

Jersey Harbour Authority

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Deputy Montfort Tadier
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05/08/2025

Dear Deputy Tadier,

I thank you for your letter in which you have asked a number of questions regarding the Draft Harbours (Inshore Safety) (Jersey) Amendment Regulations 202-. I have set out answers to each of your questions below:

- 1. The Panel understands from the public Hearing held on 5th June 2025 that an M.O.U. (Memorandum of Understanding) was being finalised between the States of Jersey Police and Ports of Jersey aiming to clarify roles and responsibilities with regards to enforcement of these draft Regulations and maritime safety. Are you able to provide an update on the status of this policy? Can you detail how this M.O.U will work in practice?***

The MoU is at the final draft stage. A version has been shared with the Department for the Economy in response to the scrutiny letter sent to MSED. The broad principles of the MoU have been agreed upon, and we are currently reviewing the final proposed amendments received from the States of Jersey Police (SoJP).

- 2. It is stated within the report accompanying the draft Regulations Proposition that the resource implication will be "underpinned by a new enforcement policy statement which will clarify how Ports of Jersey Limited will discharge its enforcement responsibilities. As of November 2024, this policy statement is pending approval". Can you provide an update with regards to this policy statement? Will this policy be updated should the draft regulations be adopted?***

The policy statement can be found here: [20241104-Harbour-Auth-Public-Enforcement-Policy-Final.pdf](#). The Harbour and Airport Authority Committee approved this along with the Ministerial Decision ref. MD-SED-2025-65. The policy is a living document and can be reviewed if required. However, the policy was drafted with the Draft Regulations considered as to be compatible if enacted.

- 3. Can you provide an outline as to the difference between the role of Harbour Master and Coastguard with regards to the draft Regulations? In which instances do you respond and act in your position of Harbour Master and in which situations do you respond in your position as Chief Coastguard?***

Under the *Air and Sea Ports (Incorporation) (Jersey) Law 2015*, PoJ has a number of functions under Public Service Obligations, PoJ is responsible for Coastguard duties, including coordinating or providing resources for maritime search and rescue operations within the Jersey Search and Rescue Region. It must be noted, The Coastguard is not a separate legal entity to Ports of Jersey and neither is the Harbour Authority. The Acting Harbour Master provides dual roles as a Duty Coastguard Officer but also Servers as the Acting Harbour Master for the Harbour Authority. This is comparable to the dual position that a Police Search Adviser (PoSA) is responsible for the planning and management of police search operations but at the same time is a Police Officer and when a need arises for them to use their powers granted to them, they may do so.

- 4. The Panel has recently written to the Minister requesting how the response to a range of practical scenarios would be handled, we would value any comments you may have on these.***

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Ports of Jersey were consulted regarding the operational aspects of the question by the Department for Economy.

5. *Could the Panel be provided with an update with regards to the anticipated training that will be put in place should the draft Regulations be adopted?*

Ports of Jersey are currently anticipating the following training:

- Initial screening breathalyser training, evidential screening will be done by SOJP under the draft regulations,
- Conflict management,
- Initial investigation reporting
- Powers and policy training.

6. *Is the specific officer that you had highlighted during our recent public hearing had been recruited specifically to assist with process and procedure now in post and can you outline the work they have been undertaking in preparation for the draft Regulations potential adoption?*

Ports of Jersey recruited a Maritime Safety and Control Officer in May 2025. Following an induction programme, the officer has been reviewing and developing internal procedures, supporting safety campaigns, drafting public enforcement updates, and designing updated training materials for Acting Harbour Masters.

7. *Should the Panel be minded to lodge an amendment to introduce into the draft Regulations an offence for operation of a ship when under the influence of drink or drugs, could you detail the resource implications you anticipate this would have?*

Ports of Jersey is confident that the current lodged draft amendments can be effectively managed utilising existing resources. As a Harbour Authority, our enforcement approach prioritizes education and consent. Available data supports the proportionality of the proposed changes. However, should further amendments be introduced and approved, current resources would not support proactive enforcement. Any additional enforcement capability would likely require increased resources, this would need to be funded by boat owners, potentially through increased mooring fees and visitor charges.

I hope the information provided clarifies any concerns the scrutiny panel may have.

Thank you.

Yours sincerely

A handwritten signature in black ink, appearing to read "William Sadler".

Captain William Sadler
Harbour Master

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