



Jersey

# **WILDLIFE (AREAS OF SPECIAL PROTECTION) (JERSEY) ORDER 2022**

## **Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 26 February 2024 to Current



Jersey

## WILDLIFE (AREAS OF SPECIAL PROTECTION) (JERSEY) ORDER 2022

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Jersey

## **WILDLIFE (AREAS OF SPECIAL PROTECTION) (JERSEY) ORDER 2022**

**THE MINISTER FOR THE ENVIRONMENT** makes this Order under, and having met the requirements of, Article 35 of the [Wildlife \(Jersey\) Law 2021](#) –

Commencement [[see endnotes](#)]

### **1 Interpretation<sup>1</sup>**

In this Order –

“Area of Special Protection” means an area designated as an Area of Special Protection under Article 2 or 2A and the airspace above that area;

“authorised person” means –

- (a) an owner or occupier of premises within an Area of Special Protection;
- (b) a person supplying emergency services to a breeding area;
- (c) a person exercising a right of access or entry to a breeding area under a statutory provision;
- (d) a person given authorisation to enter a breeding area by a person described in paragraph (a) for the purpose of visiting, staying in, or carrying out maintenance work in relation to, premises within a breeding area; or
- (e) a person given authorisation to enter a breeding area by the Minister in writing;

“breeding area” means a bird breeding area within an Area of Special Protection, and which is indicated in each Schedule as the area within and including the solid red line;

“land” includes the foreshore, being the land that lies between the limits of the highest and lowest tides;

“Les Ecréhous” has the meaning given in Regulation 1 of the [Sea Fisheries \(Les Ecréhous\) \(Jersey\) Regulations 2018](#);

“Les Minquiers” has the meaning given in Regulation 1 of the [Sea Fisheries \(Les Minquiers\) \(Jersey\) Regulations 2007](#);

“relevant breeding period” means –

- (a) in relation to the areas described in Articles 2(1)(a) and 2A(1), the period between 1st February and 31st August (inclusive of those dates) in any year;
- (b) in relation to the areas described in Article 2(1)(b), (c) and (d), the period between 1st April and 31st August (inclusive of those dates) in any year.

## 2 Areas of Special Protection – Les Ecréhous<sup>2</sup>

- (1) The following areas within Les Ecréhous are designated as Areas of Special Protection –
  - (a) the area that comprises –
    - (i) the breeding area on Maîtr'Île, which is bounded by the high water mark; and
    - (ii) the area outside the breeding area which is within and including the 150m boundary line,  
as indicated in Schedule 1;
  - (b) the area that comprises –
    - (i) the breeding area on La Blanche Île, the boundary of which is cordoned, as far as practically possible, and signed; and
    - (ii) the area outside the breeding area which is within and including the 150m boundary line,  
as indicated in Schedule 2;
  - (c) the area that comprises –
    - (i) the breeding area on La Grande Brecque, which is bounded by the high water mark; and
    - (ii) the area outside the breeding area which is within and including the 150m boundary line,  
as indicated in Schedule 3;
  - (d) the area that comprises –
    - (i) the breeding area on La Marmotière, the boundary of which is cordoned and signed; and
    - (ii) the area outside the breeding area which is within and including the 150m boundary line,  
as indicated in Schedule 4.
- (2) The 150m boundary line is to be drawn so that the area which is bounded by it includes every location that is 150m from the boundary of the breeding area in question, measured horizontally in any direction outwards from any point on the boundary (and is indicated in each of Schedules 1 to 4 by the white dashed line).<sup>3</sup>
- (3) The area described in paragraph (1)(a) is designated as an Area of Special Protection in order to protect the breeding activities, nesting and young of protected wild birds, in particular European shags (*Phalacrocorax aristotelis*) and great cormorants (*Phalacrocorax carbo*).
- (4) The areas described in paragraph (1)(b), (c) and (d) are designated as Areas of Special Protection in order to protect the breeding activities, nesting and young of protected wild birds, in particular the common tern (*Sterna hirundo*), the roseate tern (*Sterna dougallii*) and oystercatchers (*Haematopus ostralegus*).

