

SCHEDULE 1

Regulation 3(1)

AMENDMENTS TO FISHING VESSELS (SAFETY PROVISIONS) RULES 1975

1. In Rule 1(2)(a), for “sub-paragraph (b)” there shall be substituted “Rule 1A and sub-paragraph (b)”⁽¹⁾.

2. After Rule 1 the following Rule shall be inserted:

“New United Kingdom fishing vessels of 24 metres or over in length

1A.—(1) These Rules, other than the Rules listed in paragraph (2), do not apply to fishing vessels to which Part II of the Fishing Vessels (EC Directive on Harmonised Safety Regime) Regulations 1999 applies.

(2) The following Rules continue to apply to such vessels:

16A, 20A, 54A, 54B, 65A, 65B, 72A, 125A, 125B and 125C.”⁽²⁾.

3. In the title of Rule 67, for “45” there shall be substituted “24” and for Rule 67 there shall be substituted:

“67. Every vessel of 12 metres in length and over but less than 24 metres in length to which these Rules apply shall be provided with an overhead or other suitable type of compass capable of being properly compensated.”.

4. In Rule 69, after the word “over” there shall be inserted the words “but less than 24 metres in length”.

5. For Rule 71 there shall be substituted:

“71. Every vessel of 12 metres in length and over but less than 24 metres in length to which these Rules apply shall be provided with an efficient signalling lamp capable of being used both by day and by night and which shall be provided with a battery of sufficient capacity to operate the lamp continuously for not less than two hours.”.

6. For Rule 120 there shall be substituted:

“120. In vessels of 12 metres in length and over but less than 24 metres in length to which these Rules apply the skipper shall ensure that the crew are trained in the use of all life-saving and fire appliances and equipment with which the vessel is provided and shall ensure that all members of the crew know where the equipment is stowed and such training shall be carried out at intervals of not more than one month.”.

7. After Rule 126A⁽³⁾ the following Rule shall be inserted:

“126B.—(1) Notwithstanding Rule 126, for fishing vessels of 24 metres in length and over, where, on or after 1st January 2000, the Secretary of State is satisfied that the vessel complies with the requirements in these Rules and in the Fishing Vessels (EC Directive on Harmonised Safety Regime) Regulations 1999 applicable to such a vessel he shall issue a certificate of compliance supplemented by a record of equipment and, where appropriate, exemption certificate. The certificate of compliance, record of equipment and exemption certificate shall be in the form set out in Annex V to Council Directive^{97/70/EC} setting up a harmonised safety regime for fishing vessels of 24 metres in length and over.

(1) Rule 1(2) was substituted by S.I. ^{1998/928}, Rule 4.

(2) Rules 16A, 20A, 54A, 54B, 65A, 65B and 72A were inserted by S.I. ^{1998/928}, Rules 8, 9, 13, 16 and 17 respectively; Rules 125A, 125B and 125C were inserted by S.I. ^{1991/1342}, Rule 4 and amended by S.I. ^{1996/2419}, Rule 2.

(3) Rule 126A was inserted by S.I. ^{1977/313}, Rule 3(6).

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

(2) References to a fishing vessel certificate in these Rules (except in Rule 126), and in sections 123 to 126 of the Merchant Shipping Act 1995, shall include a reference to a certificate issued under paragraph (1).”.

8. The following Rules are hereby revoked:
66, 76(3)(a), 77(5)(a), and 119.

SCHEDULE 2

Regulation 3(2)

AMENDMENT TO FISHING VESSELS (LIFE-SAVING APPLIANCES) REGULATIONS 1988
In Regulation 2(4), after the words “fishing vessels” there shall be inserted the words “of less than 24 metres in length”.

SCHEDULE 3

Regulation 6

MODIFICATION OF THE PROVISIONS OF THE ANNEX TO THE TORREMOLINOS
PROTOCOL INTRODUCED BY ANNEXES I TO IV TO THE COUNCIL DIRECTIVE

CHAPTER II—CONSTRUCTION, WATERTIGHT INTEGRITY AND EQUIPMENT

1. After Regulation 15 there shall be added new Regulations as follows:

“Regulation 16

Working decks within an enclosed superstructure

(1) Such decks shall be fitted with an efficient drainage system having an appropriate drainage capacity to dispose of washing water and fish guts.

