

XIV  
1988

**STATES OF ALDERNEY**

**ORDINANCE OF THE STATES**

Made ..... 16<sup>th</sup> December, 1988  
Coming into force ..... 16<sup>th</sup> December, 1988

**THE FISHING (AMENDMENT) (ALDERNEY) ORDINANCE,**  
**1988**

THE STATES, in pursuance of their Resolution of the 16<sup>th</sup> day of December, 1988, hereby order:-

**Amendments to Ordinance of 1980.**

1. The Fishing (Alderney) (Amendment) Ordinance, 1980, is hereby amended as follows:-

- (a) immediately after section 4 thereof there is hereby inserted the following additional section numbered "4A" –

**"Access to and fishing in territorial waters.**

4A.(1) Subject to the provisions of subsection (4) of this section a foreign fishing boat shall not enter any part of the territorial waters adjacent to this Island except for a purpose recognised by international law or by any convention for the time being in force in this Island between Her Majesty's Government in the United Kingdom and the government of the country to which the boat belongs; and any such boat which enters those waters for such a purpose –

- (a) shall return outside those waters as soon as the purpose has been fulfilled; and  
(b) shall not fish or attempt to fish while within those waters.

(2) Subject to the provisions of subsection (4) of this section a foreign fishing boat shall not fish or attempt to fish within any part of the territorial waters adjacent to this Island.

(3) Subject to the provisions of subsection (4) of this section at any time when a foreign fishing boat is within any part of the territorial waters adjacent to this Island, then its fishing gear

shall be stowed securely and in such a manner that it shall not be capable of being used for fishing.

(4) Nothing in this section shall affect the operation of any order for the time being in force in this Island made under section 2(1) of the Fishery Limits Act 1976 designating any country outside the United Kingdom, the Channel Islands and the Isle of Man and, in relation to it, areas within any part of the territorial waters adjacent to this Island being part of the British fishery limits in which, and descriptions of fish for which, fishing boats registered in that country may fish.;

- (b) in section 6(3) thereof the words "two hundred pounds" are repealed and the words "five hundred pounds" are substituted therefor;
- (c) in section 8(1) thereof immediately after the definition of the expression "the Fishing Ordinances" there is inserted the following additional definition -

"foreign fishing boat" means a fishing boat which is not -

- (a) registered in the United Kingdom, the Channel Islands or the Isle of Man; or
- (b) exempted from registration by regulations under section 373 of the Merchant Shipping Act 1894; or
- (c) owned wholly by a person who is (within the meaning of the Merchant Shipping Act 1894) qualified to own a British ship;.

#### **Citation.**

2. This Ordinance may be cited as the Fishing (Alderney) Ordinance, 1988.

#### **Collective title.**

3. This Ordinance and the Fishing (Alderney) Ordinances, 1957 to 1980, may be cited together as the Fishing (Alderney) Ordinances, 1957 to 1988.

#### **Commencement.**

4. This Ordinance shall come into force on the 16<sup>th</sup> day of December, 1988.