



Jersey

AGRICULTURE AND FISHERIES (LOANS) (JERSEY) LAW 202-

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AGRICULTURE AND FISHERIES (LOANS) (JERSEY) LAW 202-

A **LAW** to provide financial assistance to the agriculture and fishing industries, and for connected purposes.

Adopted by the States

26 March 2026

Sanctioned by Order of His Majesty in Council

[date to be inserted]

Registered by the Royal Court

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

PART 1

INTRODUCTORY PROVISIONS

1 Interpretation

In this Law –

“agricultural land” means land, including land under glass, used for any purpose of agriculture and used or capable of being used as part of a trade or business;

“applicant” means a person by or in respect of whom an application for a loan is made;

“approved” means approved by the Minister;

“Board” has the meaning given in Article 3(1);

“borrower” means a person to whom a loan is made;

“Fund” has the meaning given in Article 2(1);

“loan” means a loan from the Fund approved under this Law;

“Minister” means the Minister for Sustainable Economic Development;

“sea fish” means fish of any description found in the sea, including shellfish and any part of a fish, whether fresh or frozen, cured or otherwise preserved;

“shellfish” includes crustaceans and molluscs of any kind and any spat or spawn of shellfish;

“vessel” means any ship or boat, or any other description of vessel used in navigation.

2 Establishment of Agriculture and Fisheries Loans Fund

- (1) The Agriculture and Fisheries Loans Fund (the “Fund”) is established to provide loans to the agriculture and fisheries industries.
- (2) The Fund is treated as if it were established under Article 6 of the [Public Finances \(Jersey\) Law 2019](#).
- (3) The Fund is under the control and management of the Minister and consists of money authorised by the States in accordance with Article 6(3) of the [Public Finances \(Jersey\) Law 2019](#).
- (4) There is also paid into the Fund –
 - (a) all money paid in or towards the repayment of loans and in payment of interest on loans; and
 - (b) all other money received under this Law.
- (5) There is paid out of the Fund –
 - (a) all money paid out as loans;
 - (b) all money payable in respect of interest charged on the money borrowed by the Fund and the repayment of the money borrowed; and
 - (c) all expenses incurred in the administration of this Law.
- (6) The Minister must provide in the Minister’s head of expenditure in the government plan for each financial year an amount that represents the estimated deficit in that year between the amount of money paid into the Fund in payment of interest on loans, and the amount paid out of the Fund in respect of interest charged against the Fund and administrative expenses.
- (7) The Minister must, not later than 1 June each year, present to the States a report showing the financial position of the Fund at the close of the financial year ending on 31 December before the presentation of the report.
- (8) In this Article, “financial year”, “government plan” and “head of expenditure” have the meanings given in Article 1 of the [Public Finances \(Jersey\) Law 2019](#).

3 Continuation, renaming and constitution of Board

- (1) The Board constituted under Regulation 3 of the [Agriculture \(Loans\) \(Jersey\) Regulations 1974](#) is continued and renamed the Agriculture and Fisheries Loans Board (the “Board”).
- (2) The function of the Board is to make recommendations to the Minister about making loans and payments under this Law.
- (3) The Minister must appoint to the Board –
 - (a) a chair, a vice-chair and 1 other person who have all had experience and shown skill in commerce or finance; and
 - (b) at least 2 other people who have had experience and shown skill in commerce, finance or the agriculture or fisheries industries.
- (4) Article 2 of the [States of Jersey \(Appointment Procedures\) \(Jersey\) Law 2018](#) applies to the appointment of the chair, vice-chair and other members of the Board.

- (5) A member of the Board holds office for 3 years and is eligible for re-appointment.
- (6) But a member of the Board ceases to hold office if –
 - (a) they resign in writing to the Minister;
 - (b) they become bankrupt; or
 - (c) they die or are unable to discharge the functions of office.
- (7) If a member of the Board ceases to hold office under paragraph (6), the Minister must appoint a person for the remainder of the original appointee's term of office.
- (8) The Minister must –
 - (a) pay the expenses of the Board that the Minister approves; and
 - (b) provide suitable accommodation for the Board to carry out its function.
- (9) The States may by Regulations amend this Law to vary the composition or functions of the Board.

