

STATES OF JERSEY



Jersey

DRAFT SEA FISHERIES (LICENSING OF FISHING BOATS) (AMENDMENT No. 8) (JERSEY) REGULATIONS 202-

**Lodged au Greffe on 24th December 2020
by the Minister for the Environment**

STATES GREFFE

REPORT

Background

The UK's decision to exit the EU will have a significant impact on the regulatory framework that governs fishing in UK and EU Waters and will also impact on the framework that exists locally. In order to prepare for this, it is necessary for the Minister of the Environment to have the appropriate powers under the regulations to manage the fishing activity in Jersey Waters through the licensing of commercial vessels, should it be required.

The licensing of commercial fishing vessels is regulated under the [Sea Fisheries \(Licensing of Fishing Boats\) \(Jersey\) Regulations 2003](#).

Currently, Jersey vessels require a license to fish commercial in Jersey Territorial Waters issued by the Minister for the Environment. This requirement will not change going forward.

French vessels access Jersey Territorial Waters by virtue of the "Agreement between the Government of the United Kingdom and Northern Ireland and the Government of the French Republic concerning Fishing in the Bay of Granville" commonly known as the "Bay of Granville Agreement" (GBA). French vessels require an access (and if required a fishing) permit issued by competent authorities of France in order to access the GBA area which includes Jersey and French Waters.

Conversely, Jersey fishing vessels require an access permit under the GBA issued by the competent authorities of Jersey to fish in the GBA area.

This amendment allows for the Minister of the Environment to issue licenses to French vessels in order that they can access Jersey Waters should it be required following the outcome of the UK EU negotiations.

Amendment

These Regulations, if made, would amend the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003 ("the principal Regulations") to allow the Minister for the Environment ("the Minister") to issue licences to French vessels fishing within the territorial sea of Jersey.

Regulation 1 amends Regulation 2 of the principal Regulations. Regulation 2 of the principal Regulations prohibits French vessels fishing in specified zones without an access permit that has been granted by an authority of the French Republic under the Agreement on Fishing in the Bay of Granville between the United Kingdom and the Republic of France, signed on 4th July 2000. The amendment means that this prohibition does not apply if the Minister has issued a fishing boat licence to a French vessel in respect of fishing the territorial sea of Jersey.

Regulation 2 provides the name by which these Regulations are to be known and that they will come into force on a date specified by the Minister by Order.

Resource Implications

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

EXPLANATORY NOTE

These Regulations, if made, would amend the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003 (“the principal Regulations”) to allow the Minister for the Environment (“the Minister”) to issue licences to French vessels fishing within the territorial sea of Jersey.

Regulation 1 amends Regulation 2 of the principal Regulations. Regulation 2 of the principal Regulations prohibits French vessels fishing in specified zones without an access permit that has been granted by an authority of the French Republic under the Agreement on Fishing in the Bay of Granville between the United Kingdom and the Republic of France, signed on 4th July 2000. The amendment means that this prohibition does not apply if the Minister has issued a fishing boat licence to a French vessel in respect of fishing the territorial sea of Jersey.

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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES make these Regulations under Articles 12 and 29 of the Sea Fisheries (Jersey) Law 1994¹ –

1 Amendment of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003

After Regulation 2(1) of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003² there is inserted –

“(1A) Paragraphs (2), (4), (5) and (6) do not apply to fishing, by a French fishing boat, if that fishing is authorized by a fishing boat licence granted by the Minister.”.

2 Citation and commencement

These Regulations may be cited as the Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 8) (Jersey) Regulations 202- and come into force on a day to be specified by the Minister by Order.

ENDNOTES

Table of Endnote References

1	<i>chapter 14.825</i>
2	<i>chapter 14.825.56</i>