

GUERNSEY STATUTORY INSTRUMENT

2022 No. 7

**The European Union (Sea Fisheries, etc.) (Brexit)  
(Bailiwick of Guernsey) (Amendment) Regulations, 2022**

<i>Made</i>	25 <sup>th</sup> January, 2022
<i>Coming into operation</i>	1 <sup>st</sup> February, 2022
<i>Laid before the States</i>	, 2022

**THE POLICY & RESOURCES COMMITTEE**, in exercise of the powers conferred on it by sections 5(1) and 11 of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018<sup>a</sup>, and upon receipt of the certificate required under section 5(3) of that Law, hereby makes the following Regulations:-

**Amendment of the Law.**

1. The Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012<sup>b</sup> ("**the Law**") is amended as set out below.

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<sup>a</sup> Order in Council No. I of 2019.

<sup>b</sup> No. X of 2012; as amended by Ordinance No. IX of 2016; No. II of 2017; G.S.I. No. 10 and 163 of 2020; No. 26 of 2021.

2. In section 5A(2), immediately after the definition of "EU fishing boat", insert the following definition -

**"interim authorisation"** means an interim authorisation granted by the Committee pursuant to this Law as it had effect before 1<sup>st</sup> February 2022."

3. In sections 5B and 5I(4), for "a EU" substitute "an EU" wherever it appears.

4. In section 5HA(7) -

(a) for "in a specified area", substitute "(in a specified area or generally, as the case may be)", and

(b) in subparagraph (b), for "in that area", substitute "(whether in that area or generally, as the case may be)".

5. In section 19(1), for the definition of "interim authorisation", substitute the following definition -

**"interim authorisation"** has the meaning given in section 5A(2)".

**Extent.**

6. These Regulations have effect throughout the Bailiwick of Guernsey and the territorial waters adjacent thereto.

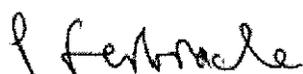
**Citation.**

7. These Regulations may be cited as the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) Regulations, 2022.

**Commencement.**

8. These Regulations shall come into force on 1<sup>st</sup> February, 2022.

Dated this 25<sup>th</sup> day of January, 2022



P. T. R. Ferbrache

President of the Policy & Resources Committee

For and on behalf of the Committee

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in consequence of the withdrawal of the United Kingdom from the European Union.

These Regulations insert into the Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012 a definition of interim authorisation for the purposes of the prohibition on fishing by EU fishing boats before the introduction of the licensing regime which will operate from 1<sup>st</sup> February 2022. In addition, these Regulations clarify that the so-called "throwback" provisions apply to sea fish of a specified description which are taken on board when they are not permitted to be taken by EU fishing boats under a licence granted by the Committee, whether in a specified area or generally in Bailiwick territorial waters.

These Regulations will come into force on 1<sup>st</sup> February 2022.

