



Jersey

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

Official Consolidated Version

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

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THE STATES, in pursuance of Article 4 of the [Harbours \(Administration\) \(Jersey\) Law 1961](#), have made the following Regulations –

Commencement [\[see endnotes\]](#)

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

These Regulations may be cited as the Harbours (Protection of Cables in Territorial Waters) (Jersey) Regulations 2010.

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°41.677'W
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

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Harbours (Protection of Cables in Territorial Waters) (Jersey) Regulations 2010	R&O.117/2010	14 December 2010

Table of Renumbered Provisions

Original	Current
None	

Table of Endnote References

There are currently no endnote references