

# Island of Guernsey

## Ordinance of the States **XVI** **1968**

Made ... .. 24th April, 1968.  
Coming into Operation ... .. 1st May, 1968.

### **The Fishing Ordinance, 1968.**

THE STATES, in pursuance of their Resolution of the twenty-seventh day of March, nineteen hundred and sixty-eight, hereby order:—

1. A person shall not export or attempt to export fish from this Island unless he holds a licence granted in pursuance of the provisions of section three of this Ordinance for the exportation of fish from this Island (hereinafter referred to as “a fish export licence”).

Restriction on export of fish.

2. Any person desirous of obtaining a fish export licence shall make application in that behalf to the Committee which shall be in such form and shall be accompanied by such information as the Committee may, from time to time, require.

Application for licence to export fish.

3. (1) Upon receipt of an application under the provisions of the last preceding section the Committee may either—

Grant or refusal of licence.

- (a) grant the fish export licence applied for;
- (b) refuse to grant such licence; or
- (c) grant such licence subject to such conditions as the Committee may think it necessary or expedient to impose.

(2) The Committee may at any time revoke a fish export licence and may from time to time revoke or vary any condition attached to such a licence.

Returns.

4. Every person to whom a fish export licence has been granted in pursuance of the provisions of the last preceding section shall within the seven days next following the end of each month send to the Committee a return in writing in such form and containing such particulars as the Committee may from time to time determine of all shellfish taken in this Island supplied to him and all shellfish exported from this Island by him during that month, including the name and address of each person who supplied the shellfish to him, the weight of the shellfish by species, the date of supply and the date of export from this Island.

Use of net for crawfish.

5. A person shall not in this Island use any net for the purposes of taking crawfish.

Close season for scallops.

6. A person shall not in this Island take scallops or have in his possession, buy, sell, or offer for sale scallops, other than imported scallops, during the period commencing on the first day of August in any year and ending on the thirty-first day of January in the year next following, both dates inclusive:

Provided that any person found to be in possession of scallops on the first or second days of August in any year shall be deemed not to have contravened

the provisions of this section if that person is able to prove that the scallops were not taken after the last day of July in the same year.

7. 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 fish to which any of the provisions of this Ordinance apply 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 are to be exported from this Island or have been taken or are possessed, in contravention of any of the provisions of this Ordinance.

Powers of Police.

8. 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 fifty 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, net or any diving apparel or other equipment whatsoever to which the conviction relates at the expense of the convicted person.

Offences and penalties.

9. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

Interpretation.

“the Committee” means the States Sea Fisheries Committee;

“member of the Island Police Force” includes within the limit of his jurisdiction a member of the special constabulary of the Island of Guernsey;

“submarine breathing apparatus” includes the apparatus commonly known as a “snorkel” and any other diving device whatsoever;

“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.

Citation  
and collective  
title.

10. This Ordinance may be cited as the Fishing Ordinance, 1968, and this Ordinance and the Fishing Ordinances, 1955 to 1967, may be cited together as the Fishing Ordinances, 1955 to 1968.

Commence-  
ment.

11. This Ordinance shall come into force on the first day of May, nineteen hundred and sixty-eight.

R. H. VIDELO,

Her Majesty's Greffier.

Copies may be purchased from  
Her Majesty's Greffier, Royal Court House, Guernsey.

PRICE 6D.