
STATES OF JERSEY



SEA TRANSPORT POLICY

**Presented to the States on 24th March 2025
by the Minister for Sustainable Economic Development**

STATES GREFFE

REPORT

Minister's Foreword

The previous Sea Transport Policy, providing direction to the Harbour Master on ferry services was published in June 2024. This Policy was intended to provide direction on the joint procurement and management of an Operating Agreement for the Island's ferry services, as it pertained to a then joint exercise with the States of Guernsey.

In advance of the expiration of this Operating Agreement on 27 March 2025, and following the completion of a now Jersey-only procurement process, the Minister for Sustainable Economic Development has decided to provide the below update to the Sea Transport Policy.

The updated statement clarifies Jersey's policy for inter-island services.

The issues

The updated policy will retain Ro/Ro freight, car and passenger services operating between Jersey and the United Kingdom within the scope of services that require a permit and authorises a maximum 15-year duration for a permit, followed by a 5-year extension period if required. These changes are to help ensure the long-term security of supply of Ro/Ro freight and combined passenger and private vehicle services.

Further, it will allow the Harbourmaster to confer either:

- an exclusive permit to a single Ro/Ro ferry operator or:
- permits to all who apply for permits, where the applicant can operate to the same standard and provision of a principal operator
- issue additional permits to Ro/Ro ferry operators where the route is to provide inter-island connectivity for foot and car passengers only. For the avoidance of doubt, inter-island connectivity means sea routes between Jersey and islands which make up the Bailiwick of Guernsey.

Under Regulation 5(6)(a) of the Harbours (Jersey) Regulations 1962, and when dealing with any application for a permit, the Harbour Master must take account of the policy of the States as conveyed to him by the Minister.

Conclusion

The Minister has therefore decided to write to the Harbourmaster so as to clarify the above points and to issue the revised policy as a formal notice in accordance with the legislation.

Dear Harbour Master,

Sea Transport Policy Notice - Permits issued under Regulation 5 of the Harbours (Jersey) Regulations 1962

1. Updated Policy

I have decided to update the Sea Transport Policy under which you may issue permits for Roll-on/Roll-off (Ro/Ro) sea shipping services. In particular, the updated policy:

- Allows the Harbourmaster to award a single, exclusive permit to a Ro/Ro ferry operator or continue to award permits to all who apply.
- Authorises a maximum fifteen-year duration for an exclusive permit, followed by a five-year wind down period if required.
- Allows the issuance of additional permits to Ro/Ro operators where those operators provide inter-island services between Jersey and the Bailiwick of Guernsey only.

These changes are to help ensure the long-term security of supply of Ro/Ro freight and combined passenger and private vehicle services. Therefore, the Direction attached to this letter replaces that issued in June 2024 concerning the designation of services that require permits. Likewise, a policy notice is attached regarding the issue of permits and this replaces that issued on 12 December 2012.

2. The process of granting a new ferry permit

The process for granting a new permit involves publication of application(s) and the seeking of comments from those likely to be affected as laid down in Regulation 5(4) (a). There then needs to be a period of consideration before you make your decision. This process will take time and to reduce any uncertainty I should like you to publish applications received and commence the process as soon as possible.

Yours sincerely,

Deputy Kirsten Morel, Minister for Sustainable Economic Development

Direction under Regulation 4(4) of the Harbours (Jersey) Regulations 1962

To the Harbour Master.

I, the Minister for Sustainable Economic Development, acting in accordance with Regulation 4(4) of the Harbours (Jersey) Regulations 1962, direct you, acting in accordance with Regulation 4(1) of the Harbours (Jersey) Regulations, to designate the provision of Ferry Services across all route sectors, as requiring a Permit, but specifically excluding:

- (a) Lo/Lo freight services;
- (b) foot passenger only services to and from the Cotentin peninsula;
- (c) inter-Island and Southern Route foot passenger only services;

(d) inter-Island Ro/Ro services provided between Jersey and the Bailiwick of Guernsey for foot and car passengers only;

Southern Route Freight services, as far as these may be outside any Agreement.

For existing services, a proposed service, or a variation to an existing service, a permit shall be required as soon as due process has been followed.

