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Treaty Series No. 9 (2004)

Agreement

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the French Republic

concerning

Fishing in the Bay of Granville,

with Exchanges of Notes and Declaration

St. Helier, 4 July 2000

[The Agreement entered into force on 1 January 2004]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 2004*

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**AGREEMENT BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND AND THE FRENCH REPUBLIC CONCERNING
FISHING IN THE BAY OF GRANVILLE**

The United Kingdom of Great Britain and Northern Ireland and the French Republic,

Seeking to strengthen their relations of friendship and neighbourliness and in particular those which traditionally unite the fishermen of the two countries,

Anxious to conserve fishery resources in the seas situated in the region of the Island of Jersey and the neighbouring coast of France,

Desiring to contribute to the prosperity of the local communities which depend for their well-being on the fishery resources of those seas,

Wishing to provide for a special regime applicable to fishing activities in the Bay of Granville,

Having regard to the Agreement between the United Kingdom of Great Britain and Northern Ireland and the French Republic concerning the delimitation of a maritime boundary line between France and Jersey, signed this day at Jersey¹,

Having regard also to the Convention of 2 August 1839² defining Fishery Limits on the Coasts of Great Britain and France, and to the various instruments adopted or concluded since then, including in particular the Declaration adopted on 23 June 1843, the Declaration of 20 December 1928³ and the Agreement of 30 January 1951⁴ and the Exchanges of Notes of 10 April 1964⁵ and 24 February 1965, which together made provision for a special regime to apply to fishing in the Bay of Granville,

Having regard to the Exchange of Notes of 28 January 1994,

Seeking to review and modernise the regime established pursuant to the Convention of 2 August 1839 and the instruments adopted or concluded since then,

Have agreed as follows:

ARTICLE 1

Geographical Scope of the Agreement

(1) The area to which the regime established by this Agreement applies is the area lying between the two lines described and defined in sub-paragraphs (a) and (b) of this paragraph:

(a) a line around the Island of Jersey beginning at:

1. 49°17'.05N 02°00'.00W—(referred to as “the initial point”) to the North East of Jersey where the meridian of longitude 2° West is 3 nautical miles measured from the low water line of the coast of Jersey;

— from that point the line follows that meridian due north to:

2. 49°21'.70N 02°00'.00W—a point 3 nautical miles measured from the baseline from which the territorial sea around Jersey is measured;

— from that point line follows, in an anti-clockwise direction, that 3 nautical mile line measured from that baseline to:

¹ Treaty Series No. 8 (2004) Cm 6138.

² British State Paper Vol. 27 (page 983).

³ Treaty Series No. 02 (1929) Cmd. 3254.

⁴ Treaty Series No. 04 (1952) Cmd. 8444.

⁵ Treaty Series No. 54 (1968) Cmd. 3690.

3. $49^{\circ}03'.80N$ $02^{\circ}00'.00W$; from which point it follows the meridian of longitude $2^{\circ}W$ northwards to:

4. $49^{\circ}05'.33N$ $02^{\circ}00'.00W$ a point at which the meridian is 3 nautical miles measured from the low water line of the coast of Jersey;

— from which point the line follows, in a generally northerly direction, that 3 nautical mile line measured from that low water line until it reaches the initial point;

(b) a line off the coast of France and between the Islands of Jersey and Guernsey, which begins at

5. $48^{\circ}45'.95N$ $01^{\circ}56'.12W$ (referred to as “the point of commencement”);
— from there, it follows a series of loxodromic lines successively joining the following geographical co-ordinates:

6. $48^{\circ}55'.93N$ $01^{\circ}56'.12W$

7. $48^{\circ}57'.80N$ $01^{\circ}51'.05W$

8. $48^{\circ}58'.20N$ $01^{\circ}46'.53W$

9. $49^{\circ}02'.13N$ $01^{\circ}47'.15W$

10. $49^{\circ}02'.22N$ $01^{\circ}42'.90W$

11. $49^{\circ}06'.55N$ $01^{\circ}42'.82W$

12. $49^{\circ}08'.32N$ $01^{\circ}39'.75W$

13. $49^{\circ}18'.20N$ $01^{\circ}45'.92W$

14. $49^{\circ}22'.22N$ $01^{\circ}54'.60W$

— from there, it follows a meridian of longitude due north to:

15. $49^{\circ}27'.63N$ $01^{\circ}54'.60W$

— from there, it follows a parallel of latitude due west to:

G.14 $49^{\circ}27'.63N$ $02^{\circ}05'.85W$ —a point on the median line between Jersey and Guernsey;

— from there, it follows the median line between Jersey and Guernsey as a series of loxodromic lines successively joining the following geographical co-ordinates:

16. 49°25'.40N 02°08'.00W
17. 49°24'.43N 02°10'.28W
18. 49°23'.02N 02°13'.72W
19. 49°22'.38N 02°14'.95W
20. 49°22'.32N 02°15'.03W
21. 49°21'.33N 02°16'.90W
22. 49°20'.27N 02°18'.68W
23. 49°18'.88N 02°20'.93W
24. 49°18'.50N 02°22'.05W
25. 49°16'.57N 02°28'.88W
26. 49°14'.92N 02°31'.35W;

thence to:

G.15 49°13'.25N 02°33'.55W—a point on the agreed fisheries boundary between Guernsey and France defined by the Exchange of Letters between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the Activities of Fishermen in the Vicinity of the Channel Islands and the French Coast of the Cotentin Peninsula, signed at Paris on 10 July 1992¹ and entering into force on the same date;

— from there, it follows that agreed fisheries boundary passing through the following points on that agreed line;

G.16 49°13'.48N 02°34'.27W

G.17 49°13'.65N 02°34'.72W

— from there, it follows the agreed fisheries boundary between Guernsey and France to:

27. 49°14'.25N 02°36'.86W—the point at which the line known as the Étac de Sark line, defined as a line on a true azimuth of 224°.6 from the low water line of the south west point of the island of Étac de Sark, at position 49°24'.03N 02°22'.07W, to the Plateau des Roches Douvres Light, at position 49°06'.36N 02°48'.76W, intersects that agreed fisheries boundary;

— from there it follows a true bearing of 224°.6 to:

28. 49°08'.79N 02°45'.10W—a point 3 nautical miles from the Plateau des Roches Douvres measured from the baseline from which the territorial sea of France around the Plateau des Roches Douvres is measured;

— from there, it follows, in a clockwise direction, that 3 nautical mile line measured from that baseline to:

29. 49°03'.78N 02°45'.28W—a point 3 nautical miles from the Plateau de Barnouic measured from the baseline from which the territorial sea of France around the Plateau de Barnouic is measured;

— from there, it follows, in a clockwise direction, that 3 nautical mile line measured from that baseline to:

¹ Treaty Series No. 66 (1993) Cm 2351.

30. 48°58'.35N 02°50'.00W;
— from there, it follows the meridian of longitude 2°50'W due south to:
31. 48°54'.68N 02°50'.00W—a point 3 nautical miles off the mainland of France measured from the baseline from which the territorial sea of France is measured;
— from there, it follows that 3 nautical mile line from that baseline until it meets the point of commencement.
- (2) In this Agreement, references to “the Area” are references to the area defined above.
- (3) The Area is identified for information purposes on the map at Annex A to this Agreement. In the event of any difference between the Area so identified on that map and the limits as defined in paragraph (1), the latter shall prevail.
- (4) All geographical co-ordinates are referred to European Datum (First Adjustment 1950). These geographical co-ordinates, the low water lines, and the baselines from which the territorial seas of Jersey and France are measured shall remain fixed for the purposes of this Agreement and those low water lines and baselines shall be as set out in Annex B to this Agreement.

ARTICLE 2

Access and Fishing Permits

- (1) (a) No person shall engage in fishing (other than fishing wholly for pleasure) in the Area without a valid permit (hereinafter called an “access permit”) permitting the vessel from which the fishing is conducted to engage in the fishing activity in question.
- (b) Each access permit shall have endorsed on it whether or not it enables the vessel in question to fish in any zones in the Area which fall within the territorial sea of the Party other than the one whose authorities have issued the permit, and if so, in which such zones. The definition of these zones and the numbers and descriptions of vessels which may operate in each shall be as set out in an Exchange of Notes agreed between the Parties and may be amended from time to time by agreement between the Parties.
- (c) Pending a determination to different effect by the Joint Management Committee pursuant to Article 3(2)(c), the maximum number of access permits to be issued by the authorities of France and by the authorities of Jersey, respectively, shall be notified by each authority to the other in writing, giving information as to the names of permit holders and their vessels not later than the date of entry into force of this Agreement.
- (2) Whenever it appears, in a specific part of the Area or in relation to one or more specific species, that fishing for a fisheries resource could result, in the foreseeable future, in over-fishing, which calls into question the existence of the resource or the economic equilibrium of the fishery, the Joint Management Committee provided for in Article 3 may make fishing in the specific part of the Area or for the species under consideration subject to a system of authorisation (hereinafter called a “fishing permit”).
- (3) An application for a permit (which expression includes both access permits and fishing permits) shall be submitted by the owner or charterer of a fishing vessel to the competent authorities of Jersey in the case of vessels flying the British flag, and to the competent authorities of France in the case of vessels flying the French flag; permits may only be issued to owners or charterers by those authorities in response to such applications.
- (4) (a) Access permits and fishing permits may be issued to the owners or charterers of—
- (i) vessels based in ports in Jersey or based in ports along the French coast at or between Dielette and Paimpol; and
 - (ii) other vessels which have a track record of fishing in the Area within the two year period ending 30 June 1998 (an access permit issued to such a vessel is referred to in this Article as a “track record permit”).

- (b) A track record permit shall authorise the use of the vessel concerned for fishing either with static gear, or with mobile gear, or both, depending upon which method (metier) was used when the track record was established.
 - (c) The authorities of either Party may issue an access permit in replacement of a track record permit, subject to the same limitations as the track record permit and in respect of a vessel which is of no greater fishing capacity than the vessel which it replaces.
 - (d) When it decides upon the number of permits to be issued and the characteristics of the vessels to which such permits relate, the Joint Management Committee shall take into account primarily the need to protect the fishery resource in the Area or the relevant part of the Area; it may however also take into account the socio-economic equilibrium of fishing businesses and of the coastal regions of the Area.
- (5) Permits, within the limits established in paragraph (1)(c) or determined by the Joint Management Committee, shall, subject to paragraph (8), take effect on 1 January in any year. Any permit shall expire at the end of the year in which it was issued.
- (6) In addition to such other particulars as may from time to time be agreed between the Parties, each access permit shall stipulate:
- (a) the name of the owner or charterer who has applied for it and to whom it is issued, and the address to which any documents or correspondence relating to the permit should be sent;
 - (b) the name, port letters and number, engine power, length overall, breadth and gross registered tonnage of the vessel from which fishing may take place; and
 - (c) the type and quantity of the main gear which may be used.
- (7) In addition to the information to be stipulated in an access permit and to such other particulars as may from time to time be agreed between the Parties, each fishing permit shall stipulate, in relation to the fishing permitted by it, any one or more of the following matters, as may be applicable—
- (a) the species of fish for which fishing is permitted;
 - (b) the part of the Area in which the permitted fishing may take place;
 - (c) the period of the year in which the permitted fishing may take place;
 - (d) the quantity of fish permitted to be taken;
 - (e) the quantity of gear that may be used for the permitted fishing;
 - (f) the type of gear that may be used for the permitted fishing.

Each fishing permit shall state that any fishing otherwise than in accordance with the terms of the permit is prohibited.

- (8) Any change in or departure from any of the matters stipulated in the permit shall render the permit immediately invalid. For the purposes of this paragraph, if the owner of a vessel is a body corporate, any change in the control of the corporation shall constitute a change of ownership. Nevertheless—
- (a) where a permit becomes invalid by reason of this paragraph, the authority which issued that permit, at any time and notwithstanding paragraph (5), may, provided that to do so is otherwise in conformity with the provisions of this Agreement or any exchange of notes as mentioned in Article 2(1)(b), re-issue the permit with any amendments necessary to reflect the changes or departures which have occurred;
 - (b) the issuing authority shall give notice to the authorities of the other Party of the re-issue of any permit and the re-issued permit shall not be valid until 3 days after the date on which the notice is received by the other Party's authorities. Those authorities may request the issuing authority to provide them with a copy of the re-issued permit;
 - (c) an access permit which is re-issued under sub-paragraph (a) shall stipulate the same matters as are required by paragraph (6) and, subject to becoming invalid again by

reason of this paragraph, will remain in effect until the end of the year in which it is re-issued.