## 2A Areas of Special Protection – Les Minquiers<sup>4</sup>

- (1) The following areas within Les Minquiers are designated as Areas of Special Protection –
  - (a) the area that comprises –

- (i) the breeding area on Maîtresse Île, the boundary of which is cordoned, as far as practically possible, and signed, and
  - (ii) the area outside the breeding area which is within and including the 150m boundary line,  
as indicated in Schedule 5;
- (b) the area that comprises –
  - (i) the breeding area on Les Maisons, which is bounded by the high-water mark, and
  - (ii) the area outside the breeding area which is within and including the 150m boundary line,  
as indicated in Schedule 6.
- (2) The 150m boundary line is to be drawn so that the area which is bounded by it includes every location that is 150m from the boundary of the breeding area in question, measured horizontally in any direction outwards from any point on the boundary (and is indicated in each of Schedules 5 and 6 by the white dashed line).
- (3) The area described in paragraph (1)(a) is designated as an Area of Special Protection in order to protect the breeding activities, nesting and young of protected wild birds, in particular common terns (*Sterna hirundo*), great cormorants (*Phalacrocorax carbo*), European shags (*Phalacrocorax aristotelis*) and great black-backed gulls (*Larus marinus*).
- (4) The area described in paragraph (1)(b) is designated as an Area of Special Protection in order to protect the breeding activities, nesting and young of protected wild birds, in particular great cormorants (*Phalacrocorax carbo*), European shags (*Phalacrocorax aristotelis*) and great black-backed gulls (*Larus marinus*).

### 3 Prohibition of entry<sup>5</sup>

It is an offence for a person other than an authorised person to enter a breeding area, except in an emergency, during the relevant breeding period.

### 4 Prohibited activities

- (1) It is an offence for a person to do any of the following within an Area of Special Protection during the relevant breeding period –
  - (a) operate a vessel at a speed of 5 knots or more, except in the case of an emergency;
  - (b) use or operate an unmanned aerial vehicle, unless authorised in writing by the Minister;
  - (c) use or operate a laser;
  - (d) discharge a firearm or ceremonial gun;
  - (e) light a firework;
  - (f) light a bonfire (except for a barbecue);
  - (g) bring a dog on to land, unless authorised in writing by the Minister;
  - (h) play a recording of bird song, bird calls or other sounds which may attract, alarm or otherwise disturb a protected wild bird;

- (i) play music at a volume which may alarm or otherwise disturb a protected wild bird;
  - (j) move or otherwise interfere with the boundary, or a cordon or sign marking the boundary, of a breeding area (as indicated in Schedules 1 to 6), unless authorised in writing by the Minister.<sup>6</sup>
- (2) It is an offence for a person to cause an unmanned aerial vehicle to enter an Area of Special Protection during the relevant breeding period, unless authorised in writing by the Minister.
- (3) In this Article –  
“firearm” has the meaning given in Article 1(1) of the [Firearms \(Jersey\) Law 2000](#);  
“unmanned aerial vehicle” includes a drone and a model aircraft.

## **5 Requirements to inform**

- (1) An owner or occupier of premises within an Area of Special Protection who authorises a person to enter the Area during the relevant breeding period for the purpose of visiting, staying in or carrying out maintenance work in relation to the premises must, before the person first enters the Area, inform the person of the requirements of this Order relating to the Area.
- (2) A person who operates a vessel that brings a person on to land within an Area of Special Protection during the relevant breeding period must, before the person first disembarks the vessel on to the land, inform the person of the requirements of this Order relating to the Area.
- (3) It is an offence for a person to fail to comply with this Article.

