

STATES OF JERSEY



DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 5) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 13th April 2011
by the Minister for Economic Development**

STATES GREFFE



Jersey

DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 5) (JERSEY) REGULATIONS 201-

REPORT

The States Business Plan for 2011 approved the introduction of fees in respect of annually issued fishing permits.

The ability of the Minister to set fees for fishing licences and permits is contained in the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003; however those Regulations currently exclude the ability to charge where a licence or permit is re-issued in respect of the same person and fishing boat. This effectively prevents the charging of a fee for the renewal of licences or permits.

By removing these constraints, the Minister will be able to prescribe renewal charges by Order. Where the Minister deems it to be unnecessary to charge a fee (perhaps for example the issue of a replacement licence or permit resulting from a change of address of the holder), then the Order will not specify a fee.

Fishing vessel licences are next due for routine renewal on 1st January 2013, and so the approval of the Draft Regulations will have no immediate impact on the fishing industry. A Ministerial Order setting renewal fees will need to be put in place during 2012.

Financial and manpower implications

There are no financial or manpower implications for the States arising from these Draft Regulations.

Explanatory Note

These Regulations would amend the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003.

The effect of the amendment is to enable fees to be charged –

- (a) on the renewal of licences and permits granted under the 2003 Regulations; and
- (b) on the grant of a second or subsequent licence or permit, if the first one has expired without renewal or has been revoked.

At present a fee is only charged on the first grant of a licence or permit.

The amount of a fee will be prescribed by the Minister for Economic Development, by Order.

The amending Regulations would 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 7, 12, 25, 26, 27 and 29 of the Sea Fisheries (Jersey) Law 1994¹, have made the following Regulations –

1 Interpretation

In these Regulations, “principal Regulations” means the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003².

2 New Regulation 7 substituted

For Regulation 7 of the principal Regulations there shall be substituted the following Regulation –

“7 Fees for licences and permits

- (1) A fee of such amount as the Minister prescribes shall be payable for –
 - (a) the grant or renewal of a fishing boat licence; or
 - (b) the grant or renewal of an access permit or fishing permit (or of both permits).
- (2) The Minister may by Order prescribe the amounts of any fees to which paragraph (1) refers.
- (3) A fee so prescribed shall be payable by the person to whom the licence, access permit or fishing permit is granted or (as the case may be) for whom it is renewed.
- (4) The fee shall be payable on the grant or renewal (as the case may be) of the licence, access permit or fishing permit.”

3 Citation and commencement

- (1) These Regulations may be cited as the Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 5) (Jersey) Regulations 201-.
- (2) These Regulations shall come into force 7 days after they are made.

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- ¹ *chapter 14.825*
² *chapter 14.825.56*