(2) All openings necessary for fishing operations shall be provided with means for quick and efficient closure by one person.

(3) Where the catch is brought on to such decks for handling or processing, the catch shall be placed in a pound. Such pounds shall comply with Regulation 11 of Chapter III. An efficient drainage system shall be fitted. Adequate protection against inadvertent influx of water to the working deck shall be provided.

(4) At least two exits from such decks shall be provided.

(5) The clear headroom in the working space shall at all points be not less than two metres.

(6) A fixed ventilation system providing at least six changes of air per hour shall be provided.

Regulation 17

Draught marks

(1) All ships shall be provided with draught marks in decimetres on the stem and the stern on both sides.

(2) Such marks shall be placed as close as practicable to the perpendiculars.

Regulation 18

Tanks for fish in refrigerated (RSW) or chilled (CSW) sea water.

(1) If RSW or CSW tanks or similar tank systems are used, such tanks shall be provided with a separate, permanently fitted arrangement for the filling and emptying of seawater.

(2) If such tanks are to be used also for carrying dry cargo, the tanks shall be arranged with a bilge system and provided with adequate means to avoid ingress of water from the bilge system into the tanks.”.

CHAPTER III—STABILITY AND ASSOCIATED SEAWORTHINESS

2. In Regulation 7 after paragraph (1)(d) there shall be added:

“In addition, for vessels operating in the “Northern Region” the following operating conditions shall also be considered:

(e) operating condition (b), (c) or (d), whichever produces the lowest values of the stability parameters contained in the stability criteria listed in Regulation 2, shall be calculated including allowance for ice accretion in accordance with the provisions of Regulation 8;

(f) for purse seiners, departure from the fishing grounds with the fishing gear, no catch and 30 per cent stores, fuel, etc. including allowance for ice accretion in accordance with the provisions of Regulation 8.”.

3. In Regulation 8 after paragraph (2) there shall be added:

“(3) The specific requirements of paragraphs (1) and (2) and the specific guidance given in Recommendation 2 by the Torremolinos Conference shall be applied within the Northern Region, i.e. also outside the boundaries shown in the chart accompanying the said Recommendation.

(4) Notwithstanding the provisions of paragraph (1)(a) and (b) the following icing allowance shall be made in the stability calculations for vessels operating in the area north of latitude 63°N between longitude 28°W and longitude 11°W:

(a) 40 kg/m² on exposed weather decks and gangways;

(b) 10 kg/m² for projected lateral area of each side of the vessel above the water plane.”.

4. In Regulation 9 after paragraph (3) there shall be added:

“(4) The inclining test and determination of conditions required by Regulation III/9 (1) shall be performed at least every ten years.”.

CHAPTER IV—MACHINERY AND ELECTRICAL INSTALLATIONS AND PERIODICALLY UNATTENDED MACHINERY SPACES

5. For Regulation 1 there shall be substituted:

“Unless expressly provided otherwise, this Chapter shall apply to new fishing vessels of 24 metres in length and over.”.

6. In Regulation 7 at the end there shall be added:

“, except that in vessels of less than 45 metres in length, where the propulsion machinery is directly controlled from the wheelhouse, the Secretary of State may accept means of communication other than an engine room telegraph.”.

7. In Regulation 8 at the end of paragraph (1)(d) there shall be added:

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

“On vessels of less than 45 metres in length the Secretary of State may permit the control station in the machinery space to be an emergency station only, provided that the monitoring and control in the wheelhouse is adequate.”.

8. In Regulation 13 at the end of paragraph (10) there shall be added:

“If this power source is electrical, the emergency source of electrical power shall be capable of serving the auxiliary means for activating the rudder for a period of at least ten minutes.”.

9. In Regulation 16 at the end of paragraph (1)(b) there shall be added:

“However, in vessels of less than 45 metres in length, in the event of any one of the generating sets being stopped, it shall only be necessary to ensure the functioning of the services essential for propulsion and safety of the vessel.”.

