

**STATES OF ALDERNEY**  
**ORDINANCE OF THE STATES**

Made ..... 20<sup>th</sup> July, 1967  
Coming into force ..... 20<sup>th</sup> July, 1967

**THE FISHING (ALDERNEY) ORDINANCE, 1967**

THE STATES, on the representations of the Agricultural and States Dairy Committee, hereby order:-

**Diving for shellfish.**

1.(1) A person shall not, while he is totally or partially submerged in the territorial waters of this Island and breathing with the aid of a submarine breathing apparatus or wearing a face visor, take any lobster, ormer, crayfish or crab.

(2) Any person who, on surfacing after having been totally or partially submerged in the territorial waters of this Island and breathing with the aid of a submarine breathing apparatus or wearing a face visor, is found to have in his possession any lobster, ormer, crayfish or crab shall be deemed to have contravened the provisions of subsection (1) of this section unless he can prove that he did not take such lobster, ormer, crayfish or crab, as the case may be, while he was totally or partially submerged.

**Powers of Police Officers.**

2. An officer of police may open any basket, box, barrel, packet or other container or wrapping which he has reasonable cause to believe contains any lobster, ormer, crayfish or crab which he has reasonable cause to believe has been taken or is possessed in contravention of subsection (1) of section one of this Ordinance.

**Offences and Penalties.**

3. Any person who contravenes or attempts to contravene the provisions of subsection (1) of section one of this Ordinance or who obstructs an officer of police in the exercise of his powers under the last preceding section, shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty-five pounds or imprisonment not exceeding one month or both, and the court may, in addition thereto, order the seizure, destruction or other disposal of

ormer, crayfish or crab to which the conviction relates, or any equipment or apparatus used in connection with the taking thereof, or both, at the expense of the convicted person.

#### **Exemption.**

4. Nothing in the provisions of section one of this Ordinance shall be taken to apply to a person who, for the purposes of a scientific investigation approved by the Chairman of the Agricultural and States Dairy Committee, takes or has in his possession, any lobster, ormer, crayfish or crab.

#### **Definitions.**

5. In this Ordinance, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

"this Island" means the Islands of Alderney and Burhou and includes the islets and rocks adjacent thereto;

"officer of police" means a member of the salaried police force of the Island of Guernsey and a member of any police force which may be established by the States of Alderney;

"submarine breathing apparatus" includes the apparatus commonly known as a "snorkel" and any other diving device whatsoever.

6. Paragraph (b) of section one of the Alderney Control of Fishing etc., Ordinance 1957, is hereby repealed.

7. This Ordinance may be cited as the Fishing (Alderney) Ordinance, 1967.