## **6 Penalties**

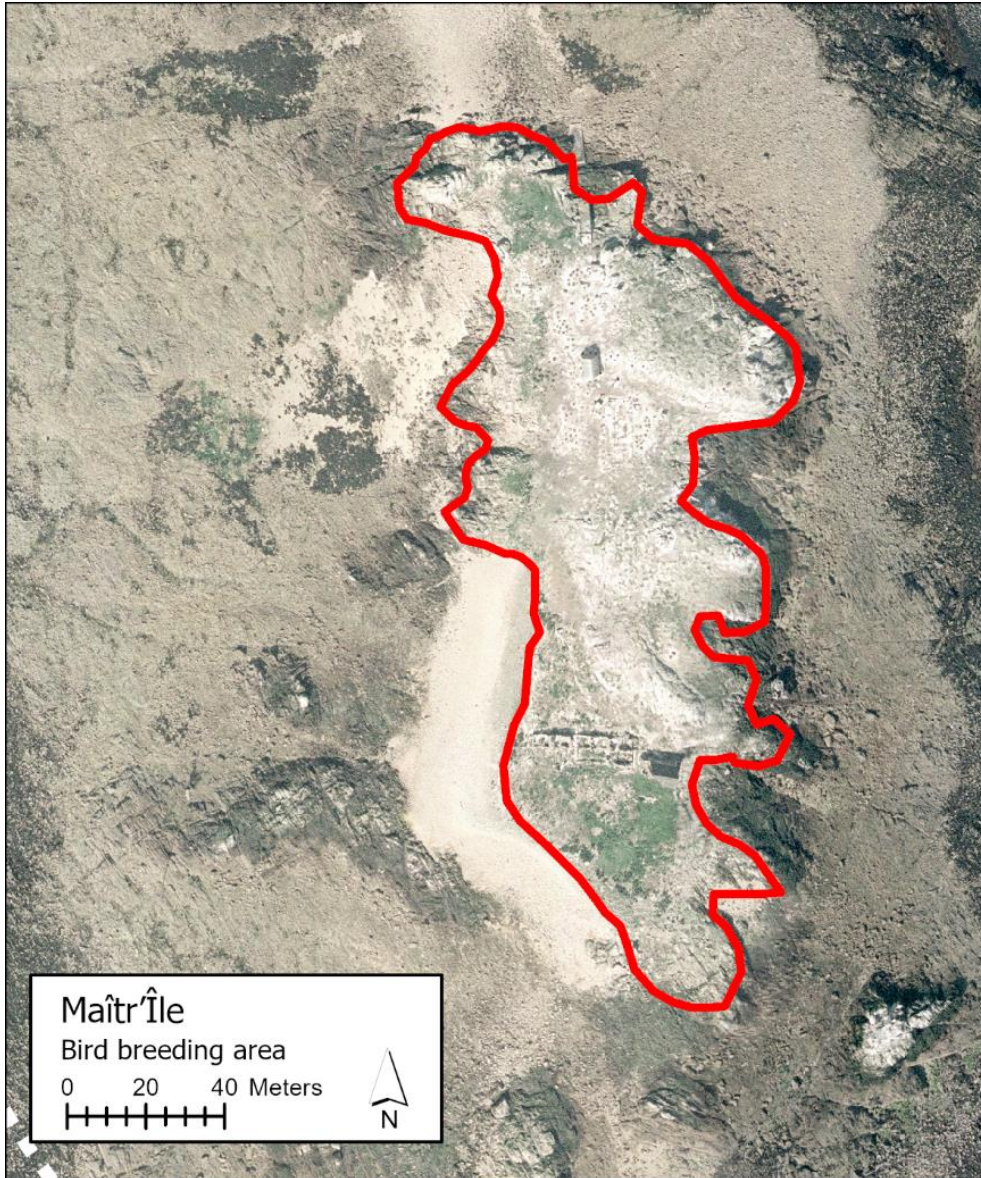
A person who commits an offence under this Order is liable to a fine of level 3 on the standard scale.

