



Jersey

SEA FISHERIES (INSHORE TRAWLING, NETTING AND DREDGING) (JERSEY) REGULATIONS 2001

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Jersey

SEA FISHERIES (INSHORE TRAWLING, NETTING AND DREDGING) (JERSEY) REGULATIONS 2001¹

THE STATES, in pursuance of Articles 2, 5 and 29 of the [Sea Fisheries \(Jersey\) Law 1994](#), have made the following Regulations –

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In these Regulations –
 - “beach set net” means passive gear that is put in place otherwise than from a vessel;
 - “mesh size”, in respect of a net, means the mesh size of the net as measured in accordance with the [Sea Fisheries \(Trawling, Netting and Dredging\) \(Jersey\) Regulations 2001](#);
 - “passive gear” has the same meaning as in the [Sea Fisheries \(Trawling, Netting and Dredging\) \(Jersey\) Regulations 2001](#).
- (2) References in these Regulations to the use of a net means the use of the net for the purpose of catching sea fish.

2 Application

- (1) These Regulations apply to Jersey.
- (2) They also apply, except for Regulation 6A, within the waters that are within 3 nautical miles of the coast of Jersey as measured from the low-water mark of ordinary spring tides.²

3 Restriction on trawling or dredging in certain areas

- (1) In this Regulation a “restricted area” means any of the following areas –
 - (a) the sea area within St. Brelade’s Bay bounded on the seaward side by a straight line drawn from the southern most part of the Grosse Tête to the Point Le Fret;

- (b) the sea area within St. Aubin's Bay bounded on the seaward side by a straight line drawn from the Pointe du But to the Gros du Château Elizabeth;
 - (c) the sea area within the small roads in St. Aubin's Bay bounded on the seaward side by a straight line drawn from the southern most part of Elizabeth Castle Breakwater to the Oyster Rocks Beacon and then from there to the charted position of East Rock Buoy and then from there to the Dog's Nest Beacon to the southern most point of the La Collette reclamation wall;
 - (d) the sea area within Fliquet Bay bounded on the seaward side by a straight line drawn from the seaward end of St. Catherine's Breakwater to Brayes Rocks;
 - (e) the sea area to the east of Jersey bounded on the seaward side by straight lines drawn from La Rocque breakwater to La Conchière beacon to the Brett Rock Beacon, and then from there to the charted position of Le Cochon buoy, and then from there to La Noire beacon, and then from there to the Horn Rock beacon, and from there to Les Arch beacon, and from there to Le Fara beacon to the outward end of St. Catherine's Breakwater and by the shoreline on the landward side.
- (2) It is prohibited to use a trawl net or dredge in a restricted area.

4 Restriction on use of beam trawl

- (1) A person shall not use more than 1 beam trawl.
- (2) The beam trawl used shall not exceed 6 metres in length.
- (3) That length shall be measured between the extremities of the beam and shall include any attachments to the beam.

5 Restriction on the use of draw nets

- (1) Except as otherwise provided by this Regulation, it is prohibited to use a net to draw fish ashore.
- (2) A seine net may be used to fish for grey mullet during the period starting 2 hours before and ending 1 hour after high water if –
 - (a) the net is not less than 90 metres long; and
 - (b) the net is used in conjunction with a boat.
- (3) A seine net may be used to draw fish ashore in the circumstances specified in paragraph (4).
- (4) Those circumstances are –
 - (a) that the net has a mesh size of 90 millimetres or more;
 - (b) that the net is used during the period starting 1 hour before and ending 3 hours after low water;

- (c) that the net is used either in St. Ouen's Bay or in the area of the Royal Bay of Grouville between the rocks known as the Tas du Nord and the seaward end of the pier at Gorey.
- (5) It is prohibited to use a motor vehicle or a motorised winch to draw a net ashore.

6 Further restrictions on the use of fishing nets³

- (1) It is prohibited to use a beach set net except as specified by an Order made by the Minister.
- (2) The Minister may by an Order –
 - (a) specify a person or a class of person who may use a beach set net; or
 - (b) specify the times or places that such persons or classes of persons may use such beach set nets.
- (3) It is prohibited to use a beach set net at a time, in an area or by a person or class of persons that has been specified under paragraph (2) unless –
 - (a) it has a mesh size of at least 110 mm, or such larger size that the Minister may specify by an Order;
 - (b) it is below the half-tide mark and amongst rocks situated no more than 120 metres apart, or such other distance that the Minister may specify by an Order;
 - (c) it is marked at either end and at 10 metre intervals over its entire length with a buoy, float or other identification mark each with a diameter or width of at least 10 cm;
 - (d) the marks at either end of the beach set net are indelibly marked with the owner's contact details; and
 - (e) the maximum length of net set on the beach at any one time by the owner is 100 metres or such other length that the Minister may specify by an Order.
- (4) It is prohibited to use passive gear other than a beach set net where the depth of the sea is less than 130 cm or such other depth that the Minister may specify by an Order.
- (5) It is prohibited to use a peg or a stake on a beach to hold a beach set net.

6A ⁴

7 Restrictions on certain beach set nets⁵

- (1) It is prohibited to use a beach set net at a time or place or by a person or class of persons specified by an Order made under Regulation 6(1) 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 set 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) The Minister may by an Order specify a different maximum period for the purposes of paragraphs (2) and (3)(b).

