
 STATUTORY INSTRUMENTS

1978 No. 1598

MERCHANT SHIPPING

SAFETY

The Fishing Vessels (Safety Provisions) (Amendment) Rules 1978

<i>Made - - - -</i>	<i>9th November 1978</i>
<i>Laid before Parliament</i>	<i>10th November 1978</i>
<i>Coming into Operation</i>	<i>17th December 1978</i>

The Secretary of State, after consulting with the organisations referred to in section 7(2) of the Fishing Vessels (Safety Provisions) Act 1970^(a), in exercise of powers conferred by section 2 of that Act and now vested in him^(b) and of all other powers enabling him in that behalf, hereby makes the following Rules:

1. These Rules may be cited as the Fishing Vessels (Safety Provisions) (Amendment) Rules 1978 and shall come into operation on 17th December 1978.

2. The Interpretation Act 1889^(c) shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament and as if these Rules and the Rules hereby revoked were Acts of Parliament.

3. The Fishing Vessels (Safety Provisions) Rules 1975^(d), as amended^(e), shall be further amended as follows:

For paragraph (4) of Rule 130 there shall be substituted the following two paragraphs:—

“(4)(a) After a United Kingdom fishing vessel certificate has been in force for either of the following periods—

- (i) for 48 months from the date of its issue or for such shorter period as may be specified in the certificate or
- (ii) for such extended period as may have been granted under Rule 128(1) of these Rules; and

(b) a renewal certificate has been duly issued after satisfactory survey then, in the case of a fishing vessel to which Rule 1(4)(a)(i) to (iv) inclusive, (b) and (c) of these Rules applies, the vessel shall be inspected in accordance with the provisions of this Rule not less than 21 months and not more than 27 months from the date of that renewal certificate and any subsequent renewal certificate.

(a) 1970 c. 27.

(b) See S.I. 1970/1537.

(c) 1889 c. 63.

(d) S.I. 1975/330

(e) The relevant amending Instrument is S.I. 1977/313.

(4A) In the case of a fishing vessel to which Rule 1(4)(a)(v) of these Rules applies, the vessel shall be inspected in accordance with the provisions of this Rule not less than 21 months and not more than 27 months from the date of the issue of the United Kingdom fishing vessel certificate and, subsequently, within that same interval from the date of any renewal certificate.”

9th November 1978

Stanley Clinton Davis,
Parliamentary Under-Secretary of State,
Department of Trade.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules further amend the Fishing Vessels (Safety Provisions) Rules 1975. Under those Rules all fishing vessels were formerly subject to periodical inspections not less than 21 months and not more than 27 months from the date of the issue of a United Kingdom fishing vessel certificate. This requirement will continue to apply only in respect of vessels to which Rule 1(4)(a)(v) of the Rules apply (vessels whose keel was laid on or after 1st May 1975 pursuant to a construction agreement entered into on or after that date). Other vessels (to which Rule 1(4) (a)(i) to (iv) inclusive, (b) and (c) of the Rules apply) will not be required to be periodically inspected within that period until after their fishing vessel certificates have been in force for 48 months (or for such shorter period as may be specified in the certificate) and they have been satisfactorily surveyed and renewal certificates have been issued.

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