## **7 Citation and commencement**

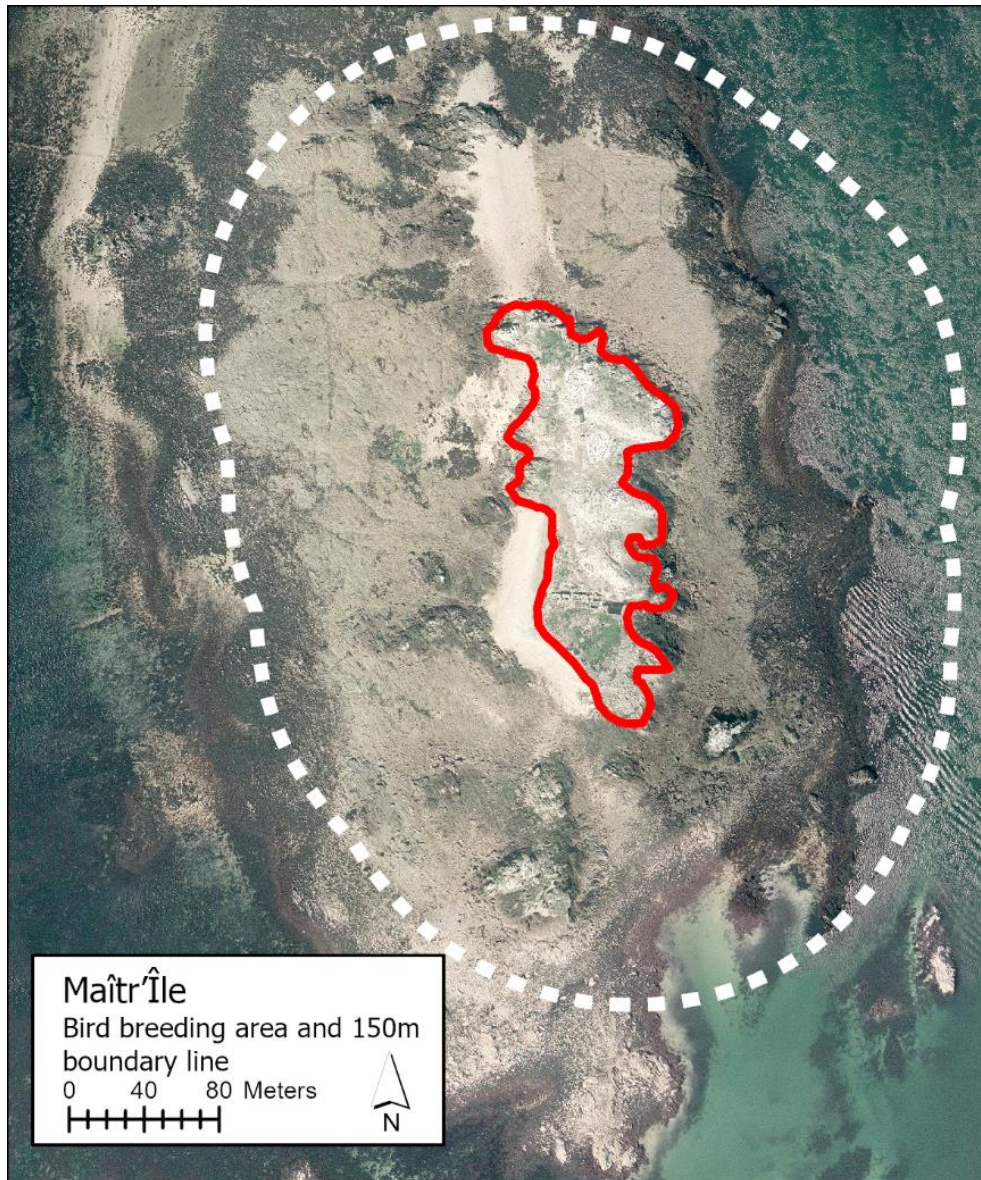
This Order may be cited as the Wildlife (Areas of Special Protection) (Jersey) Order 2022 and comes into force 7 days after it is made.

