



# Merchant Shipping Act 1894

## 1894 CHAPTER 60

### PART IV

#### FISHING BOATS.

##### I

#### PROVISIONS APPLYING TO ALL FISHING BOATS AND TO THE WHOLE FISHING SERVICE.

#### *Provisions as to Deaths, Injuries, Ill-treatment, Punishments, and Casualties in Fishing Boats.*

#### **385 Record and report of death, injury, ill-treatment, punishment, casualties, &c.**

- (1) The skipper of a fishing boat shall keep a record of the following occurrences; namely,
  - (i) Of every death, injury, ill-treatment, or punishment of any member of his boat's crew while at sea or of any person on board his boat, and
  - (ii) Of every casualty to his fishing boat or any boat belonging to her.
- (2) The skipper shall produce the record so kept to any superintendent when required by him, and shall also send the same to the superintendent at the port to which the boat belongs at such periods as the Board of Trade require by any directions endorsed on the forms approved by them.
- (3) If any such occurrence has happened in the case of a fishing boat, the skipper of the boat shall make to the superintendent at the port where his boat's voyage ends, within twenty-four hours of the boat's arrival at that port, a report of the occurrence.
- (4) The record and report under this section shall be in such form and contain such particulars as the Board of Trade require.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (5) If a skipper fails without reasonable cause to comply with any requirement of this section, he shall for each offence be liable to a fine not exceeding twenty pounds.

**386 Inquiry as to death, injury, ill-treatment, punishment, &c.**

- (1) Where any such occurrence as in the last preceding section mentioned happens or is supposed to have happened, the superintendent at or nearest to the port at which the fishing boat arrives after the occurrence, or to which the boat belongs, may inquire into the cause and particulars of the occurrence, and, if a report as to the occurrence is made to him in pursuance of the said section, may make on the report an endorsement either that in his opinion the particulars in the report are true, or otherwise to such effect as in his opinion his information warrants.
- (2) For the purpose of the inquiry, a superintendent shall have all the powers of a Board of Trade inspector under this Act.
- (3) If in the course of the inquiry it appears to the superintendent that any such occurrence as aforesaid has been caused or was accompanied by violence or the use of any improper means, he shall report the matter to the Board of Trade, and shall also, if the emergency of the case in his opinion so requires, take immediate steps for bringing the offender to justice, and may for that purpose, if in his discretion he thinks it necessary, cause him to be arrested, and thereafter dealt with in due course of law.