- (9) The permit-issuing authorities of Jersey and France shall provide each other with:
- (a) a list of access permits and fishing permits issued pursuant to paragraphs (1) or (2) showing, in summary form, the information specified in paragraphs (6) or (7), as the case may be, and any other particulars which the Parties have agreed should be included in the permit; and
 - (b) on request, copies of any access permit or fishing permit issued by them.

No permit shall be valid until 3 days after the date on which the information referred to in sub-paragraph (a) was received by the authorities to which it was provided. Each authority shall immediately acknowledge to the other receipt of the information referred to in sub-paragraph (a).

(10) Following agreement to such effect between the authorities of France and Jersey, any variations of or additions to the conditions of a permit shall be implemented by the respective authorities without delay.

(11) The authorities of Jersey and France shall each ensure that its internal law requires an access permit and a fishing permit (if issued) to be carried on a vessel at all times in the Area and to be available for inspection by the enforcement authorities of the Parties.

ARTICLE 3

Joint Management Committee

(1) A Joint Management Committee is established, composed of delegations which shall be appointed by each of the Jersey and French authorities and shall be made up of officials of government and scientific advisers.

(2) The functions of the Joint Management Committee shall be:

- (a) to receive reports from, and comments and recommendations by, the Joint Advisory Committee established under Annex C to this Agreement, with the aim of ensuring the conservation and effective management of the fishery resources and equitable access in the Area;
- (b) to examine the results of scientific surveys and all other relevant facts in order to assess the state of fishery resources in the Area;
- (c) in the interests of conservation and efficient management of fishery resources in the Area and on the basis of the information available to it, in relation to any species or group of species, to determine where appropriate:
 - (i) the level of fishing effort;
 - (ii) the level of catch for any species;
 - (iii) the type and quantity of fishing gear which may be used;
 - (iv) the parts of the Area (outside the Zones identified in any exchange of notes between the Parties in accordance with Article 2(1)(b)) in which fishing may take place; and
 - (v) the maximum number of permits (access or fishing) which may be issued;
 - (vi) the period of the year in which fishing may take place;

together with the maximum fishing effort which may be authorised by the authorities of Jersey and France respectively in each 12 month period;

- (d) to make recommendations to the Parties concerning the development of the regime governing fishing in the Area, especially as regards the fishing regulations applicable in the Area, and the identification and classification of the offences which might be committed;
- (e) to resolve differences referred to it pursuant to Article 8(1).

- (3) The decisions of the Joint Management Committee shall be adopted by agreement of the heads of the two delegations. The Joint Management Committee shall ascertain the view of the Joint Advisory Committee before reaching a decision, provided that view shall be given within a reasonable period.
- (4) (a) The Joint Management Committee shall meet every six months in ordinary session, the first session being convened in Jersey within three months of the entry into force of this Agreement.
- (b) Extraordinary sessions of the Joint Management Committee shall be held within 21 days of a request by either the authorities of Jersey or the authorities of France, on the basis of a specific agenda notified 14 days in advance to the other authorities.
- (c) Emergency extraordinary sessions of the Joint Management Committee shall be held in accordance with Article 1 of Annex D to this Agreement.

ARTICLE 4

Fishing Regulations

- (1) Except as provided otherwise by this Article, the Parties, if necessary, shall by agreement adopt regulations to govern fishing in the Area, on the basis of the precautionary approach but having regard to socio-economic factors. Such regulations shall prescribe the objectives to be achieved and it shall be for the Parties to adopt appropriate measures to give effect thereto in their internal law.
- (2) The respective measures of the Parties governing fishing in the Area which are in force on the date when this Agreement enters into force shall continue in force until amended pursuant to the provisions of this Article.
- (3) The Parties shall at all times endeavour to reach agreement on regulations to be adopted pursuant to paragraph (1); however if agreement has nevertheless not been reached in respect of measures relating to fishery resources in the Area, either Party may introduce such measures applicable to its own territorial waters—
- (a) if either
- (i) that Party's scientific authorities certify that there is a serious risk of damage to the fishery resources of the Area or part thereof;
- or
- (ii) that Party's fishery authorities certify that there is a serious risk of breakdown of co-habitation arrangements; and
- (b) if that Party has invoked the emergency procedure or the emergency arbitration procedure provided for in Articles 1 and 2 of Annex D to this Agreement and if a decision favourable to the introduction of such measures is given
- (i) by the Joint Management Committee;
- (ii) if the question has been referred to the Committee of Senior Officials, by that Committee; or
- (iii) if the question has been referred to the emergency arbitration tribunal, by that tribunal.
- (4) Notwithstanding paragraph (3), in respect of the part of the Area to the West of the meridian of longitude 02°00'W which lies between the lines drawn respectively at 3 nautical miles and 6 nautical miles from the baselines from which each Party's territorial waters are measured, if either Party wishes to introduce measures within its own territorial waters and agreement has not been reached thereon, and if the matters specified in sub-paragraph (a)(i) or (ii) of paragraph (3) have been complied with and if—
- (a) that Party has offered to the other Party to hold consultations on the proposed measures between the senior officials of each Party mentioned in Article 1(6)(a) of Annex D to this Agreement; and if
- (b) either—

- (i) no such consultations have taken place within seven days of the offer being made by reason of the failure or refusal of the other Party to attend;
- or
- (ii) the consultations commence within that time but do not result in agreement within eight days of commencement;

That Party may introduce such measures without invoking the emergency procedure or the emergency arbitration procedure provided for in Articles 1 and 2 of Annex D to this Agreement, and shall notify the other Party, within three days after their introduction, that they have been introduced. The provisions of this paragraph do not apply to the East of the meridian of longitude 02°00'W.

(5) Measures introduced pursuant to paragraph (3) or (4) shall apply on a non-discriminatory basis to the nationals of the Parties.

(6) Where a Party, in pursuance of paragraph (4), introduces measures, the other Party may, notwithstanding Article 8, forthwith invoke the arbitration procedure provided for in Article 3 of Annex D to this Agreement; it shall give notice accordingly to the Party which has introduced the measures.

(7) The sole questions on a reference to arbitration under paragraph (6) shall be whether the Party, in introducing the measures concerned, has complied with the requirements of sub-paragraph (a)(i) or (ii) of paragraph (3), or sub-paragraphs (a) and (b) of paragraph (4) and of paragraph (5) and whether the certificate concerned given pursuant to sub-paragraph (a)(i) or (ii) of the said paragraph (3) was one which a reasonable authority could have given.

(8) A reference to arbitration under paragraph (6) shall not have the effect of suspending the operation of the measures concerned, unless the tribunal so orders as an interim measure on the application of one of the Parties.

(9) Notwithstanding the foregoing provisions, each Party may adopt measures to govern fishing in its own territorial waters which are equivalent to European Community rules, without prejudice to the question of whether such rules are applicable to the Area or to any part thereof.

ARTICLE 5

General Supervisory Procedures

The Parties may make arrangements for officials of one Party to join officials of the other Party on the latter's fishery patrol vessels for the purposes of ensuring effective supervision of fishing activities pursuant to this Agreement.

ARTICLE 6

Tribunals and administrative bodies

The tribunals and administrative bodies which have jurisdiction over infringements of the regulations as implemented in the internal law of the Parties shall be—

- (a) in the case of Jersey, the Royal Court and the Magistrate's Court, applying the law of Jersey, and
- (b) in the case of France, any court from which an appeal lies to the Cours d'Appel at Caen or at Rennes, applying the law of France, as well as the services des Affaires Maritimes of Basse-Normandie and Bretagne.

ARTICLE 7

Jurisdiction

(1) The Courts of Jersey shall have jurisdiction in respect of offences alleged to have been committed against the law of Jersey in the territorial waters of Jersey, and the tribunals and administrative bodies of France shall have jurisdiction in respect of offences alleged to have been committed against the law of France in the territorial waters of France.

(2) The Parties shall ensure that, where a person is convicted of a fisheries offence pursuant to Article 6, the court or tribunal shall also have jurisdiction to award damages for harm suffered as a result of the infringement which occurred.

ARTICLE 8

Settlement of Disputes

(1) Any Party may give notice to the other Party that a difference between them has arisen over a matter involving the interpretation or application of this Agreement. Except where the difference involves the failure of the Joint Management Committee to adopt a decision, the matter shall be referred by either Party to that Committee; the latter shall give its decision on the matter within six months of the date on which notice was given by the one Party to the other.

(2) Where the matter is not resolved to the satisfaction of both Parties by way of such reference to the Joint Management Committee, or where the difference involves the failure of that Committee to adopt a decision, either Party may, except for matters governed by the emergency procedure or the emergency arbitration procedure referred to in paragraph (3) of Article 4, give notice to the other Party that it wishes to refer the matter to arbitration as provided for in Article 3 of Annex D to this Agreement.

ARTICLE 9

Earlier Agreements

Upon the entry into force of this Agreement, the following treaties or other agreements, to the extent that they are still in force, shall automatically terminate:

- the Convention, done at Paris on 2 August 1839, for defining and regulating the limits of the Exclusive Right of the Oyster and other Fishery on the Coasts of Great Britain and France;
- The Declaration, adopted at London on 23 June 1843, approving the Fishery Regulations of 24 May 1843 for the guidance of the Fishermen of Great Britain and of France in the Seas lying between the Coasts of the two Countries;
- The Declaration, done at London on 20 December 1928, regarding the Limits of French Fisheries in Granville Bay;
- the Agreement, done at London on 30 January 1951, regarding Rights of Fishery in areas of the Ecrehos and Minquiers;
- the Exchange of Notes, done at London on 10 April 1964, concerning the Status of Previous Fisheries Agreements in relation to the Fisheries Convention opened for signature in London from 9 March to 10 April 1964; and
- the Exchange of Notes, done at Paris on 24 February 1965, concerning the question of the habitual rights of French fishing vessels within British fishery limits.

ARTICLE 10

Review and Duration

- (1) The Parties shall meet within five years of the entry into force of this Agreement, and at least every ten years thereafter, to review its operation.
- (2) At any such review meeting, either Party may propose amendments to this Agreement, and each Party shall negotiate in good faith, in the light of changes in national, European Community and international law relating to fisheries and conservation, and in the light of the best fisheries and conservation practice then prevailing, with a view to reaching agreement on the proposed amendments or on some modification of them.

ARTICLE 11

Parties

Save in Articles 10 and 12 (in which Articles such a reference means the United Kingdom), a reference in this Agreement to “a Party” or to “the Parties” means, in so far as it applies to the United Kingdom, either the United Kingdom or Jersey, as shall, when required, be determined by the United Kingdom.

ARTICLE 12

Annexes, Entry into Force and Registration

- (1) Annexes A, B, C and D to this Agreement form an integral part thereof.
- (2) Each Contracting Party shall notify the other of the completion of the internal procedures required for the entry into force of this Agreement. It shall enter into force thirty days after receipt of the later of these notifications.
- (3) The Parties shall jointly submit this Agreement to the Secretary-General of the United Nations for registration pursuant to Article 102 of the Charter of the United Nations.

Done at St Helier, on the fourth day of July 2000, in two copies, in the English and French languages, both texts being equally authentic.