## SCHEDULE 1

### AREA OF SPECIAL PROTECTION: BREEDING AREA ON MAÎTR'ÎLE AND THE SURROUNDING AREA

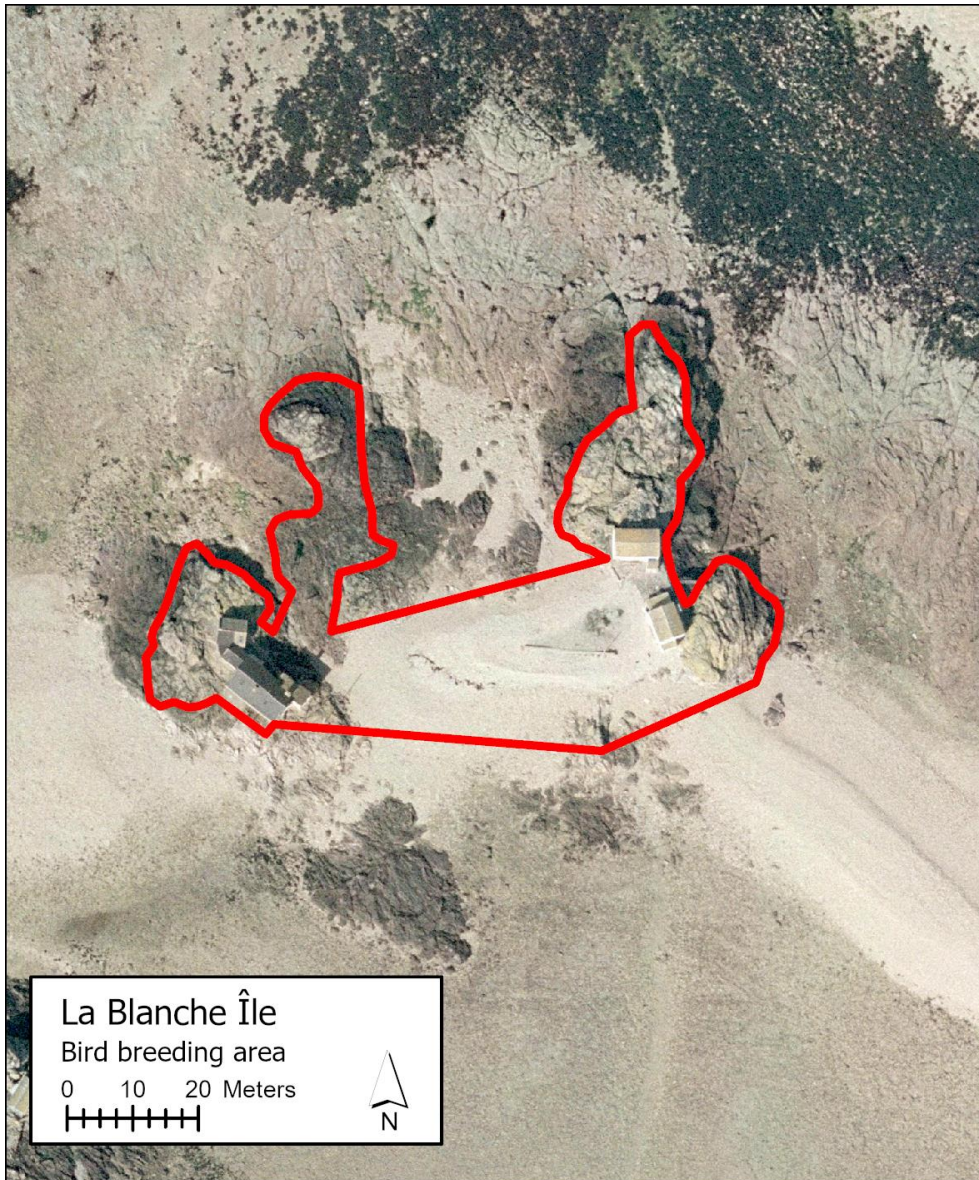


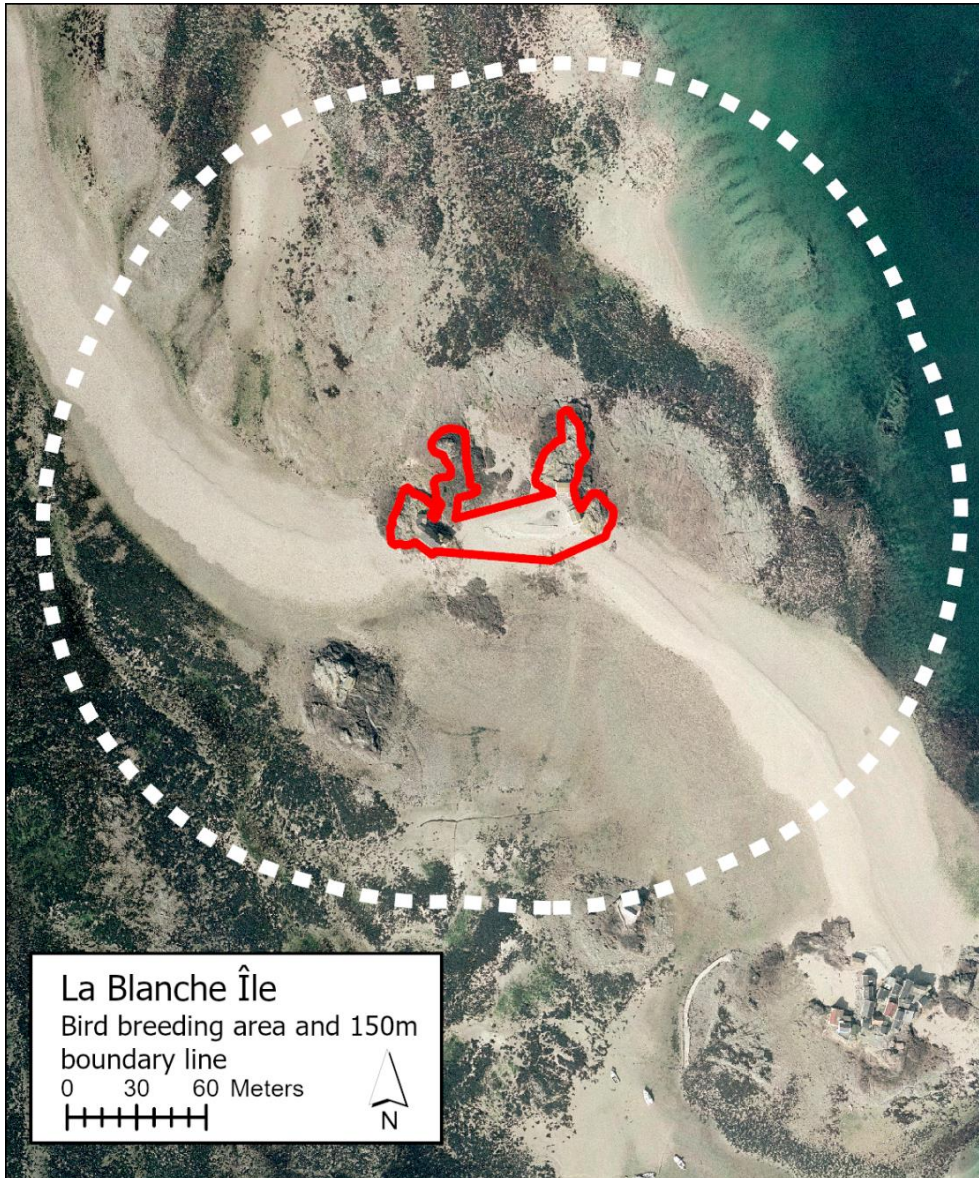




## SCHEDULE 2

### AREA OF SPECIAL PROTECTION: BREEDING AREA ON LA BLANCHE ÎLE AND THE SURROUNDING AREA

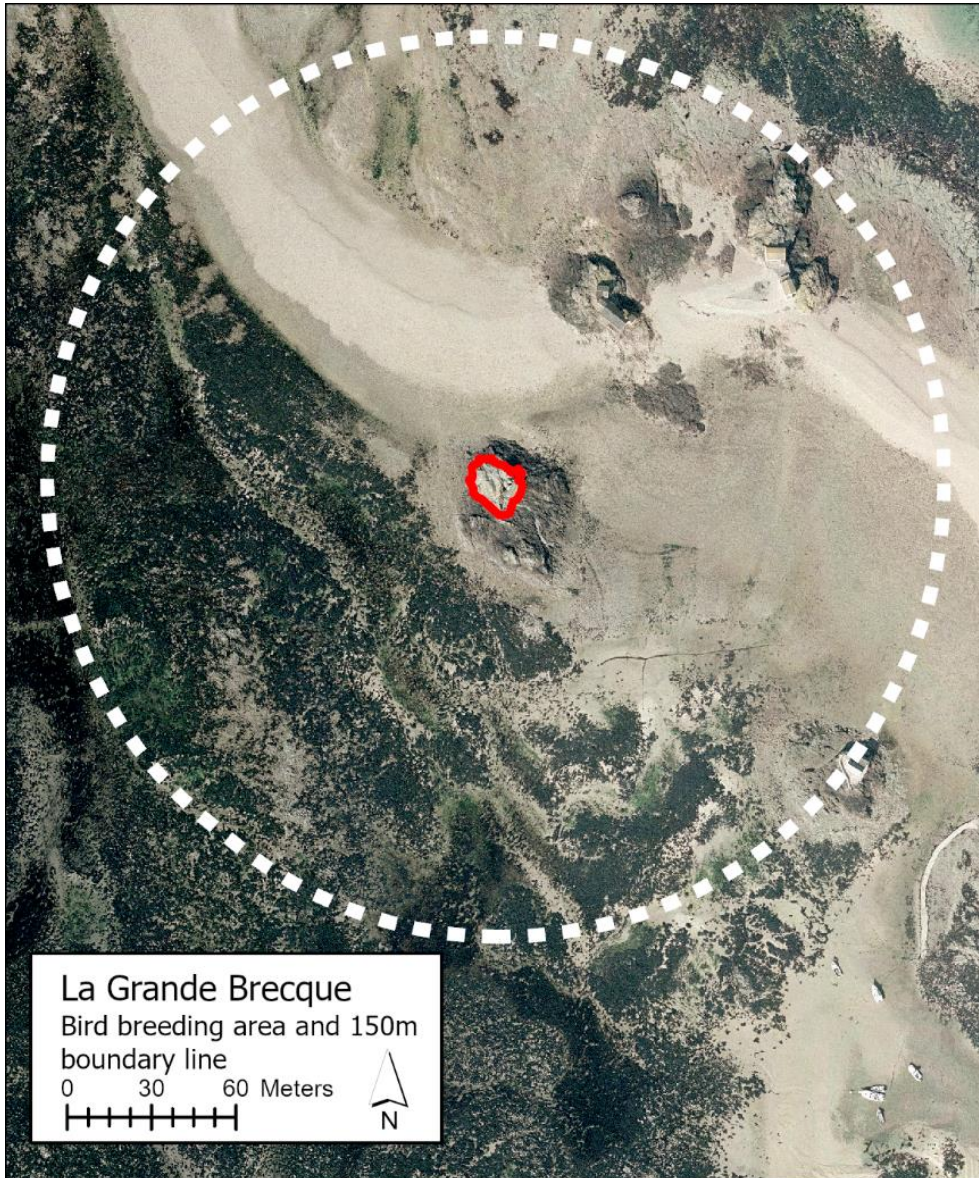




### SCHEDULE 3

#### AREA OF SPECIAL PROTECTION: BREEDING AREA ON LA GRANDE BRECQUE AND THE SURROUNDING AREA





### SCHEDULE 4

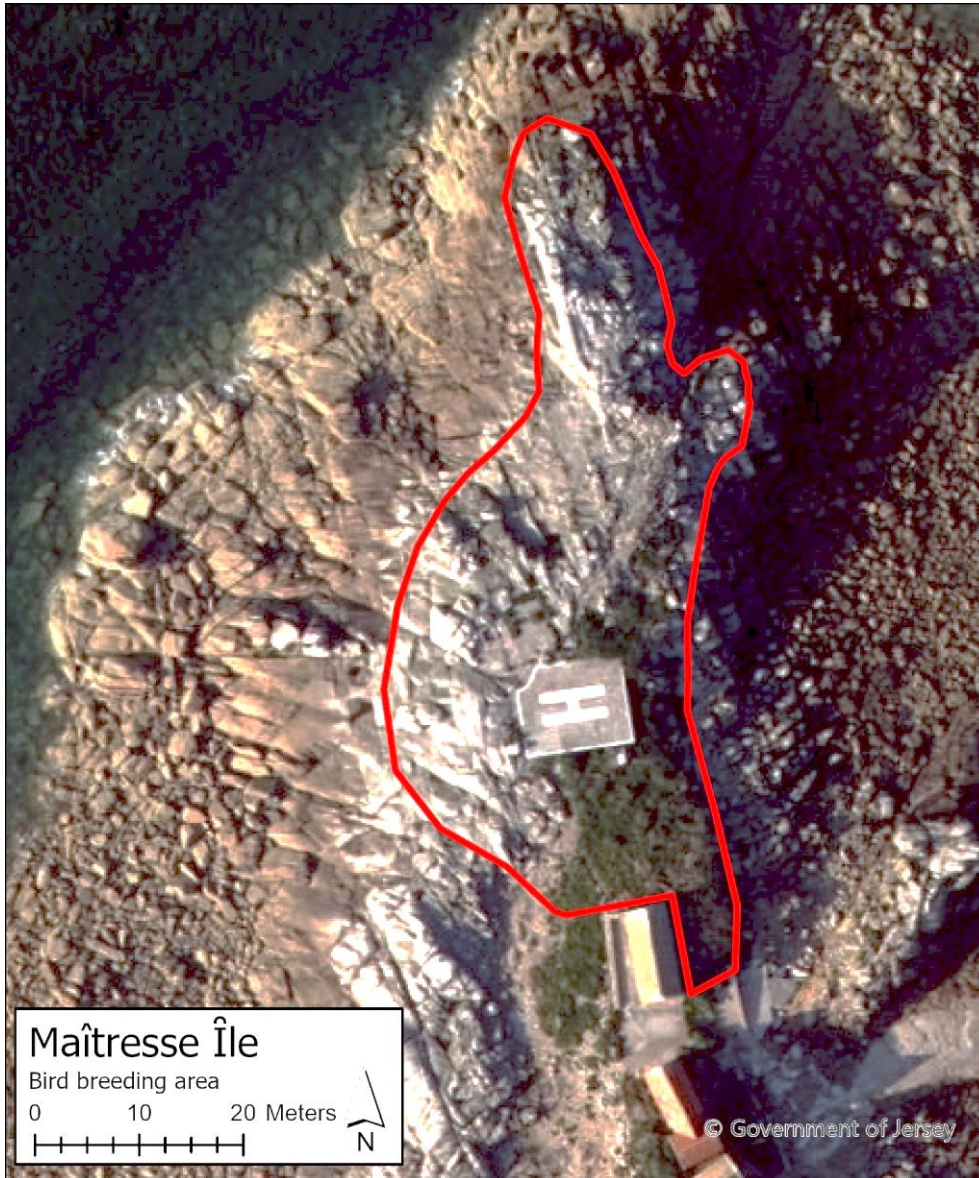