Signed: Minister for Sustainable Economic Development

Jersey Government Ferry Services to / from Jersey
Sea Transport Policy
2025

1. Introduction

1.1 Notice under Regulation 5(6) (a) of the Harbours (Jersey) Regulations 1962 To the Harbourmaster I, the Minister for Sustainable Economic Development, acting in accordance with Regulation 5(6) (a) of the Harbours (Jersey) Regulation 1962, advise you that the policy of the States on the issue of permits is as follows – Ferry Services to/from Jersey.

2. Purpose

2.1 The purpose of this Policy is to establish a framework for competitive tender of ferry operators to apply for new permits for freight, car and passenger ferry services and to outline Jersey's policy for inter-island services.

2.2 This will allow a structured and transparent mechanism for issuing, regulating and monitoring ferry service permits in Jersey, ensuring safe, reliable and sustainable transport between the island, the UK, France, and other Channel Islands.

3. Scope

3.1 This Policy applies to all ferry operators providing freight, car and passenger services to and from Jersey's territorial waters.

3.2 For the avoidance of doubt, services that must be in accordance with this policy are those referred to in the accompanying Direction to the Harbour Master, dated _____.

4. Objectives

- 4.1 **Regulatory Compliance:** Ensure ferry operators meet Jersey Maritime Law, UK Maritime and Coastguard Agency ("MCA") regulations, and International Maritime ("IMO") standards.
- 4.2 **Service Reliability:** Enforce minimum service requirements to guarantee uninterrupted and efficient ferry operations.
- 4.3 **Environmental Protection:** Align with Jersey's environmental marine objectives and promote sustainable ferry operations.
- 4.4 **Passenger Safety and Security:** Strengthen safety measures for passengers, crew and cargo.
- 4.5 **Economic and Tourism Development:** Support Jersey's economy by maintaining competitive, high-quality ferry services.
- 4.6 **Exclusivity and Market Stability:** Where appropriate, ensure that ferry operators can operate under exclusive route agreements to maintain service consistency and protect essential transport links.

5. Ferry Service Permit System

5.1 Permit Categories

- 5.1.1 Passenger Ferry Permit: Required for scheduled or non-scheduled services carrying passengers.
- 5.1.2 Freight Ferry Permit: Required for cargo and vehicle transport services.
- 5.1.3 Mixed-Use Ferry Permit: For operators carrying both passengers and freight.
- 5.1.4 Seasonal / Temporary Permit: For peak-season or emergency services.
- 5.1.5 Ramp permit.

5.2 Service Continuity and Exclusive Operating Rights

- 5.2.1 As far as is practicable, in granting or refusing permits or imposing terms, conditions and limitations, the Harbourmaster shall aim to maintain and develop year-round, long-term, reliable and robust services.
- 5.2.2 These services (which must include a reasonable winter service), should be of sufficient quality and frequency to meet

the passenger, vehicle, freight and roll on / roll off ("Ro/Ro") freight transport needs of the island economy as well as the travel needs of island residents, the business community, and visitors.

- 5.2.3 Save where an operator is affected by a force majeure event, the Harbourmaster may directly award an exclusive permit to a single applicant for the duration of that permit. This will be for a maximum fifteen-year duration, followed by a five-year wind down period, if required.
- 5.2.4 The Harbourmaster may also procure ferry services from a third party or perform any part of the ferry services itself, provided certain policy conditions and criteria are met.
- 5.2.5 The Harbourmaster, at a point prior to any principal permit award, retains the power to grant permits to all who apply and who can demonstrably meet reasonable and relevant terms, conditions and limitations and policy, safety and security criteria.
- 5.2.6 The Harbourmaster reserves the right to grant an operator a non-exclusive right to use the port maritime area and island port facilities for the sole purpose of providing the contractually agreed services and subject to compliance with various standards and requirements.

6. **Permit Approval Process**

- 6.1 Direct award of an exclusive permit will only take place following the outcome of a competitive tender process of applicants, coordinated by the Government of Jersey (and its partners).
- 6.2 Whether permits are granted on the basis of section 5 shall be determined by full evaluation of an applicant's ability to deliver on the policy considerations set out in this document.
- 6.3 In granting a permit, the Harbourmaster shall have agreements and set passenger and private vehicle service level standards which are materially the same for all operators.
- 6.4 Consideration of an application shall take account of any policy understanding between Jersey and Guernsey. In particular, there should be co-ordination of the commencement and duration of permits to ensure that the option to revoke or re-tender services remains available within the timescales agreed between Jersey and Guernsey.