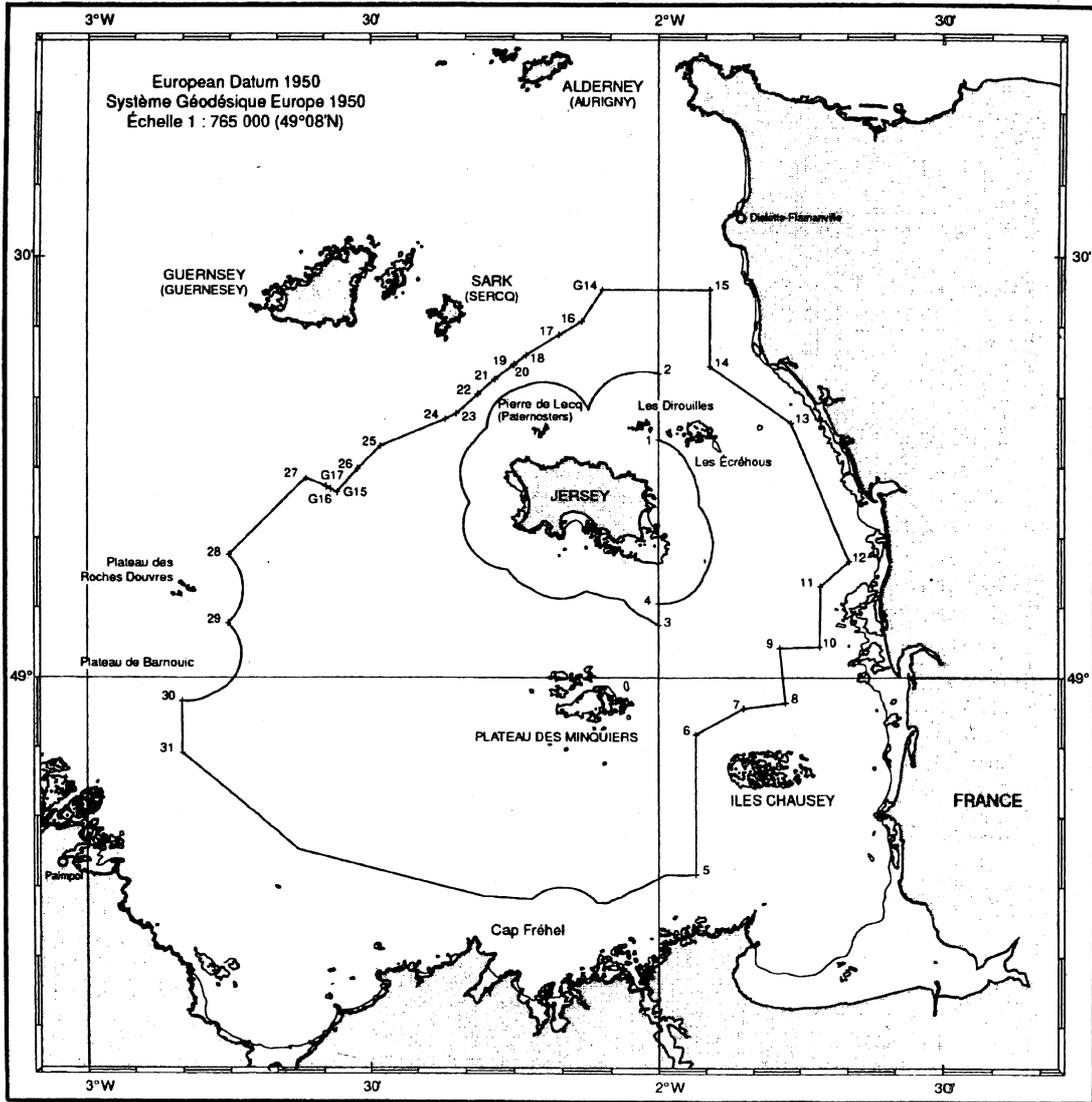
For the United Kingdom of Great
Britain and Northern Ireland:

MICHAEL WILKES

For the French Republic:

D. BERNARD

ANNEX A



ANNEX B

The Geographical Co-ordinates of the Basepoints on the Low Water Line of the Coast of Jersey, and the Territorial Seas of Jersey and France Controlling the Limits of this Agreement

All geographical co-ordinates are referred to European Datum (First Adjustment 1950).

Basepoints on the Low Water Line of the Coast of Jersey

3 nautical mile arcs from:

Nez de Guet	49°14'.58N	02°02'.60W
La Coupe Pt	49°14'.13N	02°01'.22W
St Catherine Lt	49°13'.38N	02°00'.55W
Mont Orgueil	49°12'.07N	02°00'.82W
Grande Haisse N	49°10'.12N	01°59'.73W
Grande Haisse S	49°10'.02N	01°59'.62W
Les Lavars 1	49°09'.70N	01°59'.23W
Les Lavars 2	49°09'.62N	01°59'.15W
Les Lavars 3	49°09'.57N	01°59'.13W
Karame 1	49°09'.03N	01°59'.13W
Karame 2	49°08'.98N	01°59'.20W
Karame 3	49°08'.90N	01°59'.33W
La Conchiere	49°08'.52N	02°00'.27W
L'Etachon E	49°08'.32N	02°00'.75W
L'Etachon S	49°08'.25N	02°00'.92W

Basepoints on the Territorial Sea Baseline of Jersey

3 nautical mile arcs from:

Frouquier Aubert Rock (3)	49°06'.40N	01°57'.70W
Frouquier Aubert Rock (4)	49°06'.50N	01°58'.03W
Frouquier Aubert Rock (5)	49°06'.53N	01°58'.12W
La Goubiniere	49°07'.12N	01°59'.67W
L'Echiquelez Rock	49°08'.42N	02°02'.28W
La Grande Frouquie Rock	49°08'.60N	02°03'.20W
Rouget Rock	49°08'.70N	02°04'.40W
La Frouquie south-east rock	49°08'.92N	02°05'.47W
La Frouquie south-west rock	49°08'.95N	02°05'.73W
Hinguette south Rock	49°09'.18N	02°07'.60W
Les Grunes Vaudin s-w Rock	49°08'.67N	02°10'.20W
Les Grunes Vaudin	49°08'.70N	02°10'.30W
Hubaut	49°09'.20N	02°11'.62W
Noirmontaise Reef	49°10'.73N	02°15'.30W
Les Boiteaux SW	49°10'.93N	02°15'.65W
Petit Etaquerel SW Rock	49°14'.08N	02°15'.65W
Petit Etaquerel W Rock	49°14'.40N	02°15'.90W
Mouilliere Rock	49°14'.68N	02°15'.93W
Black Rock	49°15'.40N	02°15'.05W
Grosnez Point	49°15'.55N	02°14'.80W
North West Reef	49°17'.80N	02°13'.17W
Rock SW of North Rock	49°17'.90N	02°12'.82W
Rock NE of North Rock	49°18'.10N	02°11'.93W
East Reef	49°18'.07N	02°11'.60W
Pierres de Lecq E	49°17'.95N	02°11'.47W
Les Dirouilles Rock	49°18'.52N	02°02'.83W
Les Grunes W	49°18'.75N	02°02'.53W
Les Grunes N	49°18'.78N	02°02'.48W
Clump Rock N	49°18'.87N	02°01'.75W
Clump Rock NE	49°18'.88N	02°01'.53W

Basepoints on the Territorial Sea Baseline of France Plateau des Roches Douvres

3 nautical mile arcs from:

Roche Nord-Ouest	49°06'.80N	02°48'.51W
Roche Ouest-Nord-Ouest	49°06'.51N	02°48'.18W
Roche Ouest	49°06'.18N	02°48'.17W
Roche Sud-Ouest	49°05'.92N	02°48'.50W

Plateau de Barnouic

3 nautical mile arcs from:

Barnouic (Tourelle)	49°01'.56N	02°48'.35W
Roche Gautier	49°01'.32N	02°49'.42W

Mainland Territorial Sea Straight Baseline Turning Points

3 nautical mile arcs from:

La Horaine (Tourelle)	48°53'.56N	02°55'.15W
Le Grand Léjon	48°44'.97N	02°39'.79W
Cap Fréhel	48°41'.37N	02°19'.03W
Pointe Nord-est Cézembre	48°40'.80N	02°04'.06W
Tourelle Rochefort	48°42'.90N	01°58'.16W
Pointe du Grouin	48°42'.82N	01°50'.58W

Mainland Territorial Sea Low Water Line Basepoints to Seaward of the Straight Baseline

3 nautical mile arcs from:

Grand Léjon N	48°45'.08N	02°39'.94W
Cap Fréhel N	48°41'.38N	02°19'.07W
Roche Vieux Banc Ouest	48°42'.00N	02°09'.95W
La Batiere	48°41'.07N	02°03'.80W
Becfer	48°41'.36N	02°02'.94W
La St. Servantine	48°41'.99N	02°00'.99W
Rochefort N	48°42'.95N	01°58'.10W

ANNEX C

Joint Advisory Committee for the Bay of Granville

ARTICLE 1

(1) Within the framework of the modernised Bay of Granville regime a joint advisory committee for the Bay of Granville is hereby set up, hereinafter referred to as the “Joint Advisory Committee”, the aim of which is to ensure the conservation and effective management of the fishery resources in the area covered by the Agreement dated the fourth of July 2000 between the United Kingdom and France (“the Area”).

(2) Conservation shall mean, *inter alia*, the rational use and the maintenance or re-establishment of stocks of species at levels which ensure constant maximum yield. Effective management of the resource should be achieved in consultation with the market organisations concerned.

ARTICLE 2

For the purposes of Article 1 of this Annex, the Joint Advisory Committee shall—

- (a) facilitate research and scientific studies of the fishery resources in the Area, collect statistical data on catches and fishing effort and ensure exchange of all this information between the fishermen’s trade associations in Jersey, Brittany and Basse-Normandie mentioned in Article 4 of this Annex, on the other hand, and between the administrative authorities responsible for supervising fishing in Jersey, Brittany and Basse-Normandie on the other hand;

- (b) recommend, on the basis of the best scientific information available, the measure needed in order to conserve and manage the resource, whilst seeking to harmonise the rules in force in France and Jersey;
- (c) discuss all matters of common interest to the fishermen of France and Jersey.

ARTICLE 3

The conservation and management measures may relate to—

- (a) the management of the fishing effort by introducing fishing permits, possibly subject to a quantitative ceiling;
- (b) the volume of the permitted catch for each species, as well as the minimum size or weight of catches;
- (c) the designation of fishing sectors, and their open and closed seasons;
- (d) the opening or closure of permitted catch seasons;
- (e) the regulation of catch methods;
- (f) any other area where the Joint Advisory Committee judges it necessary to intervene in order to achieve the objectives laid down in Article 1 of this Annex.

ARTICLE 4

- (1) The Joint Advisory Committee shall be composed as follows—
 - four members of the Comité Régional des Pêches Maritimes et des Élevages Marins (CRPMEM) Bretagne (including the Chairman);
 - four members from CRPMEM Basse-Normandie (including the Chairman);
 - four fishermen from Jersey (including the Chairman of the Jersey Fishermen's Association);
 - four representatives from the French administration;
 - four representatives from the Jersey administration;
 - two French scientists;
 - one Jersey scientist;
 - the Secretary-General of each of the above trade associations.
- (2) Fishermen members of the Committee and the Chairmen of the trade associations may if necessary nominate another fisherman to represent them.
- (3) The executive of the Joint Advisory Committee shall be composed as follows—
 - the chairman of CRPMEM Bretagne;
 - the chairman of CRPMEM Basse-Normandie;
 - the chairman of the Jersey Fishermen's Association;
 - two representatives from the French administration;
 - two representatives from the Jersey administration;
 - one French scientist;
 - one Jersey scientist;
 - the Secretary-General of each trade association concerned.

(4) The Joint Advisory Committee may, when studying a matter for which a special assessment is necessary, invite in addition one or more competent persons to attend meetings, without however taking part in the decision-making process.

Likewise, the scientists and secretaries-general of each trade association may not vote.

ARTICLE 5

(1) The Joint Advisory Committee will as far as possible adopt its recommendations by consensus of those present and entitled to vote and will notify them to the administrative authorities of France and Jersey. Recourse to voting will only be made where it had not been possible to achieve consensus.

(2) In the case of a vote, the recommendation shall be deemed to be adopted if the representatives of the administration of France and Jersey and at least three out of the four representatives of each of the trade associations are in favour.

ARTICLE 6

(1) The Joint Advisory Committee shall hold three ordinary sessions per year in Brittany, Normandy and Jersey in rotation.

(2) The agenda for each session shall be forwarded by the representatives of the host region to the members of the Joint Advisory Committee at least three weeks in advance.

(3) Each session shall be chaired by a representative from the host region.

