

Consolidated text

ORDINANCE
OF THE STATES OF ALDERNEY

ENTITLED

The Fishing (Parlour Pots) (Prohibition) Ordinance, 1995 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordinances of the States of Alderney Vol. I, folio 249, No. XII of 1995; as amended by the Fishing (Parlour Pots) (Prohibition) (Amendment) Ordinance, 1996 (Ordinances of the States of Alderney Vol. I, folio 262, No. XII of 1996).

**ORDINANCE
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ARRANGEMENT OF SECTIONS

1. Use of parlour pots prohibited.
2. Carrying of parlour pots prohibited.
3. Interpretation.
4. Repeal.
5. Citation.
6. Commencement.

(Made on the 1st November, 1995.)

The Fishing (Parlour Pots) (Prohibition) Ordinance, 1995

THE STATES OF ALDERNEY, in pursuance of their Resolution of the 1st day of November, 1995, and in exercise of the powers conferred upon them by section 46 of the Government of Alderney Law, 1987^a, hereby order: –

Use of parlour pots prohibited.

1. (1) No person shall in Alderney waters use or cause or permit to be used a parlour pot.

(2) A person who contravenes subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding level 4 on the Alderney uniform scale.

Carrying of parlour pots prohibited.

2. (1) A parlour pot shall not be carried on a vessel in Alderney waters.

(2) Where a contravention of subsection (1) occurs upon a vessel the master, owner and charterer of the vessel are each guilty of an offence and liable on conviction to a fine not exceeding level 4 on the Alderney uniform scale.

(3) It is a defence for a person charged with an offence under this section to prove that, on the occasion of the alleged offence, the parlour pot in question had not been and was not going to be used in Alderney waters.

^a Ordres en Conseil Vol. XXX, p. 37; No. XI of 1988; No. VI of 1989; and No. XI of 1993.

Interpretation.

3. (1) In this Ordinance –

"**Alderney waters**" means the waters which, on the commencement of this Ordinance, comprise the territorial waters adjacent to Alderney and its dependencies,

["**parlour pot**" means any pot, container or item whatsoever which is designed, adapted or intended to be used, or which is capable of being used, for the taking of crustaceans and which –

(a) is a double-chambered pot, container or item, or

(b) has a non-rigid entrance or exit].

(2) The provisions of the Interpretation (Guernsey) Law, 1948^b shall apply to the interpretation of this Ordinance.

NOTE

In section 3, the definition of the expression "parlour pot" in subsection (1) was substituted by the Fishing (Parlour Pots) (Prohibition) (Amendment) Ordinance, 1996, section 1, with effect from 4th September, 1996.

Repeal.

4. The Fishing (Parlour Pots) Ordinance, 1992 is repealed.

^b Ordres en Conseil Vol. XIII, p. 355.

Citation.

5. This Ordinance may be cited as the Fishing (Parlour Pots) (Prohibition) Ordinance, 1995.

Commencement.

6. This Ordinance shall come into force on the 1st November, 1995.