8 Restriction on inshore netting in certain area

- (1) In this Regulation –
- “restricted area” means the sea area within 200 metres of the shoreline between La Coupe Point to La Rocque Harbour and thence to St. Brelade’s Bay Pier;
- “passive gear” includes any equipment attached to the passive gear, including any anchor, line or float;
- “prohibited time” means the hours of daylight during the period beginning 1st April and ending 15th October in any year.
- (2) It is prohibited to use passive gear in the restricted area during the prohibited time.

9 Restriction on mesh size of passive gear

It is prohibited to use passive gear with a mesh size that does not correspond to a category set out in the Schedule.

10 Vessels not to have passive gear with certain mesh sizes on board

- (1) A vessel shall not have on board passive gear with a mesh size that does not correspond to a category set out in the Schedule.
- (2) Paragraph (1) does not apply in respect of a vessel solely in transit through the area to which these Regulations apply.

11 Percentages of target fish

- (1) This Regulation applies when a catch is made by a vessel using passive gear with a mesh size corresponding to one of the categories set out in the Schedule.
- (2) The percentage of target fish retained on board for one or any combination of target fish or groups of target fish mentioned in the corresponding mesh size category shall not be less than 70%.

12 Calculating percentages (passive gear)

- (1) The minimum percentage referred to in Regulation 11(2) is to be calculated as the proportion by live weight of all sea fish on board after sorting or on landing.
- (2) The percentage may be calculated on the basis of one or more representative samples.

13 Restriction on fishing for mackerel

It is prohibited to use a net to fish for mackerel where the depth of the sea is less than 2 metres.

14 Citation

These Regulations may be cited as the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001.

SCHEDULE

(Regulations 9, 10(1), 11(1))

PASSIVE GEAR

Species/Mesh	90-99 mm	100-119 mm	120-219 mm	≥ 220 mm
Sardine (<i>Sardina pilchardus</i>)	*	*	*	*
Eel (<i>Anguilla anguilla</i>)	*	*	*	*
Sprat (<i>Sprattus sprattus</i>)	*	*	*	*
Horse mackerel (<i>Trachurus trachurus</i>)	*	*	*	*
Herring (<i>Clupea harengus</i>)	*	*	*	*
Mackerel (<i>Scomber scombrus</i>)	*	*	*	*
Red mullets (<i>Mullidae</i>)	*	*	*	*
Garfish (<i>Belone</i> spp.)	*	*	*	*
Bass (<i>Dicentrarchus labrax</i>)	*	*	*	*
Grey Mullet (<i>Mugilidae</i>)	*	*	*	*
Lesser spotted dogfish (<i>Scyliorhinus canicula</i>)	*	*	*	*
Whiting (<i>Merlangius merlangus</i>)	*	*	*	*
Dab (<i>Limanda limanda</i>)		*	*	*
Haddock (<i>Melanogrammus aeglefinus</i>)		*	*	*
Flounder (<i>Platichthys flesus</i>)		*	*	*
Sole (<i>Solea vulgaris</i>)		*	*	*
Plaice (<i>Pleuronectes platessa</i>)		*	*	*
Cuttlefish (<i>Sepia</i> spp.)		*	*	*
Pollack (<i>Pollachius pollachius</i>) ⁽²⁾			*	*
Hake (<i>Merluccius merluccius</i>) ⁽²⁾			*	*
Cod (<i>Gadus morhua</i>)			*	*
Ling (<i>Molva molva</i>)			*	*
Saithe (<i>Pollachius virens</i>)			*	*
Picked dogfish (<i>Squalus acanthias</i>)			*	*
Greater spotted dogfish (<i>Scyliorhinus stellaris</i>)			*	*
Megrim (<i>Lepidorhombus</i> spp.)			*	*

Species/Mesh	90-99 mm	100-119 mm	120-219 mm	≥ 220 mm
Lumpfish (<i>Cyclopterus lumpus</i>)			*	*
Others				*(1)

(1) Catches of Anglerfish (*Lophius* spp.) retained onboard in excess of 30% of the total catch on board must be taken with a minimum mesh size of 250 mm or greater.

(2) Minimum mesh size 110 mm.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement	*Projet No (where applicable)
Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001	R&O.195/2001	1 January 2002	P.193/2001
States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005	R&O.132/2005	9 December 2005	P.216/2005
Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 2008	R&O.108/2008	15 September 2008	P.36/2008
Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) Regulations 2016	R&O.66/2016	5 July 2016	P.46/2016
Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment No. 3) (Jersey) Regulations 2016	R&O.119/2016	23 November 2016	P.103/2016
Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment No. 4) (Jersey) Regulations 2017	R&O.68/2017	11 July 2017	P.36/2017

*Projets available at www.statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
1(3), (4), (5)	spent, omitted from this revised edition
14	spent, omitted from this revised edition
15	14

Table of Endnote References

¹

These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon

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- ² Regulation 2(2) *the move from a committee system of government to a ministerial system of government*
amended by R&O.108/2008
³ Regulation 6 *substituted by R&O.68/2017*
⁴ Regulation 6A *deleted by R&O.68/2017*
⁵ Regulation 7 *substituted by R&O.68/2017*