(4) In urgent cases, in order to examine a particular matter between two of its ordinary sessions, the Joint Advisory Committee's executive may exercise, as necessary, the powers of the Committee after obtaining the agreement of the Chairmen of the member trade associations.

(5) The Joint Advisory Committee shall meet in extraordinary sessions at a week's notice on the basis of a specific agenda, at the joint request of the French and Jersey authorities, or on the unanimous request of its executive.

ARTICLE 7

The French and Jersey authorities shall consult whenever necessary on any question relating to the application of the above provisions.

ANNEX D

Emergency Procedure and Arbitration

ARTICLE 1

Emergency Procedure

(1) If a Party wishes to introduce conservation measures referred to in paragraph (3) of Article 4 of this Agreement, it shall before doing so request the other Party that an emergency extraordinary session of the Joint Management Committee be held to consider the proposed introduction of the conservation measures.

- (2) The emergency extraordinary session shall be held within 8 days of the date on which the request was made.
- (3) (a) The emergency extraordinary session to consider the proposed introduction of the conservation measures shall take place on the basis of a specific agenda notified by the requesting Party to the other Party not more than 3 days after the request for the session was made.
- (b) The agenda should be supported by the certificate referred to in sub-paragraph (a)(i) or (ii) of paragraph (3) of Article 4 of this Agreement.
- (4) The Joint Management Committee meeting in extraordinary session shall give its decision no later than 8 days after the first day of the meeting.
- (5) (a) If a Party wishes to introduce conservation measures at a time when the Joint Management Committee is already meeting in an ordinary or extraordinary session, it shall notify the Committee accordingly and provide it with the certificate referred to in paragraph (3)(b) of this Article.
- (b) The Joint Management Committee shall give its decision on the proposed introduction of the conservation measures within 8 days of the notification referred to in the preceding sub-paragraph. If the meeting is due to finish before the expiry of this period, it shall be extended for as long as necessary to allow the Committee to give its decision within that period.
- (6) (a) If the Joint Management Committee, having been seized of the matter pursuant to paragraphs (1) to (5) of this Article, is unable to give a decision within the prescribed time limit, either Party may within 7 days, by notice to the other Party, refer the matter to a Committee of Senior Officials, consisting of:
- (i) For the United Kingdom, the Director of the Constitutional and Community Policy Directorate of the Home Office or his representative,
- (ii) For France, the Directeur des Pêches Maritimes et de L'Agriculture or his representative.
- (b) Each member of the Committee may be assisted by one or more other persons.
- (c) The Committee shall meet within 4 days of the request for a meeting being made. It shall give its decision within 4 days.

If the Committee cannot reach agreement upon a decision within that period, either Party may have recourse to emergency arbitration in accordance with Article 2 of this Annex.

ARTICLE 2

Emergency Arbitration Procedure

- (1) (a) Within 3 months of the entry into force of this Agreement, the Parties shall establish a list of three arbitrators and six alternates, all of whom shall be prepared to act as arbitrators.
- (b) For this purpose, each Party shall appoint one arbitrator and two alternates, and the two Parties shall jointly appoint a third arbitrator and two alternates who shall not be nationals of either of the Parties. If any of these appointments is not made before the expiry of the 3 month period, either Party may request the President of the International Tribunal on the Law of the Sea to make those appointments within a further period of 2 months from the date of the request; if the president is a national of either of the Parties, the appointments shall be made by the next most senior member of the Tribunal who is not a national of either of the Parties.
- (c) Arbitrators and their replacements shall be appointed for a period of six years, and shall be eligible for re-appointment.

- (d) If any arbitrator or replacement ceases for whatever reason to be available as a member of the list established pursuant to sub-paragraph (a) of this paragraph, the vacancy thereby created for the remainder of that person's period of appointment shall be filled by a further appointment made in the manner prescribed in sub-paragraph (b) of this paragraph.
- (2) (a) The emergency arbitration procedure invoked in compliance with paragraph (3) of Article 4 of this Agreement shall decide whether the unilateral introduction of the proposed conservation measures would be justified. The Party invoking the procedure shall in writing notify the other Party that it is doing so and shall inform it of the issue being referred to arbitration.
 - (b) The Party invoking the emergency arbitration procedure shall constitute the emergency arbitration tribunal:
 - (i) by notifying the arbitrators included in the list established pursuant to paragraph (1)(a) of this Article that the tribunal is being constituted with them as its members; or
 - (ii) if any arbitrator is not available to act as a member of the tribunal for the particular occasion, by notifying one or other of that arbitrator's replacements, beginning with the elder; if neither the arbitrator nor the replacements are available, the Party which nominated them or, in the case of the third arbitrator and replacements the two Parties jointly, shall within 21 days nominate an arbitrator *ad hoc* for the purpose of deciding the particular issue which has arisen. If any of these appointments is not made within the prescribed period, either Party may request the President of the International Tribunal on the Law of the Sea to make those appointments within a further period of 21 days from the date of the request; If the President is a national of either of the Parties, the appointments shall be made by the next most senior member of the Tribunal who is not a national of either of the Parties.
 - (c) The third arbitrator or his replacement, as the case may be, shall be the President of the emergency arbitration tribunal.
 - (d) The tribunal is duly constituted when the Party responsible for constituting the tribunal informs the other Party in writing of the names of the three persons who are available to sit as members of the tribunal.
 - (e) The emergency arbitration tribunal shall meet within no more than 14 days after being constituted.
 - (f) The emergency arbitration tribunal shall sit in the United Kingdom or in France, as decided by the Party invoking the emergency arbitration procedure. That Party shall inform the other Party of the tribunal's address.
- (3) The Parties shall afford the emergency arbitration tribunal such administrative support as may be necessary for the exercise of its functions.
 - (4) Subject to the provisions of this Article, the emergency arbitration tribunal shall determine all questions of procedure by majority vote of the members.
 - (5) The emergency tribunal shall decide the issue submitted to it on the basis of international law, unless the Parties have agreed, in advance of the constitution of the tribunal, that it should decide the issue on some other basis which they shall specify. The present provision shall not prejudice the right of the tribunal, if the Parties agree, to decide *ex aequo et bono*.

- (6) (a) The Parties shall, as soon as possible and in any event no later than 10 days after the emergency arbitration tribunal is constituted, submit to the tribunal, at its seat, written observations on the issue submitted to the tribunal.
- (b) The tribunal may, during its deliberations, request further written information from the Parties or invite the Parties to attend oral hearings.
- (7) (a) The emergency arbitration tribunal shall give its decision no later than 22 days after the tribunal was constituted.
- (b) The decision of the tribunal shall be arrived at by unanimity of its members or, if such unanimity is not attainable, by a majority of its members.
- (c) The decision of the tribunal shall be accompanied by a statement of the reasons on which it is based, and shall be transmitted to the two Parties simultaneously.
- (d) The decision of the tribunal shall be final and binding on the Parties.
- (e) Each party may submit written observations or information and, as the case may be, make oral submissions in its own language. The tribunal shall give its decision in English and French.
- (8) Each Party shall bear its own expenses in the arbitration. The costs of the arbitration, including the remuneration of the arbitrators, shall be borne by the Parties in equal shares.

ARTICLE 3

Arbitration

- (1) (a) Within two months of the notice of arbitration having been given by the Party requesting arbitration, the Parties shall each appoint an arbitrator.
- (b) If either Party fails to appoint its arbitrator, within the prescribed time limit, the other Party may request the President of the International Tribunal on the Law of the Sea to make the necessary appointment within two months of the request being made.
- (c) When two arbitrators have been appointed pursuant to sub-paragraphs (a) and (b) of this paragraph, those arbitrators shall together appoint a third arbitrator within two months of the appointment of the last of the two arbitrators to be appointed. The third arbitrator, who shall not be a national of either Party, shall be the President of the arbitral tribunal. If the third arbitrator is not appointed within the prescribed time limit, either Party may request the President of the International Tribunal on the Law of the Sea to make the appointment within two months of the request being made.
- (d) The Parties shall, within two months of the notice requesting arbitration having been given, agree upon a registrar for the arbitral tribunal. If the Parties fail to agree, either Party may request the President of the International Tribunal on the Law of the Sea to make the appointment within two months of the request being made; the person so appointed shall not be a national of either Party.
- (e) Where the President of the International Tribunal on the Law of the Sea is required to make one or more appointments pursuant to sub-paragraph (b), (c) or (d) of this paragraph, and the President is a national of either of the Parties, his functions under those sub-paragraphs shall be performed by the next most senior member of that Tribunal who is available and who is a national of either Party.

- (f) When all three arbitrators and the registrar have been appointed, the arbitral tribunal shall be regarded as duly constituted.
- (2) Unless the Parties agree otherwise before the arbitral tribunal has been constituted, its seat shall be in The Hague.
- (3) (a) The registrar may, with the concurrence of the President of the arbitral tribunal, appoint such support staff as are necessary for the purposes of the arbitration.
- (b) The Parties shall afford the arbitral tribunal such administrative support as may be necessary for the performance of its functions.
- (4) (a) The arbitral tribunal shall adopt its own rules of procedure. Such rules shall ensure that each Party has a full opportunity to be heard and to present its case, and shall also ensure that the proceedings are conducted expeditiously.
- (b) Subject to paragraph (7)(b) below, the arbitral tribunal shall adopt its decisions by a majority of its members.
- (5) The arbitral tribunal shall decide the matter referred to it on the basis of international law, unless the Parties agree, before appointing their arbitrators, that the arbitral tribunal shall decide the matter on some other basis which they shall specify. The present provision shall not prejudice the right of the tribunal, if the Parties agree, to decide *ex aequo et bono*.
- (6) (a) The Party requesting arbitration shall, within one month of the constitution of the arbitral tribunal, submit to the Tribunal, through the registrar, a statement of its claim and of the grounds of fact and law on which it is based.
- (b) No later than one month thereafter, the President of the arbitral tribunal shall convene a meeting of the Parties' representatives, at which the tribunal, after hearing the views of the Parties, shall decide the future procedure to be followed and the timetable to be adopted for the submission by the Parties to the tribunal of their written memorials, and thereafter of their oral submissions if the tribunal decides that the latter are necessary. In deciding the timetable to be adopted, the tribunal shall ensure that the Parties conclude the presentation of their written memorials and, if necessary, their oral submissions, no later than nine months after the constitution of the tribunal.
- (7) (a) Within three months of the close of the presentation by the Parties of their memorials and oral submissions, the arbitral tribunal shall deliver its award. The award shall be accompanied by a statement of the reasons on which it is based.
- (b) The arbitral tribunal shall endeavour to adopt its award unanimously, failing which it shall adopt its award by a majority of its members. A member of the tribunal who is not in agreement with the decision of the majority may deliver a statement of his or her reasons for not agreeing.
- (c) The award shall be transmitted to the Parties by the registrar.
- (d) The award shall be final and binding on the Parties.
- (e) Each party may submit written memorials and, as the case may be, make oral submissions in its own language. The tribunal shall give its decision in English and French.
- (8) Each Party shall bear its own expenses in the arbitration. The costs of the arbitration, including the remuneration of the arbitrators and the registrar, shall be borne by the Parties in equal shares.

**EXCHANGE OF NOTES ON ACCESS TO FISHING IN CERTAIN ZONES OF
THE BAY OF GRANVILLE AREA**

No. 1

The Foreign and Commonwealth Office to the Embassy of the French Republic in London

*St. Helier
4 July 2000*

1. The Foreign and Commonwealth Office presents its compliments to the Embassy of the French Republic and has the honour to refer to the negotiations which have resulted in the signing of the Agreement of today's date concerning fishing in the Bay of Granville, hereinafter called "the Agreement", and during the course of which it was considered useful to specify, by means of an Exchange of Notes, the conditions for fishing in certain zones in the area of that Bay. To this end, the Foreign and Commonwealth Office has the honour to propose the following to the Embassy of the French Republic.

2. The régime governing access by the owners or charterers of vessels holding an access permit issued pursuant to Article 2 of the Agreement, in certain parts of the Area covered by the Agreement, or by such owners or charterers of vessels in certain waters adjacent to the said Area, shall be as follows.

