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Island of



Guernsey

Ordinance of the States. **IV**

1955

Made 2nd March, 1955.

Coming into Operation .. 7th March, 1955.

The Fishing Ordinance, 1955.

THE STATES, on the representations of the States Committee for Agriculture and Fisheries, hereby order:—

1. A person shall not import into, export from, or take, have in his possession, buy, sell or offer for sale in, this Island:—

- (a) whittings or dabs measuring less than eight inches in length;
- (b) soles measuring less than nine and a half inches in length;
- (c) plaice, lemon soles or megrims measuring less than ten inches in length;
- (d) haddock measuring less than eleven inches in length;

- (e) witches measuring less than eleven and a half inches in length;
- (f) turbot, brill, cod or hake measuring less than twelve inches in length or skate (ray) measuring less than twelve inches in breadth;
- (g) ormers measuring less than three inches along a horizontal plane between perpendiculars at the extremities of a line drawn between the two most distant extremities of the shell;
- (h) crabs commonly known as "lady crabs" measuring less than two inches along a horizontal plane between perpendiculars at the extremities of a line drawn between the two most distant extremities of the shell;
- (i) crabs commonly known as "chancres" measuring less than five and a half inches along a horizontal plane between perpendiculars at the extremities of a line drawn between the most distant extremities of the shell; or
- (j) lobsters or crayfish measuring less than nine inches from the tip of the beak to the end of the tail.

2. (1) A person shall not in this Island take, have in his possession, buy, sell or offer for sale:—

- (a) ormers, other than preserved ormers, at any time except on the day of each new moon and on the three days next following and on the day of each full moon and on the three days next following during the period commencing on the 10th day of October in each year and ending on the 30th day of April next following, both dates inclusive:

PROVIDED that any person found to be in possession of, or buying, selling or offering for

sale, ormers on the 1st or 2nd days of May or on the fourth or fifth days next following a new moon or full moon during the above-specified period shall be deemed not to have contravened the provisions of this subsection if that person is able to prove that those ormers were not taken after the 30th day of April or after the third day next following the new moon or full moon as the case may be;

- (b) crabs commonly known as "lady crabs", during the period commencing on the 1st day of May in each year and ending on the 9th day of October next following, both dates inclusive:

PROVIDED that any person found to be in possession of, or buying, selling or offering for sale, such crabs on the 1st or 2nd days of May shall be deemed not to have contravened the provisions of this subsection if that person is able to prove that the crabs were not taken after the 30th day of April;

- (c) shrimps, other than preserved shrimps, during the period commencing on the 1st day of March in each year and ending on the 30th day of June next following, both dates inclusive:

PROVIDED that any person found to be in possession of, or buying, selling or offering for sale, shrimps on the 1st or 2nd days of March shall be deemed not to have contravened the provisions of this subsection if that person is able to prove that the shrimps were not taken after the last day of February.

- (2) Notwithstanding the provisions of the last preceding subsection a person shall not at any time take ormers, crabs commonly known as "lady crabs" or shrimps between the hours of sunset and sunrise.

3. A person shall not set, for more than one hour at a time, in the bays of this Island any trammel net of a mesh less than three inches from knot to knot when closed.

4. (1) A person shall not use any seine or cast net with a mesh less than three inches from knot to knot when closed.

(2) The provisions of the last preceding subsection shall not apply to seines backed with a linen or cotton cloth in the centre when used for fishing for sand-eels, or seines when used for fishing for smelt (roselet), or seines when used for fishing for garfish (longnose) or sardines, save that a person shall not use any net for fishing for smelt (roselet) with a mesh of less than one inch from knot to knot when closed.

(3) A person shall not sell or offer for sale in this Island sand-eels during the period commencing on the 1st day of February in each year and ending on the 31st day of May next following, both dates inclusive.

(4) A person shall not sell or offer for sale in this Island, smelt (roselet) during the period commencing on the 1st day of May in each year and ending on the 15th day of November next following, both dates inclusive.

5. A person shall not make use of dynamite or any other explosive to take or destroy fish or be in possession of dynamite or any other explosive for the purpose of taking or destroying fish.

