishing boat. The Regulations further provide that it is an offence under the [Aquatic Resources \(Jersey\) Law 2014](#) to remove any marine aquatic species other than fish or shellfish from the Portelet no-take zone. However, the restriction does not apply to fishing for sea fish which is conducted, under the authority of the Minister, for scientific research or for transplanting fish from one fishing ground to another.

The establishment of a no-take zone was proposed by the Marine Resources Panel, a body comprised of industry representatives and officers of the Government of Jersey and is endorsed by the Minister for the Environment.

By designating a no-take zone in Portelet Bay, this will allow the Government of Jersey and other key stakeholders to establish a zone for scientific research which would, in turn, aid the Island with its wider scientific research as relates to the marine environment in order to maintain fish stocks and sustainable fisheries.

For the avoidance of doubt, as the no-take zone would be within Jersey’s exclusive three-mile limit, the introduction of a no-take zone in Portelet Bay does not impact any requirements placed on the Island as part of its involvement in the Trade and Cooperation Agreement (the TCA).

Financial and manpower implications

There are no new financial or manpower implications arising from the adoption of these draft Regulations as any requirements arising from the adoption of a no-take zone in Portelet Bay have been accounted for in the Government Plan.

EXPLANATORY NOTE

The Sea Fisheries and Aquatic Resources (Portelet Bay) (Jersey) Regulations 202-, if passed, will define the area to be known as the “Portelet no-take zone”, and provide that it is an offence under the Sea Fisheries (Jersey) Law 1994 for a person to remove any fish or shellfish from the Portelet no-take zone, or to use a fishing boat. The Regulations further provide that it is an offence under the Aquatic Resources (Jersey) Law 2014 to remove any marine aquatic species other than fish or shellfish from the Portelet no-take zone. Each offence is liable to a fine. The restriction does not apply to fishing for sea fish which is conducted, under the authority of the Minister, for scientific research or for transplanting fish from one fishing ground to another. The Regulations would come into force 7 days after they are made.



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Jersey

DRAFT SEA FISHERIES AND AQUATIC RESOURCES (PORTELET BAY) (JERSEY) REGULATIONS 202-

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

THE STATES make these Regulations under Articles 2 and 20 of the [Aquatic Resources \(Jersey\) Law 2014](#) and Articles 2 and 29 of the [Sea Fisheries \(Jersey\) Law 1994](#) –

1 Sea fishing and taking of aquatic resources prohibited in Portelet no-take zone

- (1) In this Regulation, “Portelet no-take zone” means the area –
 - (a) bounded on the seaward side by a straight line from 49°10.150N 2°10.988W to 49°10.015N 2°10.374W, as determined in accordance with the World Geodetic System in 1984; and
 - (b) shown in the image set out in the Schedule.
- (2) A person commits an offence under Article 4 of the [Sea Fisheries \(Jersey\) Law 1994](#) who, within Portelet no-take zone –
 - (a) fishes for sea fish by any method; or
 - (b) uses a fishing boat (as defined in that Law).
- (3) A person commits an offence under Article 3 of the [Aquatic Resources \(Jersey\) Law 2014](#) who takes any aquatic resource from within Portelet no-take zone.
- (4) Paragraph (2) does not apply to fishing for sea fish which, under the authority of the Minister, is conducted for the purpose of scientific investigations or for transplanting fish from one fishing ground to another.

2 Citation and commencement

These Regulations may be cited as the Sea Fisheries and Aquatic Resources (Portelet Bay) (Jersey) Regulations 202- and come into force 7 days after they are made.

SCHEDULE

(Regulation 1)

PORTELET NO-TAKE ZONE

