

**QUESTION TO BE ASKED OF THE ATTORNEY GENERAL ON TUESDAY, 22nd JULY 2003
BY THE DEPUTY OF ST. JOHN**

Question

Would the Attorney General –

- (a) advise members whether he has been asked to advise on the legality of the Guernsey fishing vessel licensing scheme being proposed by the Guernsey authorities to a 12 mile zone from their coast which comes into effect on 1st October 2003? and
- (b) if so, and if the scheme is deemed to be legal, whether grandfather rights be available to existing Jersey fishermen?

Answer

- (a) Yes. I have had discussions with H.M. Procureur, my opposite number, in Guernsey at the request of the Economic Development Committee. However, I am not qualified in Guernsey and clearly cannot advise on matters of domestic Guernsey law.
- (b) The scheme will be in force as of 1st October 2003. H.M. Procureur has advised that it is legal and that presumably will remain the position unless it is successfully challenged in the Guernsey courts. The scheme does not provide expressly for grandfather rights but Guernsey is a signatory to the European Convention for the Protection of Human Rights and it is possible that in the administration of the scheme, the Guernsey Fisheries Authorities will in appropriate cases grant such rights to existing Jersey fishermen.