4 Proceedings of Board

- (1) The quorum of the Board is 3 members, including at least 1 person from those appointed under each of Article 3(3)(a) and (b).
- (2) The chair, or in the chair's absence the vice-chair, presides at meetings of the Board.
- (3) If both the chair and the vice-chair are absent from a meeting of the Board, the other person appointed under Article 3(3)(a) presides at the meeting.
- (4) At a meeting of the Board, the person presiding has a second or casting vote if the votes of the members are equally divided.
- (5) The Minister may by Order amend this Law to make different provision regarding the proceedings of the Board.

PART 2

LOANS

5 Criteria for granting of loans

- (1) The Minister may make a loan to an applicant for the purpose of assisting or enabling them to undertake any of the activities set out in the Schedule.
- (2) The applicant must be –
 - (a) resident or incorporated in Jersey; and
 - (b) engaged, or if the application for a loan is granted, intending to be engaged, wholly or mainly in work relating to agriculture or fisheries.
- (3) The applicant must –
 - (a) qualify to be a beneficiary of the Rural Support Scheme administered by the Minister and be registered with the Minister as running an agricultural enterprise that meets the criteria specified by the Minister; or
 - (b) qualify to be a beneficiary of the Marine Support Scheme administered on behalf of the Minister and have been granted a licence or a permit by the Minister for the Environment under Article 12 of the [Sea Fisheries \(Jersey\)](#)

[Law 1994](#) and be registered under Regulation 5 of the [Shipping \(Registration\) \(Jersey\) Regulations 2004](#).

- (4) The business carried on by the applicant must have a licence under Article 25 of the [Control of Housing and Work \(Jersey\) Law 2012](#).
- (5) A loan made for any of the activities specified in the Schedule, paragraphs 1(b), (c) or (d) or 2(a), (b) or (c), may be advanced in instalments in a manner consistent with the undertaking of the activity.
- (6) The States may by Regulations amend this Law to vary the criteria for which loans may be granted.

6 Borrower no longer engaged in agricultural or fisheries work or convicted of offence relating to that work

- (1) A borrower must notify the Minister immediately –
 - (a) if they cease to be engaged wholly or mainly in work relating to agriculture or fisheries; or
 - (b) if they are convicted of any offence relating to the carrying on of that work.
- (2) If the Minister receives a notification under paragraph (1) or is otherwise satisfied that those circumstances apply, the Minister may serve on the borrower a notice requiring them to repay immediately, or on a date specified in the notice, the full amount of the principal of the loan outstanding at the date on which the notice is served, together with any interest payable up to the time the repayment is made.

PART 3

MISCELLANEOUS

7 Regulations

The States may by Regulations –

- (a) provide for how applications for loans may be made, and authorise the Minister to vary how applications are to be made;
- (b) provide for determining the amount of the principal of a loan to be granted in any case and the rate of interest charged on the loan;
- (c) provide for the securing of a loan in the manner and subject to the conditions set out in the Regulations and provide for the Minister to specify the content of a contract necessary to effect the loan;
- (d) set out the circumstances in which, and the conditions subject to which, payments are made, the manner in which the amount of the payments will be calculated and the means by which they will be made; and
- (e) empower the Minister to take action as specified in the Regulations in the event of a breach of any conditions applicable to a loan.

8 Power of entry, inspection and seizure

- (1) An officer in an administration of the States for which the Minister has responsibility in relation to this Law, or a person authorised in writing by the Minister, may at a

reasonable time and, if required, on production of evidence of authority, enter premises, other than premises used wholly or mainly as a private dwelling, on which a loan is secured, or in respect of which a loan has been made, for the purpose of ascertaining whether this Law or Regulations made under this Law, and any conditions imposed by or under this Law, or otherwise applicable to a loan are being observed.

