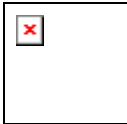

**Lodged au Greffe on 27th November 2001
by the Agriculture and Fisheries Committee**



STATES OF JERSEY

STATES GREFFE

Report

In 1997, the Territorial Sea around Jersey was extended to 12 miles or median line by the United Kingdom government. In order for this to occur, the Jersey/UK fisheries management agreement was negotiated and signed. This agreement stipulates that the Island regulates fishing activity in the Territorial Sea in a manner consistent with the requirements of EU legislation.

These are new Regulations which will enact locally the relevant EU regulations relating to Log Books and Landing Declarations and will apply to vessels of all nationalities. Currently only Jersey vessels holding a Fishing License issued by the Agriculture and Fisheries Committee are required to complete log books and landing declarations when operating in the extended territorial sea.

The proposed Regulations will be effectively the same as those already imposed on Jersey and other vessels working in Guernsey, UK and French waters.

Regulation 3 requires that masters of all fishing vessels with an overall length greater than 10 metres shall keep a log book. It also stipulates what information should be entered into the logbook.

Regulation 4 stipulates that masters of fishing boats other than British fishing boats wishing to land fish into the Island must give at least four hours' notice of the landing.

Regulation 5 stipulates that the masters of all fishing vessels with an overall length greater than 10 metres landing fish in the Island shall submit landing declarations to the Department of Agriculture and Fisheries.

Regulation 6 contains rules relating to the records required when a fishing vessel operates with several different mesh sizes during the same voyage and as to how nets which are not being used should be secured.

The draft Regulations have no implications for the financial or manpower resources of the States.

Explanatory Note

These Regulations apply to the Island provisions equivalent to parts of Council Regulation (EEC) No 2847/93, as amended, which are concerned with recording-keeping in respect of fishing boats.

Regulation 1 contains the definitions.

Regulation 2 applies the Regulations to all fishing boats for the time being within the territorial sea adjacent to the Island.

Regulation 3 requires masters of British and Community fishing boats 10 or more metres in length to keep a logbook of the boat's operations in which must be entered the quantities of sea fish over 50 kg in weight caught and kept, when and where they were caught and the type of fishing gear used to make the catches.

Regulation 4 requires masters of a non-British fishing boats wishing to land any sea fish in the Island to give the Department of Agriculture and Fisheries at least four hours' notice of where in the Island they wish to land the fish, the estimated time of arrival and the quantity of each species proposed to be landed.

Regulation 5 requires masters (or their representatives) of all fishing boats 10 or more metres in length within 48 hours of landing any sea fish in the Island to submit a declaration to the Department indicating the quantities of each species of fish landed and when and where they were caught.

Regulation 6 requires masters of British and Community fishing boats that retain fish caught with nets of different minimum mesh sizes during the same voyage to enter into any required log book or landing declaration every change to a net of a different mesh size and the quantities of each species of sea fish caught and retained on board using each such net.

Regulation 7 contains the citation and commencement date.

Sea Fisheries (Jersey) Law 1994

SEA FISHERIES (LOG BOOKS AND LANDING DECLARATIONS) (JERSEY) REGULATIONS 200-

(Promulgated on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

THE STATES, in pursuance of Articles 2 and 22 of the Sea Fisheries (Jersey) Law 1994,^[1] having consulted with the Secretary of State and obtained his concurrence, have made the following Regulations -

Interpretation

1. In these Regulations unless the context otherwise requires -

“British fishing boat” means a fishing boat which is registered in any part of the British Islands;

“Community fishing boat” means a fishing boat which is registered in a member State of the European Communities (other than the United Kingdom);

“Department” means the Agriculture and Fisheries Department;

“overall length” in respect of a fishing boat, has the meaning assigned by Regulation 1 of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 1996;^[2]

“weight” in relation to a catch of sea fish, means the weight of those fish when caught.

Application

2. Save as is specifically provided otherwise, these Regulations apply to any fishing boat for the time being within the territorial sea adjacent to the Island.

Requirement to keep a log book

3-(1) The master of a British fishing boat or a Community fishing boat with an overall length of 10 metres or more shall keep a logbook of the operations of that boat and shall enter into the logbook -

- (a) the quantities of each species of sea fish caught and retained on board the boat which exceed 50kg in weight;
- (b) when and where the fish were caught; and
- (c) the type of fishing gear used to make the catches.

(2) The information required by paragraph (1) of this Regulation shall be recorded in written form or by means of computer records.

Landing of catches by non-British fishing boats

4. The master of a fishing boat other than a British fishing boat wishing to land any sea fish in the Island shall give the Department at least four hours notice of where in the Island he wishes to land the fish, his estimated time of arrival and the quantity of each species that he proposes to land.

Landing declarations

5. The master of a fishing boat with an overall length of 10 metres or more, or the master's representative, shall, within 48 hours of landing any sea fish in the Island, submit a declaration to the Department indicating -

- (a) the quantities landed of each species; and
- (b) when and where the fish were caught.

Nets

6.-(1) Where a British fishing boat or a Community fishing boat retains on board a catch of sea fish that has been taken with nets of different minimum mesh sizes during the same voyage, the master of that boat shall, in any logbook or declaration required to be kept or submitted in accordance with these Regulations, as the case may be, enter -

- (a) every change to a net of a different mesh size;
 - (b) the quantities of each species of sea fish caught and retained on board using each such net.
- (2) Where a fishing boat has nets on board that are not being used, the master of that boat shall ensure that -
- (a) those nets along with their weights and similar fishing gear are disconnected from their trawl boards and towing and hauling wires and ropes; and
 - (b) any such nets that are on or above deck are securely lashed to some part of the superstructure of the boat.

Citation and commencement

7. These Regulations may be cited as the Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 200- and shall come into force on the first day of January 2002.

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

[2] No. 8999.