

**DRAFT SEA FISHERIES (INSHORE TRAWLING, NETTING
AND DREDGING) (JERSEY) REGULATIONS 199**

**Lodged au Greffe on 6th July 1999
by the Agriculture and Fisheries Committee**



STATES OF JERSEY

STATES GREFFE

Explanatory Note

The purpose of these Regulations is to control certain fishing activities within the exclusive three mile limit of the territorial sea of the Island of Jersey.

Regulation 1 relates to interpretation and defines certain terms.

Regulation 2 limits the application of the Regulations to the exclusive three mile limit.

Regulation 3 prohibits trawling and dredging for fish within specified areas.

Regulation 4 controls fishing by means of a net, other than a seine net in certain circumstances, which is used to draw fish on to the shore.

Regulation 5 controls the use of beach set nets, which are defined in Regulation 1, and allows the Committee to permit the use of beach set nets in certain areas and at certain times of the year.

Regulation 6 restricts the inshore netting of fish within a specified area to a specified part of the year.

Regulation 7 prohibits the use of passive gear the mesh of which is smaller than that specified in the First Schedule, and also requires that where passive gear corresponding to a category in the Second Schedule is used the quantities retained on board of species mentioned in that category shall not be less than 70%.

Regulation 8 imposes a restriction on fishing for mackerel.

Regulations 9 and 10 are the Repeals, citation and commencement provisions.

Sea Fisheries (Jersey) Law 1994

SEA FISHERIES (INSHORE TRAWLING, NETTING AND
DREDGING) (JERSEY) REGULATIONS 199

(Promulgated on the day of 199)

STATES OF JERSEY

The day of 199

THE STATES, in pursuance of Articles 2, 5 and 22 of the Sea Fisheries (Jersey) Law 1994,¹ have made the following Regulations -

Interpretation

1.-(1) In these Regulations -

“beach set net” means passive gear which is put in place otherwise than from a vessel;

“minimum mesh size” means, in respect of any net specified in the first column of the First Schedule, the minimum mesh size specified in the second column thereof opposite that net, which mesh size shall be measured in accordance with the provisions of Part III of the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 199 ;²

“passive gear” means gillnets, entangling nets and trammel nets which may consist of one or more separate nets which are rigged with top, bottom and connecting ropes and may be equipped with anchoring, floating and navigational gear;

¹ Recueil des Lois, Volume 1994-1995, pages 141, 143 and 161.

² P.91/99.

(2) A reference in these Regulations to an enactment is a reference to that enactment as amended from time to time and includes a reference to that enactment as extended or applied by or under any other enactment, including any provision of that enactment.

(3) A reference in these Regulations to a numbered Regulation or Schedule without further identification is a reference to the like numbered Regulation or Schedule to these Regulations.

(4) A reference in these Regulations to a paragraph by number or letter only, and without further identification, is a reference to the paragraph of that number or letter contained in the Regulation or Schedule in which such reference occurs.

Application

2. These Regulations apply to the Island of Jersey and to the waters within a distance of three nautical miles of the coast thereof measured from low-water mark of ordinary spring tides.

Restriction on trawling and dredging

3.-(1) No person shall use a trawl net or a dredge for the purpose of fishing for sea-fish -

- (a) in St. Brelade's Bay;
- (b) in St. Aubin's Bay, within the area bounded by a straight line drawn from the 'Pointe du But' to the 'Grosse du Château Elizabeth';
- (c) in the small roads in St. Aubin's Bay;
- (d) in Fliquet Bay;
- (e) in Grouville Bay, within the area bounded by a straight line drawn from 'La Conchière' to the 'Nez du Château du Mont Orgueil';

- (f) within the area bounded by a straight line drawn from the 'Nez du Château du Mont Orgueil' to the seaward end of St. Catherine's Breakwater.

(2) No person shall use, for the purpose of fishing for sea-fish, more than one beam trawl.

(3) The maximum length of a beam trawl used under paragraph (2) shall be six metres, which length shall be measured between its extremities, including all attachments thereto.

Restriction on the use of draw nets

4.-(1) Except as provided in this Regulation, no person shall use, for the purposes of fishing for sea-fish, any net for drawing fish ashore.

(2) Paragraph (1) shall not apply to the use of a seine net used for fishing for grey mullet during the two hours before and the hour after high water, if the net is not less than 90 metres long and is used in conjunction with a boat.

(3) A person may use a seine net for drawing fish ashore if the net has a mesh of at least the minimum mesh size and it is used during the hour before and the three hours after low water, in St. Ouen's Bay and in the area of the Royal Bay of Grouville between the rocks known as the Tas du Nord and the seaward end of the pier at Gorey.