7. **Mandatory Route Coverage**

- 7.1 To ensure comprehensive and reliable ferry services for Jersey's residents, businesses and visitors, applicants for a ferry service permit must demonstrate the ability to operate services on both the Northern and Southern routes.
- 7.2 **UK port to Jersey and return to a UK port (the "Northern Route"):** this route currently serves Portsmouth and Poole, and is of critical strategic importance to Jersey because it is the island's main freight supply and logistics link, and is of particular importance given increasing reliance on "just in time" methods of provisions supply. The Northern Route is also of strategic importance to the Island's visitor economy and islanders, i.e. what can be, in the main, the leisure traveller or the visiting of friends and relatives ("VFR"). The Northern Route is part of a network of services that extend from ports on the south coast of the UK Mainland to Jersey and St. Malo. It has been served by a combination of High-Speed Craft and conventional ferries, the latter including, as an essential requirement, a Ro/Pax vessel that provides resilience against inclement weather.
- 7.3 **French port to Jersey and return to French port (the "Southern Route"):** this route currently serves St. Malo, Granville and Carteret and makes a substantial contribution to Jersey's visitor economy as well as providing local residents with excellent lifestyle and leisure opportunities. The island's needs will continue to be best served through a service network delivered via a combination of vessel types with the capability of providing the full service.
- 7.4 **Inter-Island Connectivity:** Ro/Ro ferry operators serving Jersey must have the capability to integrate services with Guernsey for foot and car passengers as required by public demand.
- 7.5 **Seasonal or Demand – Based Routes:** Ferry operators may be required to provide additional services on seasonal routes.

8. **Permit Application Process**

- 8.1 Applicants must submit to the Harbourmaster a satisfactory permit application which includes:
- 8.1.1 Financial plan and disclosure.
- 8.1.2 Fleet configuration and investment plan (including maintenance and people).

- 8.1.3 Proposed service requirements plan.
 - 8.1.4 Draft timetable setting out details of proposed rotations and projected passenger and freight volumes.
 - 8.1.5 Pricing plan: setting out the ferry service pricing that the applicant intends to adopt including freight rates, vehicle and passenger fares.
 - 8.1.6 Risk analysis
 - 8.1.7 Sustainability plan which acknowledges Jersey's environmental commitments, any relevant Environmental laws, port rules or HSE policies.
 - 8.2 The Harbourmaster will review applications based on compliance, safety and economic viability.
9. **Duration of permits**
- 9.1 There is to be maximum 15-year duration for a permit, followed by a 5-year wind-down period if required.
10. **Permit Conditions and Compliance**
- 10.1 **Minimum Service Requirements:** Operators must meet contractual minimum service levels, including:
 - 10.1.1 Regular and reliable schedules.
 - 10.1.2 Adequate passenger facilities.
 - 10.1.3 Emergency preparedness and response protocols.
 - 10.2 **Safety Compliance:** Vessels must undergo:
 - 10.2.1 Regular safety inspections.
 - 10.3 **Environmental Standards:** Operators must:
 - 10.3.1 Align with Jersey's sustainability goals.
 - 10.3.2 Align with Jersey's relevant HSE policies.
 - 10.4 **Compliance with other laws and regulations:** Operators must comply with all relevant Jersey, UK, and international maritime laws, including but not limited to:
 - 10.4.1 The Harbours (Jersey) Regulations 1962.

10.4.2 Employment laws.

10.4.3 Customs and immigration laws.

10.4.4 Consumer protection laws.

10.4.5 Health and safety regulations.

10.4.6 Rights of passengers when travelling by sea and inland waterways, specifically, EU Regulation 1177/2010. Compliance with this regulation is mandatory on all routes, whether or not the voyage involves calling at an EU port. Contravention of an obligation under the Regulation is to be a breach of that condition.

10.5 **Insurance:** operators shall be required to take and maintain all relevant insurances, including but not limited to:

10.5.1 Hull and machinery marine risks.

10.5.2 Protection and indemnity risks.

10.5.3 War risks.

10.5.4 Adequate insurances in respect of any Vessel's crew for crew risks.

11. **Monitoring and Enforcement**

11.1 **Regular Audits and Inspections:** Conducted by the Island Authority.

11.2 **Reporting obligations:** Operators must comply with contractual reporting obligations.

12. **Conclusion**

12.1 This Policy ensures a clear, transparent and enforceable permit system for ferry services to and from Jersey, prioritising safety, reliability and sustainability, while balancing fair competition and the need for service stability through exclusivity where necessary.