

STATES OF JERSEY



DRAFT SEA FISHERIES (INSHORE TRAWLING, NETTING AND DREDGING) (AMENDMENT) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 6th March 2008
by the Minister for Economic Development**

STATES GREFFE



Jersey

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REPORT

Experienced fishermen have for many generations set nets on the Island's beaches, both as a source of income and as a leisure activity. Correctly set, a beach set net causes little danger to other beach users and minimal unnecessary impact on the marine environment.

There have however, been an increasing number of incidents where nets have been either abandoned full of weed or set low down the beach during spring tides in a position where fishermen cannot work them during periods of neap tides. These nets are very durable and continue to catch fish and shellfish until they are finally removed.

The legislation will not have any impact on fishermen using nets in a traditional, conscientious manner; however it will assist Fishery Officers in ensuring that nets that are abandoned or inappropriately set are removed within a reasonable timescale.

Earlier this year such a beach set net was allowed to become "neaped" at Belcroute Bay, and the Fisheries and Marine Resources Panel considered whether legislation should be brought in to discourage fishermen from allowing nets to be "neaped". It was decided that as this was possibly a one-off situation, no action was necessary.

Since that Panel meeting, a net has again been "neaped" in similar circumstances and 3 other nets have been apparently abandoned; all of these nets have generated a significant number of complaints from the public. Having considered a number of options, the Panel recommend that a new Regulation be introduced restricting to 96 hours the amount of time that a set net may remain in place.

There are no financial or manpower implications arising from these Draft Regulations.

Explanatory Note

These Regulations amend the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001 (principal Regulations).

Article 1 is an interpretation provision.

Article 2 amends the principal Regulations so as to disapply the new Regulation 6A, inserted by these Regulations, from the area comprising 3 nautical miles of sea measured from the low-water mark of ordinary spring tides. The effect is that the new Regulation 6A applies only to the landward side from which such sea is measured.

Article 3 amends the principal Regulations by inserting Regulation 6A. Regulation 6A prohibits a beach set net used for fishing from being left in the same position for more than 96 hours.

Article 4 sets out the title of these Regulations and provides that they shall 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 2 and 29 of the Sea Fisheries (Jersey) Law 1994^[1], have made the following Regulations –

1 Interpretation

In these Regulations “principal Regulations” means the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001^[2].

2 Amendment of Article 2

In Article 2(2) of the principal Regulations after the word “apply” there shall be inserted the words “, except for Regulation 6A,”.

3 Insertion of Regulation 6A

After Regulation 6 of the principal Regulations there shall be inserted the following Regulation–

“6A Restrictions on certain beach set nets

- (1) It is prohibited to use a beach set net in the circumstances permitted by Regulation 6 or 7 unless the requirements of paragraph (2) are met.
- (2) A person using a beach set net for more than 96 hours must move that beach set net to another location within each 96 hour period.
- (3) For the purposes of paragraph (2) –
 - (a) a beach set net is moved to another location only if each part of that beach set net is located in a different place to where that part was located immediately prior to the move;
 - (b) each 96 hour period shall be measured from the time the beach net is first used and, thereafter, from each time it is moved to another location; and
 - (c) a person uses a beach set net throughout any period of time whether or not the person abandons the beach set net during that period.”.

4 Citation and commencement

These Regulations may be cited as the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- and shall come into force 7 days after they are made.

[1]

chapter 14.825

[2]

chapter 14.825.32