3. Zone "A"

(a) *Geographical definition*

Zone "A" comprises the area between the 3 nautical mile limit measured from the low water line of the coast of Jersey and the 3 nautical mile limit measured from the baseline from which the territorial sea of Jersey is measured on the Paternosters. It is defined as—

A line around Zone "A" beginning at;

32. 49°18'.45N 02°06'.95W

a point 3 nautical miles measured from the low water line of the coast of Jersey;
from that point, the line follows, in an anti-clockwise direction, the 3 nautical mile limit measured from the baseline from which the territorial sea of Jersey is measured on the Paternosters to:—

33. 49°17'.85N 02°17'.75W

a point 3 nautical miles measured from the low water line of the coast of Jersey;
from that point, the line follows, in a clockwise direction, that 3 nautical mile line measured from that low waterline to:—

32. 49°18'.45N 02°06'.95W

(b) *Access*

The owners or charterers of eight vessels registered at Cherbourg and based in the ports between Dielette and Agon-Coutainville inclusive, and whose names and characteristics respectively are given in Annex 1 to this Note, shall have the right of access in those vessels until their retirement to practise any type of fishing.

(c) *Replacement of vessels*

Those owners or charterers keep their right of access if they replace the vessel described in Annex 1, provided that none of the characteristics of the new vessel exceed those of the vessel described in Annex 1 and also that the name and characteristics of the new vessel have been notified to the Jersey authorities by the French authorities.

(d) *Relationship to other vessels under this Exchange of Notes*

The vessels referred to in this paragraph shall form part of and be included in the number of 25 vessels permitted access to Zone “B” under the provisions of paragraph 4 below.

4. Zone “B”

(a) *Geographical definition*

Zone “B” comprises the area between the 3 nautical mile limit measured from the low water line of the coast of Jersey and 3 nautical mile limit measured from the baseline from which the territorial sea of Jersey is measured on the Dirouilles, between the meridian of longitude 2°W and the limit of Zone “A”. It is defined as:

A line around Zone “B” beginning at—

1. 49°17'.05N 02°00'.00W

the “initial point” where the meridian of longitude 2°W is 3 nautical miles from the low water line of the coast of Jersey;

from that point, the line follows that meridian northwards to:

2. 49°21'.70N 02°00'.00W

a point 3 nautical miles measured from the baseline from which the territorial sea of Jersey is measured on the Dirouilles;

from that point, the line follows, in an anti-clockwise direction, that 3 nautical mile limit measured from that baseline to:

34. 49°19'.20N 02°07'.30W

a point 3 nautical miles measured from the baseline from which the territorial sea of Jersey is measured on the Dirouilles and Paternosters;

from that point, the line follows, in a clockwise direction, the 3 nautical mile limit measured from the baseline from which the territorial sea of Jersey is measured on the Paternosters to:

32. 49°18'.45N 02°06'.95W

a point 3 nautical miles measured from the low water line of the coast of Jersey;

from that point, the line follows, in a clockwise direction, that 3 nautical mile limit measured from that low water line to:

1. 49°17'.05N 02°00'.00W

the “initial point”.

(b) *Access: general*

The owners or charterers of 25 vessels registered at Cherbourg and based in the ports between Dielette and Agon-Coutainville inclusive, whose overall length is not more than 12 metres (subject to sub-paragraph (c) of this paragraph) have the right of access in those vessels to practise any type of fishing. The 25 vessels referred to in this sub-paragraph are the 25 vessels referred to in paragraph 3(d) above.

(c) *Access: vessels of 12 metres and over*

Included in the number of 25 vessels in sub-paragraph (b) of this paragraph, and in derogation from the size of limit of 12 metres, the owners of 3 vessels of more than 12 metres overall length registered at Cherbourg and based in the ports referred to above, whose names and characteristics are given in Annex 2 to this Note, have, until the destruction, disappearance or disposal of their vessel, the right of access in those vessels to practise any type of fishing.

(d) *Variation in numbers*

At constant fishing effort, the total number of French vessels of not more than 12 metres overall length with access to Zone “B” may increase by up to 2 vessels registered at Cherbourg and based in the ports referred to above, to a total of 27 vessels, for no more than any two consecutive years.

(e) *List of vessels*

A list of vessels to which sub-paragraphs (b) and (d) of this paragraph apply shall be established and passed by the French authorities to the Jersey authorities before 1 January each year for control purposes.

5. Zone “C”

(a) *Geographical definition*

Zone “C” comprises the area between 3 and 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured to the North and West of the Island of Jersey, bounded in the East by the territorial sea boundary between Jersey and France and in the West by the parallel of latitude 49°12'.50N. It is defined as follows:

A line around Zone “C” beginning at—

2. 49°21'.70N 02°00'.00W

a point where the meridian of longitude 2°W is 3 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows that meridian of longitude Northwards to:

35. 49°22'.30N 02°00'.00W

a point on the territorial sea boundary between Jersey and France;

from that point, the line follows that boundary northwestwards to:

36. 49°24'.82N 02°02'.77W

a point on that boundary 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows, in an anti-clockwise direction, that 6 nautical mile limit measured from that baseline to:

37. 49°24'.07N 02°11'.15W

a point on the median line between Jersey and Guernsey;

from that point the line follows in a southwesterly direction, as a series of loxodromic lines successively joining the following geographical co-ordinates:

18. 49°23'.02N 02°13'.72W

19. 49°22'.38N 02°14'.95W

20. 49°22'.32N 02°15'.03W

21. 49°21'.33N 02°16'.90W

22. 49°20'.27N 02°18'.68W

23. 49°18'.88N 02°20'.93W

24. 49°18'.50N 02°22'.05W

from the last point, the line follows that median line to:

38. 49°18'.10N 02°23'.45W

a point on that median line 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows, in an anti-clockwise direction, that 6 nautical mile limit measured from that baseline to:

39. 49°12'.50N 02°24'.60W

a point at which the parallel of latitude 49°12'.50N is 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows that parallel of latitude eastwards to—

40. 49°12'.50N 02°19'.57W

a point 3 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows, in a clockwise direction, that 3 nautical mile limit measured from that baseline to:

2. 49°21'.70N 02°00'.00W.

(b) *Access*

The vessels which have the right of access to Zone “B” shall have the right of access to Zone “C”, subject to the same conditions and limitations (including variation in numbers) as apply in relation to Zone “B”.

(c) The owners or charterers of 8 pair trawlers (4 pairs) have the right of access in those vessels to Zone “C” to practise any type of fishing.

(d) The owners or charterers of 27 vessels of overall length and engine horsepower not exceeding the current limit for French scalloping vessels (namely 16m overall length and 450 horsepower) have the right of access to Zone “C” in those vessels to practise any type of fishing.

(e) *Limits on numbers fishing at any one time*

Of the 35 vessels referred to in sub-paragraphs (c) and (d) of this paragraph, only 25 vessels may be present in Zone “C” at any one time during the French scalloping season applicable for the year in question in the West Cotentin fisheries region of France and 15 vessels at any one time outside that season. The French authorities shall notify the Jersey authorities, at least two weeks before it opens, of the dates of the scalloping season in the above region for each year.

(f) *List of vessels*

(i) A list of the 25 vessels (or, as the case may be, the 15 vessels) which pursuant to sub-paragraph (e) of this paragraph are permitted access to Zone “C” for any 24 hour period (which means the period beginning at 20.00 Z on any day and ending at 20.00 Z on the following day) shall, for each such period, be passed by the French authorities to the Jersey authorities, not later than 16.00 Z on the day on which that period commences.

- (ii) The arrangement set out in clause (i) of this sub-paragraph shall continue until modified or replaced by written agreement between the French authorities and the Jersey authorities.
- (iii) If those authorities, having attempted to reach agreement on a modified or new arrangement, are unable to do so, either of those authorities may refer the matter to the Joint Management Committee which is authorised to deal with the matter as if it were a dispute referred to it under Article 8(1) of the Agreement.
- (g) A list of all the vessels referred to in sub-paragraphs (c) and (d) of this paragraph shall be established and passed by the French authorities to the Jersey authorities before 1 January each year for control purposes.

6. Zone “D”

(a) *Geographical definition*

Zone “D” comprises the area between 3 and 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured to the West and South of the Island of Jersey, bounded in the East by the meridian of longitude 02°02’W and in the West by the parallel of latitude 49°12’.50N. It is defined as follows:

A line around Zone “D” beginning at:

40. 49°12’.50N 02°19’.57W

a point 3 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows the parallel of latitude 49°12’.50N westwards to:

39. 49°12’.50N 02°24’.60W

a point 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows, in an anti-clockwise direction, that 6 nautical mile limit measured from that baseline to:

41. 49°01’.10N 02°02’.00W

a point 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured on the meridian of longitude 02°02’W;

from that point, the line follows that meridian of longitude northwards to:

42. 49°04’.53N 02°02’.00W

a point 3 nautical miles measured from the baseline from which the territorial sea of Jersey is measured;

from that point, the line follows, in a clockwise direction, that 3 nautical mile limit measured from that baseline to:

40. 49°12’.50N 02°19’.57W

(b) *Access*

The owners or charterers of 6 vessels registered at St Malo whose overall length does not exceed 15 metres and whose engine power does not exceed 450 horsepower shall have the right of access to Zone “D” during the period from 15 October to the next following 31 May for the purposes of practising static netting only.

(c) *List of vessels*

A list of the vessels referred to in sub-paragraph (b) of this paragraph shall be established and passed by the French authorities to the Jersey authorities before 1 January of each year for control purposes.

7. Zone “E”

(a) *Geographical definition*

Zone “E” comprises the area between 3 and 6 nautical miles measured from the baseline from which the territorial sea of France is measured on the Plateau des Roches Douvres and the Plateau de Barnouic. The area is bounded in the North by a line with a true bearing of 224°.6, drawn between the island Étac de Sark and the Plateau des Roches Douvres Light, and in the South between Points 31 and 45. It is defined as follows:

A line around Zone “E” beginning at:

43. 49°10'.93N 02°41'.88W

a point 6 nautical miles measured from the baseline from which the territorial sea of France is measured on the Plateau des Roches Douvres and on a line with a true bearing of 224°.6 from the Island Étac de Sark to the Plateau des Roches Douvres Light;

from that point the line follows in a clockwise direction, the 6 nautical mile limit measured from the baseline from which the territorial sea of France is measured on the Plateau des Roches Douvres to:

44. 49°03'.70N 02°39'.82W

a point 6 nautical miles measured from the baseline from which the territorial sea of France is measured on the Plateau de Barnouic;

from that point, the line follows in a clockwise direction that 6 nautical mile limit measured from that baseline to:

45. 48°55'.92N 02°45'.32W

from that point, the line follows a south-westwards direction as a loxodromic line to:

31. 48°54'.68N 02°50'.00W

a point 3 nautical miles measured from the baseline from which the territorial sea of France is measured and on the meridian of longitude 2°50'W;

from that point, the line follows that meridian of longitude northwards to:

30. 48°58'.35N 02°50'.00W

a point 3 nautical miles measured from the baseline from which the territorial sea of France is measured on the Plateau de Barnouic;

from that point the line follows in an anti-clockwise direction, that 3 nautical mile limit measured from that baseline to:

29. 49°03'.78N 02°45'.28W

a point 3 nautical miles measured from that baseline from which the territorial sea of France is measured on the Plateau des Roches Douvres;

from that point, the line follows in an anti-clockwise direction, that 3 nautical mile limit measured from that baseline to:

28. 49°08'.79N 02°45'.10W

a point 3 nautical miles measured from the baseline from which the territorial sea of France is measured on the Plateau des Roches Douvres;

from that point, the line follows the true bearing of 044°.6 towards the island Étac de Sark to:

43. 49°10'.93N 02°41'.88W

(b) *Access*

The owners or charterers of any 5 vessels from a list of 10 vessels registered in Jersey shall have the right of access to Zone “E” at any one time to practice any type of fishing.

(c) *List of vessels*

A list of the 10 vessels to which sub-paragraph (b) of this paragraph applies shall be established and passed to the French authorities by the Jersey authorities before 1 January of each year for control purposes.

