

STATES OF JERSEY



SEA FISHERIES: SALE OF FISH WITHOUT LICENCE AND LICENSING OF ORMER FISHING

**Lodged au Greffe on 29th June 2009
by Deputy A.K.F. Green of St. Helier**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree that –
 - (i) the sale of fish without a commercial fishing licence should be prohibited;
 - (ii) the purchase of fish by any commercial business from unlicensed sources should be prohibited;
- (b) to agree that the taking of ormers without an ormer licence should be prohibited and that there should be 2 types of ormer licence –
 - (i) recreational, limited to possession of 20 ormers each catch;
 - (ii) a shellfish qualified licence in line with the commercial licence that already exists;
- (c) to request the Minister for Economic Development to bring forward for approval the necessary legislation to give effect to the proposals.

DEPUTY A.K.F. GREEN OF ST. HELIER

REPORT

Background

Initially I set about amending the draft bag limits legislation, but in the process of so doing it soon became clear that my proposed amendments were so fundamentally opposed to the draft bag limits that actually I was really proposing a new Law, not amending the current P.58/2009.

With this in mind I urge the Assembly to reject outright P.58/2009 and if minded that some support must be given to our commercial fisherman, whilst not creating an administration nightmare for recreational fisherman, I urge the Assembly to support this proposition.

The proposed Draft Sea Fisheries (Bag Limits) (Jersey) Regulations 200- seek to end the practice of the “black fish market” (the selling of fish from unlicensed leisure fishermen). As that report states, at present, professional fishermen have either a shellfish qualified licence which allows them unlimited catches of shellfish, or are only allowed to fish for 15 lobsters and 25 crabs per day. Whilst no such restriction exists for leisure fishermen!

This proposition seeks to rectify the disparity. The bag limits in the proposed legislation make allowance for leisure fishermen fishing for their own consumption; but the proposed bag limits fail to recognise more frequently than not that more than one family often have an interest in small boats; and whilst an individual fisherman may retain up to 5 lobsters, 3 fishermen on one boat would be restricted to a total of 5 lobsters! The (bag limits) draft legislation, if accepted in its current form, puts right one inequity and creates others!

I find it surprising that, although the main aim of the (bag limits) draft legislation is to prevent unlicensed sales of fish, it is proposed only to be an offence to sell such fish and there is no offence to purchase! This new proposition seeks also to make it an offence to purchase from unlicensed sources, bringing the draft legislation in line with other legislation, for example the offence of receiving stolen items.

The (bag limits P.58/2009) draft allowance of 20 ormers per person per day is wide open to abuse. You could, for example, have one low-water fisherman accompanied by other friends or family, all of whom would be entitled to 20 ormers per person. As conservation is the objective, I propose that those wishing to fish for ormers be required to obtain an ormer licence limiting them to 20 per day. Such a system already exists for the diving of scallops.

Financial/manpower implications

There are no additional financial or manpower implications for the States arising from the adoption of this proposition.