- (2) The officer or other person may, in the case of a default on a loan, remove any movable property (including a vessel) that is capable of being, and has been, provided as security for the loan.
- (3) The borrower must give the assistance and provide all the information that the officer or other person thinks necessary for the purposes of their duties under this Article.

9 Offences

- (1) A person who knowingly or recklessly makes an application for a loan that is false in a material particular commits an offence.
- (2) A person who intentionally obstructs an officer or other person carrying out their duties under Article 8(1) or (2) or a borrower who fails to give assistance or provide the information required under Article 8(3) commits an offence.
- (3) A person who commits an offence under this Article is liable to imprisonment for a term of 6 months and to a fine of level 3 on the standard scale.

10 Limitation of application of [Building Loans \(Jersey\) Law 1950](#)

Article 3 of the [Building Loans \(Jersey\) Law 1950](#) does not apply to authorise the making of a loan if a loan may be made to the same person for the same purpose under this Law.

11 Transitional provisions

- (1) All assets and liabilities of the fund established for the purposes of the [Agriculture \(Loans\) \(Jersey\) Regulations 1974](#) become the assets and liabilities of the Fund.
- (2) Appointments to the Board under the [Agriculture \(Loans\) \(Jersey\) Regulations 1974](#) continue for the remainder of the period for which they were appointed.
- (3) Loans approved by the Minister under the [Agriculture \(Loans and Guarantees\) \(Jersey\) Law 1974](#) before the commencement of this Law are treated as if approved under this Law.
- (4) Applications for loans made before the commencement of this Law are treated as if they were made under this Law.

12 Consequential amendment

In Article 18(2) of the [Residential Tenancy \(Jersey\) Law 2011](#), for “[Agriculture \(Loans and Guarantees\) \(Jersey\) Law 1974](#)” there is substituted “Agriculture and Fisheries (Loans) (Jersey) Law 202-”.

13 Repeal

The [Agriculture \(Loans and Guarantees\) \(Jersey\) Law 1974](#) and the [Agriculture \(Loans\) \(Jersey\) Regulations 1974](#) are repealed.

14 Citation and commencement

This Law may be cited as the Agriculture and Fisheries (Loans) (Jersey) Law 202- and comes into force on a day to be specified by the States by Act.

SCHEDULE

(Article 5)

ACTIVITIES FOR WHICH LOANS MAY BE GRANTED

1 Agricultural activities

Loans may be granted for the following agricultural activities when undertaken commercially –

- (a) to purchase agricultural land, to be occupied and farmed by the applicant;
- (b) to construct a dwelling or permanent farm building (including a greenhouse), or convert into a dwelling, or carry out improvements to, an existing farm building on agricultural land occupied and farmed by the applicant;
- (c) to construct a dwelling for the purpose of housing workers wholly or mainly involved in the business of agriculture;
- (d) to purchase, and install or use on agricultural land occupied and farmed by the applicant, agricultural machinery, vehicles and equipment;
- (e) to carry out, on agricultural land occupied and farmed by the applicant, improvements that will contribute to the more efficient and economic farming of that land, including income-generating activities related to agriculture such as agricultural tourism;
- (f) to purchase livestock;
- (g) to purchase shares in an agricultural company that has a direct interest in agricultural land occupied and farmed, or to be occupied and farmed, by the applicant;
- (h) to purchase flower bulbs, seed potatoes, or boxes for the storage of seed potatoes, to be used on agricultural land that –
 - (i) the applicant already occupies and farms or is to occupy and farm; and
 - (ii) is wholly or partly land that the applicant has purchased, or is to purchase, with the assistance of a loan made under sub-paragraph (a).

2 Fisheries activities

Loans may be granted for the following fisheries activities when undertaken commercially –

- (a) to purchase vessels or fishing equipment;
- (b) to purchase, construct or improve premises for use in fishing, such as premises for staff or for processing, storing or packing fish;
- (c) to construct a dwelling for the purpose of housing workers wholly or mainly involved in the fishing business;
- (d) to purchase stock for the farming of fish;
- (e) to purchase machinery and vehicles for use in commercial fishing.