- (d) (i) A list of the 5 vessels referred to in sub-paragraph (b) of this paragraph which are permitted access to Zone “E” for the next following two weeks shall be passed on a fortnightly basis by the Jersey authorities to the French authorities not later than the day before commencement of the relevant two week period.
- (ii) The arrangement set out in clause (i) of this sub-paragraph shall continue until modified or replaced by written agreement between the French authorities and the Jersey authorities.
- (iii) If those authorities, having attempted to reach agreement on a modified or new arrangement, are unable to do so, either of those authorities may refer the matter to the Joint Management Committee which is authorised to deal with the matter as if it were a dispute referred to it under Article 8(1) of the Agreement.

8. Zone “F”

(a) *Geographical definition*

Zone “F” comprises the area between 3 and 6 nautical miles measured from the baseline from which the territorial sea of France is measured. It is bounded in the East by the meridian of longitude 2°W, and in the West by the meridian of longitude 02°19'.03W, the meridian of longitude of Cap Fréhel. It is defined as follows:

A line around Zone “F” beginning at:

46. 48°44'.47N 02°19'.03W

a point 3 nautical miles measured from the baseline from which the territorial sea of France is measured and on the meridian of longitude of Cap Fréhel;

from that point the line follows, in a generally eastwards direction, that 3 nautical mile limit measured from that baseline to:

47. 48°45'.63N 02°00'.00W

a point 3 nautical miles measured from the baseline from which the territorial sea of France is measured and on the meridian of longitude 2°W;

from that point the line follows that meridian of longitude northwards to:

48. 48°48'.77N 02°00'.00W

a point 6 nautical miles measured from the baseline from which the territorial sea of France is measured and on the meridian of longitude 2°W;

from that point the line follows, in a generally westwards direction, that 6 nautical mile limit measured from that baseline to:

49. 48°47'.57N 02°19'.03W

a point 6 nautical miles measured from the baseline from which the territorial sea of France is measured and on the meridian of longitude of Cap Fréhel;

from that point the line follows that meridian of longitude southwards to:

46. 48°44'.47N 02°19'.03W

(b) *Access*

The owners or charterers of any 2 vessels from a list of 4 vessels registered in Jersey shall have the right of access to Zone "F" at any one time to practice any type of fishing.

(c) *List of vessels*

A list of the 4 vessels to which sub-paragraph (b) of this paragraph applies shall be established and passed to the French authorities by the Jersey authorities before 1 January of each year for control purposes.

(d) (i) A list of the 2 vessels referred to in sub-paragraph (b) which are permitted access to Zone "F" for the next following two weeks shall be passed on a fortnightly basis by the Jersey authorities to the French authorities not later than the day before commencement of the relevant two week period.

(ii) The arrangement set out in clause (i) of this sub-paragraph shall continue until modified or replaced by written agreement between the French authorities and the Jersey authorities.

(iii) If those authorities, having attempted to reach agreement on a modified or new arrangement, are unable to do so, either of those authorities may refer the matter to the Joint Management Committee which is authorised to deal with the matter as if it were a dispute referred to it under Article 8(1) of the Agreement.

9. (a) French vessels have the right of access to the area described in sub-paragraph (b) below (comprised, in part, of waters within the Area and, in part, of waters adjacent thereto) for the purpose of fishing for whelk only.

(b) *Geographical definition*

The area between 3 nautical miles measured from the low waterline of the coast of Jersey and 6 nautical miles from the baseline from which the territorial sea of Jersey is measured to the south of La Rocque Point, bounded in the East by the meridian of longitude 2°W and in the West by the meridian of longitude 2°02'W. It is defined as follows:

A line around the area beginning at—

4. 49°05'.33N 02°00'.00W

a point 3 nautical miles measured from the low water line of the coast of Jersey on the meridian of longitude 2°W;

from that point the line follows, in a clockwise direction, that 3 nautical mile line measured from that low water line to:

51. 49°05'.33N 02°02'.00W

a point 3 nautical miles measured from the low water line of the coast of Jersey on the meridian of longitude 2°02'W;

from that point the line follows that meridian of longitude southwards to:

41. 49°01'.10N 02°02'.00W

a point 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured on that meridian of longitude;

from that point the line follows, in an anti-clockwise direction, that 6 nautical mile limit measured from that baseline to:

50. 49°00'.60N 02°00'.00W

a point 6 nautical miles measured from the baseline from which the territorial sea of Jersey is measured on the meridian of longitude 2°W;

from that point the line follows that meridian of longitude northwards to:

4. 49°05'.33N 02°00'.00W

10. In the part of the Area which lies between lines drawn 3 nautical miles and 6 nautical miles respectively from the baseline from which the territorial sea of France is measured, bounded in the East by the western boundary of Zone “F” and in the West by the southern boundary of Zone “E”, Jersey vessels will not practise any type of fishing.

GENERAL

11. It is confirmed that the provisions of Article 4(2) of the Agreement apply to vessels of one Party exercising their right of access in zones of the other Party pursuant to this Note.
12. Zones “A” to “F” as defined above are, for information purposes only, identified on the chart at Annex 3 to this Note. In the event of any difference between the zones so identified on that chart and their definitions as set out in the relevant paragraphs of this Note, the latter shall prevail.
13. All geographical co-ordinates are referred to European Datum (First Adjustment 1950). These geographical co-ordinates, the low water lines, and the baselines from which the territorial seas of Jersey and France are measured shall remain fixed for the purposes of this Note and those low water lines and baselines shall be as set out in Annex 4 to this Note.

14. Wherever lists are annexed hereto or are to be supplied pursuant to any of the foregoing provisions, any vessel not on the relevant list is not entitled to fish in the relevant Zone and will therefore be fishing illegally.

15. Annexes 1, 2, 3 and 4 to this Note form an integral part thereof.

If the foregoing proposals are acceptable to the Government of the French Republic, the Foreign and Commonwealth Office has the honour to propose that this Note and the reply from the Embassy of the French Republic shall constitute an agreement between the French and British Governments, which shall enter into force on the same day as the Agreement.

The Foreign and Commonwealth Office avails itself of this opportunity to renew to the Embassy of the French Republic the assurance of their highest consideration.

ANNEX 1

(Paragraph 3(b))

ACCESS TO ZONE “A”

<i>Name of Owner/Charterer</i>	<i>Date of Birth</i>	<i>Address</i>	<i>Name of Vessel</i>	<i>Port letters & No.</i>	<i>Engine power</i>	<i>Overall Length</i>	<i>Breadth</i>	<i>Registered gross tonnage</i>

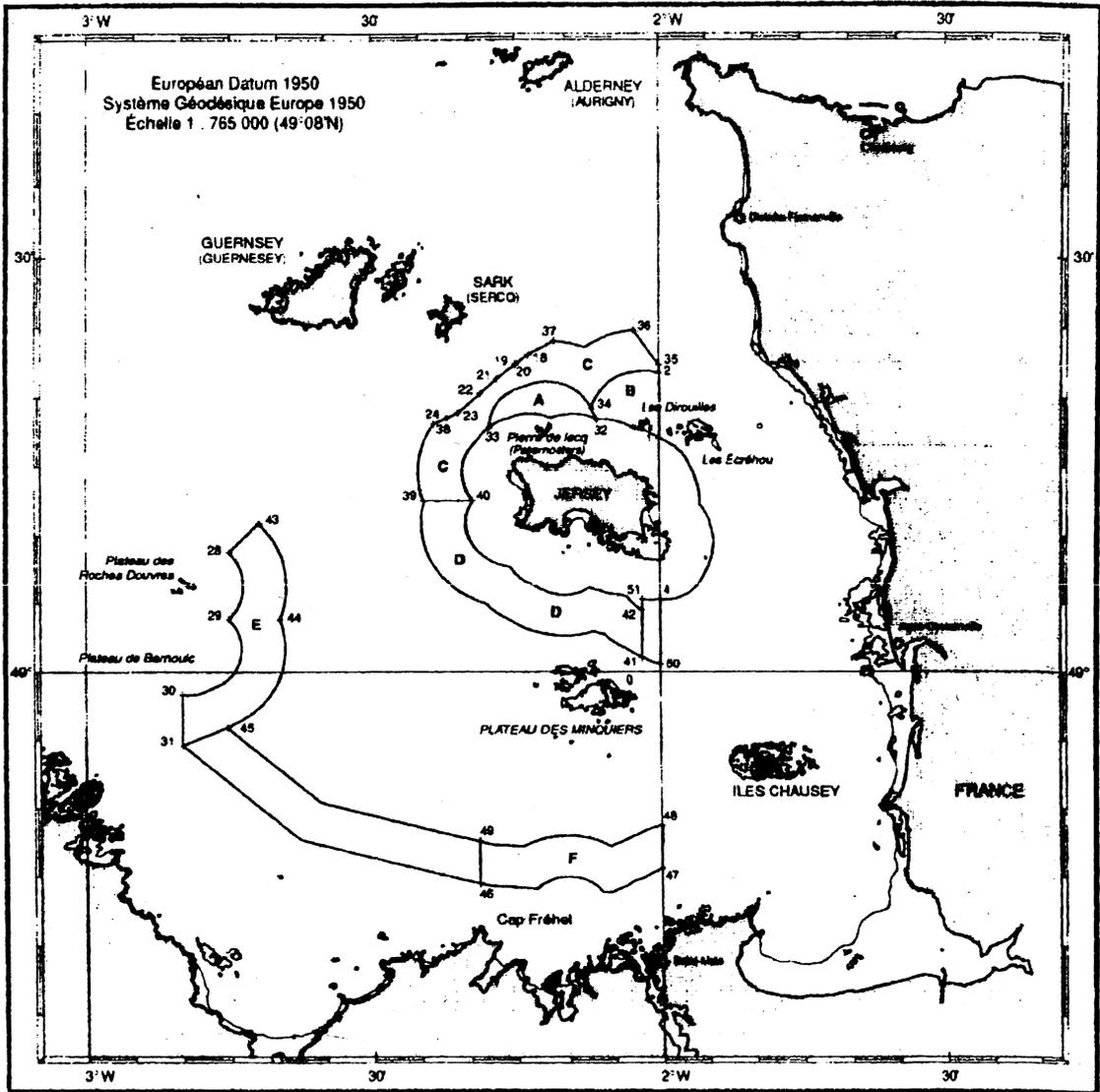
ANNEX 2

(Paragraph 4(c))

ACCESS TO ZONE “B”—VESSELS OVER 12 METRES OVERALL LENGTH

<i>Name of Owner/Charterer</i>	<i>Date of Birth</i>	<i>Address</i>	<i>Name of Vessel</i>	<i>Port letters & No.</i>	<i>Engine power</i>	<i>Overall Length</i>	<i>Breadth</i>	<i>Registered gross tonnage</i>

ANNEX 3



ANNEX 4

All geographical co-ordinates are referred to European Datum (First Adjustment 1950).

