

STATES OF JERSEY



DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 3) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 2nd February 2007
by the Minister for Economic Development**

STATES GREFFE



Jersey

DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 3) (JERSEY) REGULATIONS 200

REPORT

Fishermen applying for a Jersey Fishing Boat Licence are required to provide an “Address for Service” in Jersey to which administrative notices relating to the administration of the licence will be sent. At inter-Island talks relating to access arrangements for Channel Island fishing boats, it was identified that the requirement for the address to be in Jersey was an unnecessary burden for Guernsey and UK fishermen.

This amendment seeks to relax the requirement for licence applicants in respect of vessels that are not Jersey registered, allowing them to nominate an “Address for Service” in the jurisdiction under which the vessel is registered.

Financial and manpower implications

There are no significant financial or manpower implications. There may be a small reduction in costs for holders of licences relating to fishing vessels not registered in Jersey.

Explanatory Note

These Regulations amend the address for service of documents provisions of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003.

Regulation 1 amends Regulation 8 of the 2003 Regulations (Address for service on owner or charterer) by substituting a new paragraph (1) and inserting two new paragraphs (1A) and (1B).

The effect of the amendments in Regulation 1 is that a non-Jersey address for service can be provided for a fishing boat that is not registered in Jersey, provided that address is not a post office box.

The amendment to Regulation 8(1) of the 2003 Regulations would, in the case of an application for a licence for a Jersey fishing boat, require an address for service in Jersey to be provided with the application for a licence. The address for service cannot be a post office box and must be provided with the application.

The effect of the insertion of the new Regulation 8(1A) would, in the case of an application for a licence for a fishing boat that is not registered in Jersey, provide the applicant with a choice of address for service. The applicant can provide either an address for service either in Jersey or in the country or place in which the fishing boat is registered.

The address for service that is provided cannot be a post office box and must be provided with the application.

Regulation 2 provides for the title of these Regulations and that the Regulations will 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 12, 13, 26 and 29 of the Sea Fisheries (Jersey) Law 1994^[1], have made the following Regulations –

1 Regulation 8 amended

In Regulation 8 of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003^[2], for paragraph (1) there shall be substituted the following paragraphs–

- “(1) An owner or charterer of a Jersey fishing boat who applies to the Minister for a fishing boat licence for that boat shall, subject to paragraph (1B), provide the Minister with an address for service in Jersey.
- (1A) An owner or a charterer of a fishing boat that is not a Jersey fishing boat who applies to the Minister for a fishing boat licence for that boat shall, subject to paragraph (1B), provide the Minister with an address for service in –
 - (a) Jersey; or
 - (b) the country or place in which that fishing boat is registered.
- (1B) An address for service that is required to be provided under paragraph (1) or (1A)–
 - (a) shall not include an address for service that is a post office box; and
 - (b) shall be stated in writing and shall accompany the application referred to in paragraph (1) or, as the case may be, (1A)”.

2 Commencement and citation

These Regulations may be cited as the Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 3) (Jersey) Regulations 200 and shall come into force 7 days after they are made.

[1]

chapter 14.825

[2]

chapter 14.825.56