(4) No person shall use a vehicle which is propelled by mechanical means or a motorised winch for the purpose of drawing a net ashore.

Further restrictions on the use of fishing nets

5.-(1) No person shall use, for the purpose of fishing for sea-fish -

- (a) a beach set net except below the half-tide mark and amongst rocks situated no more than 120 metres apart;

- (b) a beach set net 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 cm, and in the case of the marks at either end of the net, indelibly marked with the name and address of the owner;
- (c) passive gear other than a beach set net where the depth of the sea is less than 130 cm;
- (d) pegs or stakes on any beach to hold nets.

(2) The Committee may, by Act published in the Jersey Gazette permit the use of a beach set net used for fishing for sea-fish in such places among the rocks on the coasts of the Island, and for such periods as the Committee may determine.

Restriction on inshore netting

6. No person shall use for the purpose of fishing for sea fish from a boat any passive gear or any equipment attached thereto, including anchors, lines and floats, within 200 metres of the shoreline between La Coupe Point to La Rocque Harbour and thence to St. Brelade's Bay Pier at any state of the tide during the hours of daylight during the period beginning on the first day of April and ending on the fifteenth day of October in any year.

Restriction on the use of static nets

7.-(1) No person shall use, for the purpose of fishing for sea-fish, passive gear unless any net which is part thereof is of the minimum mesh size.

(2) No person shall use passive gear other than a beach set net with mesh sizes which do not correspond to any of the categories set out in the Second Schedule, and no vessel shall have those nets on board save a vessel in transit through the area to which these Regulations apply.

(3) When catches are made by vessels using passive gear other than a beach set net with sizes corresponding to one of the categories set out in the Second Schedule, the percentage of quantities retained on board expressed in live weight, for one or any combination of species or groups

of species mentioned in the corresponding mesh size category, may not be less than 70%.

(4) The mesh size of a net which is part of any passive gear mentioned in paragraphs (2) and (3) shall be that of the piece of net with the smallest mesh size, which shall be measured in accordance with the provisions of Part IV of the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 199 .³

Restriction on fishing for mackerel

8. No person shall use any net for the purpose of fishing for mackerel where the depth of the sea is less than two metres.

Repeals

9. The Sea Fisheries (Fishing Nets) (Jersey) Regulations 1974⁴ are repealed.

Citation and commencement

10. These Regulations may be cited as the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 199 and shall come into force on

³ P.91/99.

⁴ Nos. 6029, 7788, 8029, 8125, 8428 and 8920.

FIRST SCHEDULE

(Regulation 1)

Minimum mesh sizes

<i>Net</i>	<i>Minimum mesh size</i>
Seine net	90 mm
Beach set net	90 mm

SECOND SCHEDULE

(Regulation 7(2))

Passive gear other than beach set nets

Species/Mesh	90-99 mm	100-119 mm	120-219 mm	≥ 220 mm
Pilchards (<i>Sardina pilchardus</i>) Eel (<i>Anguilla anguilla</i>) Sprat (<i>Sprattus sprattus</i>)	* * *	* * *	* * *	* * *
Horse mackerel (<i>Trachurus trachurus</i>) Herring (<i>Clupea harengus</i>) Mackerel (<i>Scomber scombrus</i>) Red mullets (<i>Mullidae</i>) Garfish (<i>Belone spp.</i>)	* * * * *	* * * * *	* * * * *	* * * * *
Bass (<i>Dicentrarchus labrax</i>) Grey Mulletts (<i>Mugilidae</i>) Lesser spotted dogfish (<i>Scyliorhinus caniculus</i>)	* * *	* * *	* * *	* * *
Dab (<i>Limanda limanda</i>) Haddock (<i>Melanogrammus aeglefinus</i>) Whiting (<i>Merlangius merlangus</i>) Flounder (<i>Platichthys flesus</i>) Sole (<i>Solea vulgaris</i>) Plaice (<i>Pleuronectes platessa</i>) Cuttlefish (<i>Sepia spp.</i>)		* * * * * * *	* * * * * * *	* * * * * * *
Cod (<i>Gadus morhua</i>) Pollack (<i>Pollachius pollachius</i>) Ling (<i>Molva molva</i>) Saithe (<i>Pollachius virens</i>) Hake (<i>Merluccius merluccius</i>) Spurdog (<i>Squalus acanthias</i>) Spotted dogfish (<i>Scyliorhinus spp.</i>) Megrim (<i>Lepidorhombus spp.</i>) Lumpfish (<i>Cyclopterus lumpus</i>)			* * * * * * * * * * *	* * * * * * * * * *
Others				*