Zone "A"

Basepoints on the Low Water Line of the Coast of Jersey

3 nautical mile arcs from:

Grosnez Point	49°15'.55N	02°14'.80W
Plemont Point W	49°15'.82N	02°13'.58W
Plemont Point E	49°15'.78N	02°13'.45W
Sorel Point	49°15'.77N	02°09'.53W
Ronez Point	49°15'.80N	02°09'.07W

Basepoints on the Territorial Sea Baseline of Jersey

3 nautical mile arcs from:

Grosnez Point	49°15'.55N	02°14'.80W
North West Reef	49°17'.80N	02°13'.17W
Rock SW of North Rock	49°17'.90N	02°12'.82W
Rock NE of North Rock	49°18'.10N	02°11'.93W
East Reef	49°18'.07N	02°11'.60W
Pierres de Lecq E	49°17'.95N	02°11'.47W
Les Dirouilles Rock	49°18'.52N	02°02'.83W

Zone "B"

Basepoints on the Low Water Line of the Coast of Jersey

3 nautical mile arcs from:

Ronez Point	49°15'.80N	02°09'.07W
Belle Hongue Point W	49°15'.43N	02°06'.02W
Belle Hongue Point E	49°15'.40N	02°05'.82W
La Colombiere	49°15'.35N	02°05'.52W
Tour de Rozel N	49°14'.73N	02°03'.02W
Tour de Rozel E	49°14'.72N	02°02'.97W
Nez de Guet	49°14'.58N	02°02'.60W

Basepoints on the Territorial Sea Baseline of Jersey

3 nautical mile arcs from:

Pierres de Lecq E	49°17'.95N	02°11'.47W
Les Dirouilles Rock	49°18'.52N	02°02'.83W
Les Grunes W	49°18'.75N	02°02'.53W
Les Grunes N	49°18'.78N	02°02'.48W
Clump Rock N	49°18'.87N	02°01'.75W
Clump Rock NE	49°18'.88N	02°01'.53W

Zone "C"

Basepoints on the Territorial Sea Baseline of Jersey

3 nautical mile arcs from:

Petit Etaquerel SW Rock	49°14'.08N	02°15'.65W
Petit Etaquerel W Rock	49°14'.40N	02°15'.90W
Mouilliere Rock	49°14'.68N	02°15'.93W
Black Rock	49°15'.40N	02°15'.05W
Grosnez Point	49°15'.55N	02°14'.80W
North West Reef	49°17'.80N	02°13'.17W
Rock SW of North Rock	49°17'.90N	02°12'.82W
Rock NE of North Rock	49°18'.10N	02°11'.93W
East Reef	49°18'.07N	02°11'.60W
Pierres de Lecq E	49°17'.95N	02°11'.47W
Les Dirouilles Rock	49°18'.52N	02°02'.83W
Les Grunes W	49°18'.75N	02°02'.53W
Les Grunes N	49°18'.78N	02°02'.48W
Clump Rock N	49°18'.87N	02°01'.75W
Clump Rock NE	49°18'.88N	02°01'.53W

Basepoints on the Territorial Sea Baseline of Jersey

6 nautical mile arcs from:

Petit Etaquerel W Rock	49°14'.40N	02°15'.90W
Mouilliere Rock	49°14'.68N	02°15'.93W
Black Rock	49°15'.40N	02°15'.05W
Grosnez Point	49°15'.55N	02°14'.80W
North West Reef	49°17'.80N	02°13'.17W
Rock SW of North Rock	49°17'.90N	02°12'.82W
Rock NE of North Rock	49°18'.10N	02°11'.93W
East Reef	49°18'.07N	02°11'.60W
Les Grunes N	49°18'.78N	02°02'.48W
Clump Rock N	49°18'.87N	02°01'.75W
Clump Rock NE	49°18'.88N	02°01'.53W

Zone “D”

Basepoints on the Territorial Sea Baseline of Jersey

3 nautical mile arcs from:

Frouquier Aubert Rock (4)	49°06'.50N	01°58'.03W
Frouquier Aubert Rock (5)	49°06'.53N	01°58'.12W
La Goubiniere	49°07'.12N	01°59'.67W
L'Echiquelez Rock	49°08'.42N	02°02'.28W
La Grande Frouquie Rock	49°08'.60N	02°03'.20W
Rouget Rock	49°08'.70N	02°04'.40W
La Frouquie south-east Rock	49°08'.92N	02°05'.47W
La Frouquie south-west Rock	49°08'.95N	02°05'.73W
Hinguette south Rock	49°09'.18N	02°07'.60W
Les Grunes Vaudin s-w Rock	49°08'.67N	02°10'.20W
Les Grunes Vaudin	49°08'.70N	02°10'.30W
Hubaut	49°09'.20N	02°11'.62W
Noirmontaise Reef	49°10'.73N	02°15'.30W
Les Boiteaux SW	49°10'.93N	02°15'.65W
Petit Etaquerel SW Rock	49°14'.08N	02°15'.65W

Basepoints on the Territorial Sea Baseline of Jersey

6 nautical mile arcs from:

Frouquier Aubert Rock (4)	49°06'.50N	01°58'.03W
Frouquier Aubert Rock (5)	49°06'.53N	01°58'.12W
La Goubiniere	49°07'.12N	01°59'.67W
La Frouquie south-west Rock	49°08'.95N	02°05'.73W
Les Grunes Vaudin s-w Rock	49°08'.67N	02°10'.20W
Les Grunes Vaudin	49°08'.70N	02°10'.30W
Hubaut	49°09'.20N	02°11'.62W
Noirmontaise Reef	49°10'.73N	02°15'.30W
Les Boiteaux SW	49°10'.93N	02°15'.65W
Petit Etaquerel W Rock	49°14'.40N	02°15'.90W

Zone “E”

Basepoints on the Territorial Sea Baseline of France

Plateau des Roches Douvres

3 nautical mile arcs from:

Roche Nord Ouest	49°06'.80N	02°48'.51W
Roche Ouest Nord Ouest	49°06'.51N	02°48'.18W
Roche Ouest	49°06'.18N	02°48'.17W
Roche Sud Ouest	49°05'.92N	02°48'.50W

Plateau de Barnouic

3 nautical mile arcs from:

Barnouic (Tourelle)	49°01'.56N	02°48'.35W
Roche Gautier	49°01'.32N	02°49'.42W

Basepoints on the Territorial Sea Baseline of France**Plateau des Roches Douvres****6 nautical mile arcs from:**

Roche Nord Ouest	49°06'.80N	02°48'.51W
Roche Ouest Nord Ouest	49°06'.51N	02°48'.18W
Roche Ouest	49°06'.18N	02°48'.17W

Plateau de Barnouic**6 nautical mile arcs from:**

Barnouic (Tourelle)	49°01'.56N	02°48'.35W
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Zone "F"**Basepoints on the Territorial Sea Baseline of France****Mainland Territorial Sea Straight Baseline Turning Points****3 nautical miles from:**

Cap Fréhel	48°41'.37N	02°19'.03W
Pointe Nord-est Cézembre	48°40'.80N	02°04'.06W
Tourelle Rochefort	48°42'.90N	01°58'.16W

Mainland Territorial Sea Low Water Basepoints to Seaward of the Straight Baseline**3 nautical mile arcs from:**

Cap Fréhel N	48°41'.38N	02°19'.07W
Roche Vieux Banc Ouest	48°42'.00N	02°09'.95W
La Batière	48°41'.07N	02°03'.80W
Becfer	48°41'.36N	02°02'.94W
La St. Servantine	48°41'.99N	02°00'.99W

Mainland Territorial Sea Straight Baseline Turning Points**6 nautical miles from:**

Cap Fréhel	48°41'.37N	02°19'.03W
Pointe Nord-est Cézembre	48°40'.80N	02°04'.06W
Tourelle Rochefort	48°42'.90N	01°58'.16W

Mainland Territorial Sea Low Water Line Basepoints to Seaward of the Straight Baseline**6 nautical mile arcs from:**

Cap Fréhel N	48°41'.38N	02°19'.07W
Roche Vieux Banc Ouest	48°42'.00N	02°09'.95W
La St. Servantine	48°41'.99N	02°00'.99W
Rochefort N	49°42'.95N	01°58'.10W

The part of the Area Defined in Paragraph 9**Basepoints on the Low Waterline of the Coast of Jersey****3 nautical mile arcs from:**

La Conchiere	49°08'.52N	02°00'.27W
L'Etachon E	49°08'.32N	02°00'.75W
L'Etachon S	49°08'.25N	02°00'.92W

Basepoints on the Territorial Sea Baseline of Jersey**6 nautical mile arcs from:**

Frouquier Aubert Rock (3)	49°06'.40N	01°57'.70W
Frouquier Aubert Rock (4)	49°06'.50N	01°58'.03W

No. 2

The Embassy of the French Republic in London to the Foreign and Commonwealth Office

*Saint Héliier
4 July 2000*

L'Ambassade de la République française présente ses compliments au Foreign and Commonwealth Office et a l'honneur d'accuser réception de sa note du 4 juillet 2000 dont la teneur suit:

[As in No. 1]

L'Ambassade de la République française a l'honneur de faire part au Foreign and Commonwealth Office de l'accord du Gouvernement français sur les dispositions qui précèdent.

Elle saisit cette occasion pour renouveler au Foreign and Commonwealth Office l'assurance de sa haute considération./.

Translation of No. 2

(Unofficial Translation)

The Embassy of the French Republic presents its compliments to the Foreign and Commonwealth Office and has the honour of acknowledging receipt of their note of 4 July 2000 which reads as follows:

[As in No. 1]

The Embassy of the French Republic has the honour of informing the Foreign and Commonwealth Office of the French Government's approval of the above provisions.

It avails itself of this opportunity of renewing to the Foreign and Commonwealth Office the assurances of its high consideration./.

EXCHANGE OF NOTES ON SARK BOX

No. 1

The Foreign and Commonwealth Office to the Embassy of the French Republic in London

*Saint Héliier
4 July 2000*

The Foreign and Commonwealth Office presents its compliments to the Embassy of the French Republic and has the honour to refer to the negotiations which have resulted in the signature of the Agreement dated today, concerning fishing in the Bay of Granville, hereinafter called "the Agreement". The Foreign and Commonwealth Office proposes that the conclusion of the Agreement is without prejudice to the position of either Government on the legal regime applicable to fishing activities in the Sark Box or on historic fishing activities in the Sark Box. For the purposes of this Note, the Sark Box is defined as the area bounded by:

A loxodromic line from:

49°14'.25N 02°36'.86W to 49°19'.25N 02°29'.28W;

from there it follows the 6 nautical mile fishery limit measured from the baseline from which the territorial sea around Guernsey is measured to:

49°18'.10N 02°23'.45W;

from there it follows a series of loxodromic lines successively joining the following geographical co-ordinates:

49°16'.57N 02°28'.88W

49°14'.92N 02°31'.35W

49°13'.25N 02°33'.55W

from there it follows the agreed fisheries boundary between Guernsey and France to:

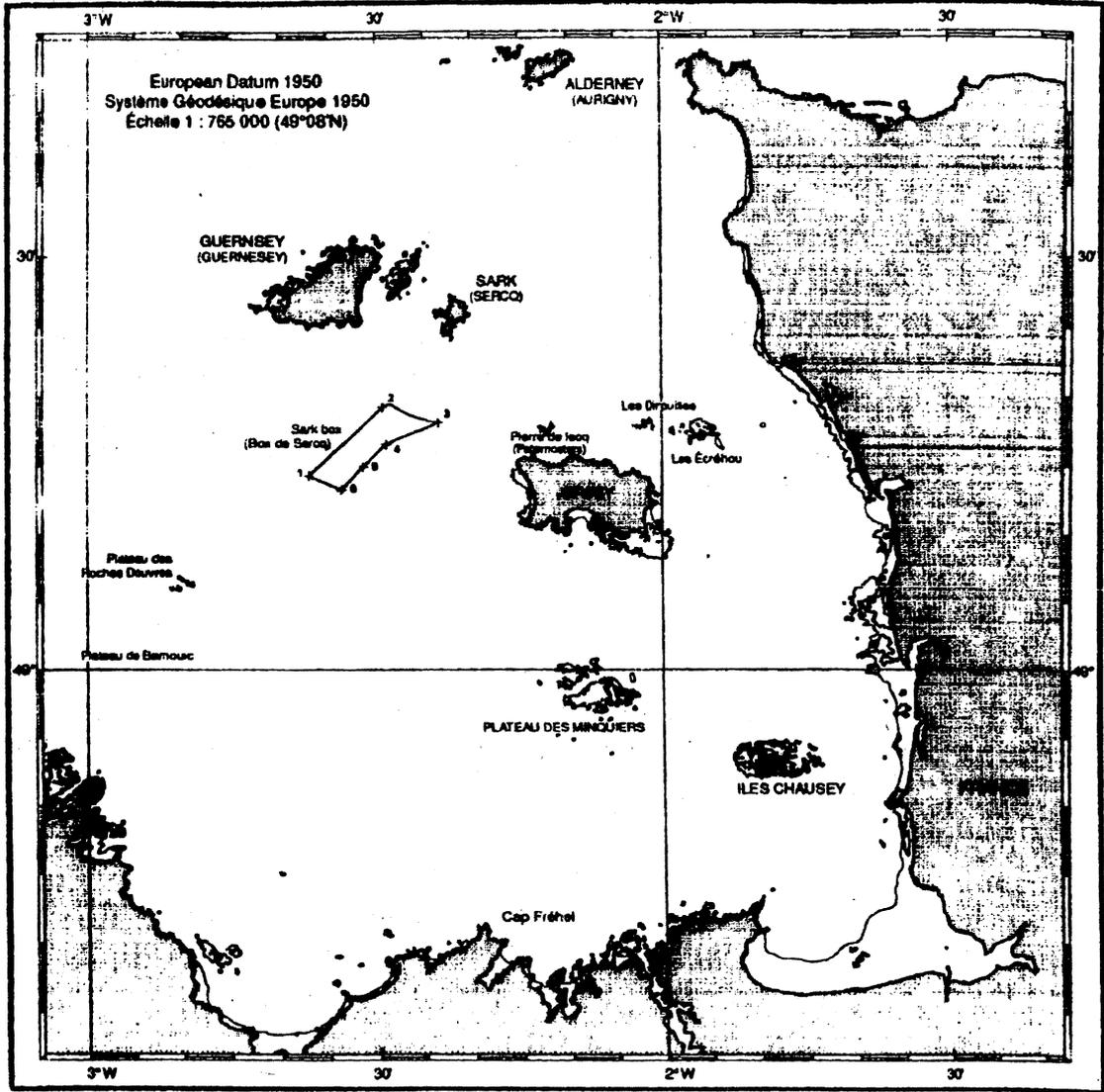
49°14'.25N 02°36'.86W

All geographical co-ordinates are referred to European Datum (First Adjustment 1950). The Sark Box is identified for information purposes on the map annexed to this Note. In the event of any difference between the area identified on the map and the limits of the Sark Box defined by the co-ordinates given above, the latter shall prevail.