6. A member of the Island Police Force may open any basket, box, barrel, packet or other container or wrapping which he has reasonable cause to believe contains any of the kinds of fish or any explosive to

which this Ordinance applies and he may inspect the contents of such basket, box, barrel, packet or other container or wrapping and may seize any such fish which he has reasonable cause to believe have been taken or are possessed in contravention of any of the provisions of this Ordinance or any such explosive.

7. Any person who contravenes any of the provisions of this Ordinance or who obstructs a member of the Island Police Force in the execution of his duties under this Ordinance, shall be guilty of an offence and liable, on conviction, to a fine not exceeding ten pounds or imprisonment not exceeding one month or both, and the court may, in addition thereto, order the seizure, destruction or other disposal of the fish, trammel, seine, or other net or explosive to which the conviction relates at the expense of the convicted person.

8. In this Ordinance unless the context otherwise requires, the following expressions shall have the meaning respectively assigned to them—

“ this Island ” means any of the Islands of Guernsey, Herm and Jethou and includes the islets and rocks adjacent thereto and the territorial waters thereof;

“ preserved ” means cooked, pickled or deep frozen.

9. The enactments set out in the first column of the Schedule to this Ordinance are hereby repealed to the extent set out in the second column thereof.

10. This Ordinance shall come into force on the 7th day of March, 1955.

SCHEDULE

*First Column**Second Column*

L'Ordonnance émanée en Chef Plaid le 11^e d'Avril 1763, qui défend la pêche des Chevrettes.

So much of the Ordinance as remains unrepealed.

L'Ordonnance émanée en Chef Plaid le 30^e d'Avril 1764, qui défend la pêche des Chevrettes.

So much of the Ordinance as remains unrepealed.

L'Ordonnance émanée en Chef Plaid le 30^e de Septembre 1765, qui défend la pêche des Chevrettes.

So much of the Ordinance as remains unrepealed.

L'Ordonnance émanée en Chef Plaid le 28^e d'Avril 1794, qui défend la pêche des Huitres.

So much of the Ordinance as remains unrepealed.

L'Ordonnance passée le 29^e Mai 1830, prohibant la Pêche des Huitres.

So much of the Ordinance as remains unrepealed.

L'Ordonnance émanée en Chef Plaid le 19^e Avril, 1841, ayant rapport à la Pêche.

So much of the Ordinance as remains unrepealed.

L'Ordonnance émanée en Chef Plaid le 30^e Septembre, 1844 ayant rapport à la Pêche.

So much of the Ordinance as remains unrepealed.

L'Ordonnance contenant des Règlements Additionnels par rapport à la Pêche passed on the 2nd day of October, 1876.

So much of the Ordinance as remains unrepealed.

L'Ordonnance par rapport à la Pêche passed on the 3rd day of October, 1879.

So much of the Ordinance as remains unrepealed.

L'Ordonnance au sujet de l'amorce pour La Pêche passed on the 1st day of October, 1888.

So much of the Ordinance as remains unrepealed.

✓ L'Ordonnance relative à la Pêche passed on the 16th day of January, 1899.

The whole Ordinance.

<i>First Column</i>	<i>Second Column</i>
L'Ordonnance relative à la Pêche passed on the 5th day of October, 1903.	So much of the Ordinance as remains unrepealed.
L'Ordonnance par rapport à la Pêche passed on the 7th day of April, 1906.	The whole Ordinance.
L'Ordonnance Supplémentaire à la Pêche passed on the 19th day of April, 1909.	The whole Ordinance.
L'Ordonnance supplémentaire à l'Ordonnance par rapport à la Pêche passed on the 6th day of October, 1913.	So much of the Ordinance as remains unrepealed.
L'Ordonnance supplémentaire à l'Ordonnance par rapport à la Pêche made permanent on the 5th day of October, 1931.	The whole Ordinance.
L'Ordonnance relative à la Pêche à la Trawl made permanent on the 5th day of October, 1931.	The whole Ordinance.
L'Ordonnance supplémentaire relative à la Pêche passed on the 8th day of July, 1933.	The whole Ordinance.
L'Ordonnance supplémentaire relative à la Pêche (Ormers) passed on the 10th day of October, 1939.	The whole Ordinance.
The Ormer (Fishing on Sundays) Ordinance, 1952.	The whole Ordinance.

JAMES E. LE PAGE,

Her Majesty's Greffier.