



Jersey

HARBOURS (PROTECTION OF CABLES IN TERRITORIAL WATERS) (JERSEY) REGULATIONS 2010

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CABLE PROTECTION ZONE

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Made

1st December 2010

Coming into force

14th December 2010

THE STATES, in pursuance of Article 4 of the Harbours (Administration) (Jersey) Law 1961¹, have made the following Regulations –

1 Interpretation

In these Regulations –

“fishing vessel” means any vessel of whatever size, and in whatever way propelled, being used, or intended for use, for or in connection with fishing for fish or shellfish;

“master” includes a skipper or any other person who is for the time being in command or charge of a vessel;

“prohibited activity” has the meaning assigned by Regulation 2.

2 Offence of anchoring, dredging or trawling in a cable protection zone

- (1) A person commits an offence if he or she carries out a prohibited activity.
- (2) Each of the activities listed in paragraph (3) is a prohibited activity, if carried out in a cable protection zone specified in the Schedule.
- (3) The activities are –
 - (a) anchoring a vessel or other object;
 - (b) dredging;
 - (c) trawling.

3 Liability of master for prohibited activity from a fishing vessel

A person commits an offence if he or she is the master of a fishing vessel when a prohibited activity is carried out from the vessel.

4 Liability of others for prohibited activity from a fishing vessel

- (1) A person falling within paragraph (2) commits an offence if the person fails to exercise all due diligence to prevent a prohibited activity which is carried out from a fishing vessel.
- (2) A person falls within this paragraph if, when the prohibited activity is carried out, the person is not the master of the vessel but is –
 - (a) the charterer of the vessel; or
 - (b) if the vessel is not under charter, the owner of the vessel.
- (3) Paragraph (4) applies if an offence under paragraph (1) committed by a body corporate or by a limited liability partnership is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of –
 - (a) a person who is a director, manager, secretary or other similar officer of the body corporate, or a partner of the partnership; or
 - (b) a person purporting to act in any such capacity.
- (4) That person –
 - (a) is also guilty of the offence under paragraph (1); and
 - (b) is liable in the same manner as the body corporate or the partnership to the penalty provided for the offence.
- (5) If the affairs of a body corporate are managed by its members, paragraphs (3) and (4) apply in relation to acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

5 Penalties for offence

A person guilty of an offence under these Regulations is liable to imprisonment for a term of 3 months and a fine.

6 Citation and commencement

These Regulations may be cited as the Harbours (Protection of Cables in Territorial Waters) (Jersey) Regulations 2010 and come into force on 14th December 2010.

M.N. DE LA HAYE

Greffier of the States

SCHEDULE

(Regulation 2(2))

CABLE PROTECTION ZONE

1 Interpretation

In this Schedule coordinates giving the position of a point are defined on WGS 1984.

2 Cable protection zone for cable to France

The cable protection zone in respect of the submarine electricity cable to France is those parts of the sea that –

- (a) form part of the territorial sea adjacent to Jersey; and
- (b) fall within 1,000 metres on each side of the line set out in paragraph 3.

3 Line for submarine electricity cable to France

The line referred to in paragraph 2(b) is a line consisting of a series of loxodromic lines joining, in the sequence given, the following points –

Point	Position	
1	49°12.746'N	2° 1.300'W
2	49°12.603'N	2° 1.097'W
3	49°12.461'N	2° 0.689'W
4	49°12.413'N	2° 0.321'W
5	49°13.148'N	1°55.348'W
6	49°14.131'N	1°50.860'W
7	49°15.550'N	1°45.816'W
8	49°16.696'N	1°43.792'W
9	49°16.791'N	1°43.214'W
10	49°16.865'N	1°42.984'W
11	49°16.889'N	1°42.818'W
12	49°16.893'N	1°42.605'W
13	49°16.953'N	1°42.231'W
14	49°16.992'N	1°42.118'W
15	49°17.076'N	1°41.852'W
16	49°17.146'N	1°41.530'W
17	49°17.168'N	1°41.505'W
18	49°17.391'N	1°41.677W
19	49°17.415'N	1°41.696'W
20	49°17.471'N	1°41.702'W
21	49°17.598'N	1°41.770'W

¹ *chapter 19.060*