If the preceding proposal is acceptable to the Government of the French Republic, the Foreign and Commonwealth Office has the honour to propose that this Note and the reply from the Embassy of the French Republic shall constitute an agreement between the French and British Governments which will enter into force on the same day as the Agreement.

The Foreign and Commonwealth Office avails itself of this opportunity to renew to the Embassy of the French Republic the assurance of its highest consideration.

ANNEX



No. 2

The Embassy of the French Republic in London to the Foreign and Commonwealth Office

*Saint Héliier
4 July 2000*

L'Ambassade de la République française présente ses compliments au Foreign and Commonwealth Office et a l'honneur d'accuser réception de sa note du 4 juillet 2000 dont la teneur suit:

[As in No. 1]

L'Ambassade de la République française a l'honneur de faire part au Foreign and Commonwealth Office de l'accord du Gouvernement français sur les dispositions qui précèdent.

Elle saisit cette occasion pour renouveler au Foreign and Commonwealth Office l'assurance de sa haute considération./.

Translation of No. 2

(Unofficial Translation)

The Embassy of the French Republic presents its compliments to the Foreign and Commonwealth Office and has the honour of acknowledging receipt of their note of 4 July 2000 which reads as follows:

[As in No. 1]

The Embassy of the French Republic has the honour of informing the Foreign and Commonwealth Office of the French Government's approval of the above provisions.

It avails itself of this opportunity of renewing to the Foreign and Commonwealth Office the assurances of its high consideration./.

EXCHANGE OF NOTES ON GUERNSEY

No. 1

The Foreign and Commonwealth Office to the Embassy of the French Republic in London

*St. Héliér
4 July 2000*

The Foreign and Commonwealth Office presents its compliments to the Embassy of the French Republic and has the honour to refer to the negotiations which have resulted in the signature of the Agreement dated today, concerning fishing in the Bay of Granville, hereinafter called "the Agreement", and has the honour to propose:

- (1) The Agreement shall not have the effect of enlarging the rights of fishing vessels registered in ports other than in Jersey or France; the Agreement, and in particular the termination of the earlier agreements under Article 9 of the Agreement, does not affect fishing relations and rights between France and Guernsey.
- (2) The British authorities assert that Guernsey fishermen have rights in waters covered by the existing special regime applicable to fishing in the Bay of Granville. The French authorities do not accept this assertion. To the extent that such rights may exist, the conclusion of the Agreement shall not prejudice them.
- (3) Notwithstanding the foregoing, up to 30 vessels based in Guernsey shall be permitted to fish in that part of the Area lying within the territorial sea of Jersey.
- (4) The British authorities assert that Guernsey fisherman have historic rights in the waters around the Roches Douvres. The French authorities, whilst not accepting this assertion, take note of the claims of Guernsey fishermen for access to waters around the Rouches Douvres. The French authorities are prepared to examine these claims in the context of a global agreement concerning fishing matters between France and Guernsey.

If the preceding proposal is acceptable to the Government of the French Republic, the Foreign and Commonwealth Office has the honour to propose that this Note and the reply from the Embassy of the French Republic shall constitute an agreement between the French and British Governments which will enter into force on the same day as the Agreement.

The Foreign and Commonwealth Office avails itself of this opportunity to renew to the Embassy of the French Republic the assurance of its highest consideration.

No. 2

The Embassy of the French Republic in London to the Foreign and Commonwealth Office

*Saint Héliér
4 July 2000*

L'Ambassade de la République française présente ses compliments au Foreign and Commonwealth Office et a l'honneur d'accuser réception de sa note du 4 juillet 2000 dont la teneur suit:

[As in No. 1]

L'Ambassade de la République française a l'honneur de faire part au Foreign and Commonwealth Office de l'accord du Gouvernement français sur les dispositions qui précèdent.

Elle saisit cette occasion pour renouveler au Foreign and Commonwealth Office l'assurance de sa haute considération./.

Translation of No. 2

(Unofficial Translation)

The Embassy of the French Republic presents its compliments to the Foreign and Commonwealth Office and has the honour of acknowledging receipt of their note of 4 July 2000 which reads as follows:

[As in No. 1]

The Embassy of the French Republic has the honour of informing the Foreign and Commonwealth Office of the French Government's approval of the above provisions.

It avails itself of this opportunity of renewing to the Foreign and Commonwealth Office the assurances of its high consideration./.

EXCHANGE OF NOTES ON PENALTIES

No. 1

The Foreign and Commonwealth Office to the Embassy of the French Republic in London

*St. Héliér
4 July 2000*

The Foreign and Commonwealth Office presents its compliments to the Embassy of the French Republic and has the honour to refer to the negotiations which have resulted in the signing of the Agreement of today's date concerning fishing in the Bay of Granville, hereinafter called "the Agreement", and during the course of which it was considered useful to specify, by means of an Exchange of Notes, certain points concerning penalties. To this end, the Foreign and Commonwealth Office has the honour to propose the following to the Embassy of the French Republic.

1. Infringements of the fishing regulations which have been given effect by the adoption of measures pursuant to Article 4(1) of the Agreement shall be punishable as follows:

- (a) a fine not exceeding £20,000 or FF 200,000 or confiscation of the equipment used for and the product of the fishing to which the infringement relates, or both of these penalties;
- (b) in the case of a second or subsequent infringement, a fine not exceeding double the amounts referred to in (a) above or confiscation of the equipment used for and the product of the fishing to which the infringement relates, or both of these penalties.

2. Any offence involving:

- (a) a failure to comply with any requirement imposed by;
- (b) any attempt to prevent any other person from complying with a requirement imposed by; or
- (c) obstructing or the hindering in any manner of,

a fisheries officer or any other law enforcement official in connection with fisheries matters shall be punishable by a fine not exceeding £50,000 or FF 500,000 (or double that amount for any second or subsequent such offence) or confiscation of the equipment used for and the product of any fishing on board at the time of the offence, or both of these penalties.

3. Each Party may, after consulting the other, amend the maximum financial penalty which may be imposed pursuant to the preceding paragraphs in order to reflect inflationary movements in its own currency.

4. Each Party may, if it considers it appropriate, impose minimum penalties to be applied to any or all infringements referred to in paragraph 1 or 2 above.

5. Where an infringement referred to in paragraph 1 or 2 above has taken place, the Party which has issued the permit to the offender may suspend, in particular at the request of the other Party, by a reasoned decision and for a maximum period of three months, all authorisation to fish in the Area governed by the Agreement.

6. The provisions of paragraph 5 are without prejudice to any other powers which the authorities of either Party may have under their internal law to revoke, suspend or refuse a permit which they have issued.

If the foregoing proposals are acceptable to the Government of the French Republic, the Foreign and Commonwealth Office has the honour to propose that this Note and the reply from the Embassy of the French Republic shall constitute an agreement between the French and the British Governments, which will enter into force on the same day as the Agreement.

The Foreign and Commonwealth Office avails itself of this opportunity to renew to the Embassy of the French Republic the assurance of its highest consideration.

No. 2

The Embassy of the French Republic in London to the Foreign and Commonwealth Office

*Saint-Hélier
4 July 2000*

L'Ambassade de la République française présente ses compliments au Foreign and Commonwealth Office et a l'honneur d'accuser réception de sa note du 4 juillet 2000 dont la teneur suit:

[As in No. 1]

L'Ambassade de la République française a l'honneur de faire part au Foreign and Commonwealth Office de l'accord du Gouvernement français sur les dispositions qui précèdent.

Elle saisit cette occasion pour renouveler au Foreign and Commonwealth Office l'assurance de sa haute considération./.

Translation of No. 2

(Unofficial Translation)

The Embassy of the French Republic presents its compliments to the Foreign and Commonwealth Office and has the honour of acknowledging receipt of their note of 4 July 2000 which reads as follows:

[As in No. 1]

The Embassy of the French Republic has the honour of informing the Foreign and Commonwealth Office of the French Government's approval of the above provisions.

It avails itself of this opportunity of renewing to the Foreign and Commonwealth Office the assurances of its high consideration./.

DECLARATION FRANCAISE

Les autorités françaises constatent qu'il découle de l'échange de notes signé à Saint-Hélier le 4 juillet 2000, qui accompagne l'accord relatif à la pêche dans la baie de Granville signé à Saint-Hélier le même jour, que les ressortissants français pourront continuer à pêcher dans la zone 19 qui figure à la colonne 1 de l'Annexe 2 de l'échange de notes relatif aux droits d'usage des navires de pêche français dans les limites des zones de pêche britanniques fait à Paris le 24 février 1965, et ce nonobstant l'abrogation de cet échange de notes.

Elles constatent par ailleurs qu'il découle de l'échange de notes relatif au box de Sercq signé à Saint-Hélier le 4 juillet 2000, qui accompagne l'accord relatif à la pêche dans la baie de Granville signé à Saint-Hélier le même jour, que les droits et les activités de pêche conformément à ces droits des navires français à l'intérieur de la zone définie par cet échange de notes demeurent inchangés.

Elles constatent enfin qu'il découle de la correspondance échangée en janvier et février 2000 entre le ministère des affaires étrangères et le Foreign Office à propos de l'île de Man que les ressortissants français pourront continuer à pêcher dans la zone 18 qui figure à la colonne 1 de l'Annexe 2 de l'échange de notes du 24 février 1965 précité, dans les conditions prévues par cet échange de notes, et ce nonobstant son abrogation./.

*Daniel Bernard,
Ambassadeur de France en Grande-Bretagne*

*Saint-Hélier
le 4 juillet 2000*

(Unofficial Translation)

FRENCH DECLARATION

The French authorities note that it follows from the exchange of notes signed at Saint-Hélier on 4 July 2000, which accompanies the Agreement concerning Fishing in the Bay of Granville signed at Saint-Hélier on the same day, that French nationals will be allowed to continue to fish in Area 19 mentioned in column 1 of Annex 2 of the Exchange of Notes concerning the Habitual Rights of French Fishing Vessels within British Fishery Limits done at Paris on 24 February 1965, this notwithstanding the repeal of this exchange of notes.

They note furthermore that it follows from the Exchange of Notes on the Sark Box signed at Saint-Hélier on 4 July 2000, which accompanies the Agreement concerning Fishing in the Bay of Granville signed at Saint-Hélier on the same day, that fishing rights and activities remain unchanged in accordance with the said rights of French vessels within the area defined in this exchange of notes.

They note, lastly, that it arises from the correspondence on the Isle of Man of January and February 2000 between the French Ministry of Foreign Affairs and the Foreign and Commonwealth Office that French nationals will be allowed to continue to fish in Area 18 which is mentioned in column 1 of Annex 2 of the foregoing Exchange of Notes of 24 February 1965, under the conditions provided for in this exchange of notes, this notwithstanding its repeal./.

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