#### AREA OF SPECIAL PROTECTION: BREEDING AREA ON LA MARMOTIÈRE AND THE SURROUNDING AREA





**SCHEDULE 5<sup>7</sup>**

**AREA OF SPECIAL PROTECTION: BREEDING AREA ON MAÎTRESSE ÎLE AND THE SURROUNDING AREA**







### SCHEDULE 6<sup>s</sup>

#### AREA OF SPECIAL PROTECTION: BREEDING AREA ON LES MAISONS AND THE SURROUNDING AREA





## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Wildlife (Areas of Special Protection) (Jersey) Order 2022	<a href="#">R&amp;O.47/2022</a>	18 April 2022	
Wildlife (Areas of Special Protection) (Amendment) (Jersey) Order 2023	<a href="#">R&amp;O.4/2023</a>	24 January 2023	
Wildlife (Areas of Special Protection – Amendment of Prohibited Activities) (Jersey) Order 2024	<a href="#">R&amp;O.7/2024</a>	26 February 2024	

◦Projets available at [statesassembly.gov.je](https://statesassembly.gov.je)

### Table of Endnote References

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<sup>1</sup> Article 1	<i>amended by R&amp;O.4/2023</i>
<sup>2</sup> Article 2	<i>heading amended by R&amp;O.4/2023</i>
<sup>3</sup> Article 2(2)	<i>amended by R&amp;O.4/2023</i>
<sup>4</sup> Article 2A	<i>inserted by R&amp;O.4/2023</i>
<sup>5</sup> Article 3	<i>amended by R&amp;O.4/2023</i>
<sup>6</sup> Article 4(1)	<i>amended by R&amp;O.7/2024</i>
<sup>7</sup> Schedule 5	<i>inserted by R&amp;O.4/2023</i>
<sup>8</sup> Schedule 6	<i>inserted by R&amp;O.4/2023</i>