10. In Regulation 16 after paragraph (2) there shall be added:

“(3) Navigation lights, if solely electrical, shall be supplied through their own separate switchboard and adequate means for the monitoring of such lights shall be provided.”.

11. In Regulation 17 after paragraph (2) there shall be added:

“(2A) Notwithstanding paragraph (2), for vessels of 45 metres in length and over, the emergency source of electrical power shall be capable of serving the installations listed in that Regulation for a period of not less than eight hours.”.

12. In Regulation 17, paragraph (6), after the words “in accordance with this Regulation” there shall be inserted:

“, other than batteries fitted for the radio transmitter and receiver in vessels of less than 45 metres in length,”.

13. In Regulation 22 at the end of paragraph (2)(a) there shall be added:

“However, in vessels of less than 45 metres in length the Secretary of State may permit the system to be capable of sounding and indicating visually each separate alarm function in the wheelhouse only.”.

14. In Regulation 22, paragraph (2)(b), for the words “The alarm system” there shall be substituted the words “In vessels of 45 metres in length and over the alarm system”.

15. In Regulation 22, paragraph (2)(c), for the words “An engineer's” there shall be substituted the words “In vessels of 45 metres in length and over an engineer's”.

**CHAPTER V—FIRE PROTECTION, FIRE
DETECTION, FIRE EXTINCTION AND FIRE FIGHTING**

16. In Regulation 2, paragraph (2), for the words from “The standard time-temperature” to “925°C” there shall be substituted:

“The standard time-temperature curve is defined by a smooth curve drawn through the following internal furnace temperature points:

initial internal furnace temperature	20°C
at the end of the first 5 minutes	576°C
at the end of 10 minutes	679°C
at the end of 15 minutes	738°C
at the end of 30 minutes	841°C
at the end of 60 minutes	945°C.”.

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

17. In Regulation 2, paragraph (14)(b), for “750kW” there shall be substituted “375 kW”.

18. In Regulation 22 after paragraph 6 there shall be added:

“(7) Notwithstanding the provisions of this Regulation, all machinery spaces of category A shall be fitted with a fixed fire extinguishing arrangement.”.

19. In PART C for the title there shall be substituted:

“PART C—FIRE SAFETY MEASURES IN VESSELS OF 24 METRES IN LENGTH AND OVER BUT LESS THAN 60 METRES”.

20. In Regulation 35, paragraph (1)(b), after the words “propeller is fitted” there shall be inserted the word “, and”.

21. In Regulation 35 after paragraph (1)(b) there shall be added:

“(c) Notwithstanding the provisions of (a) and (b), at least two fire pumps shall always be provided.”.

22. In Regulation 35, paragraph (8), after the words “required by paragraph (7)” there shall be added the words “or 25m³/h, whichever is the greatest.”.

23. In Regulation 40, paragraph (1)(a), for “750kW” there shall be substituted “375 kW”.

24. In Regulation 40 after paragraph (5) there shall be added:

“(6) Notwithstanding the provisions of this Regulation, all machinery spaces of category A shall be fitted with a fixed fire extinguishing arrangement.”.

CHAPTER VII—LIFE-SAVING APPLIANCES AND ARRANGEMENTS

25. In Regulation 1, paragraph (1), for the words “45 metres in length” there shall be substituted the words “24 metres in length”.

26. In Regulation 1, paragraph (2), the words “, or the date of entry into force of the Protocol, whichever occurs later” shall be omitted.

27. In Regulation 5, paragraph (3), for the beginning of the paragraph, there shall be substituted:

“Vessels of less than 75 metres in length but of 45 metres in length and over shall comply with the following:”

28. In Regulation 5 after paragraph (3) there shall be added:

“(3A) Vessels of less than 45 metres in length shall be provided with:

- (a) survival craft of sufficient aggregate capacity to accommodate at least 200% of the total number of persons on board. Sufficient of these survival craft to accommodate at least the total number of persons on board shall be capable of being launched from either side of the vessel; and
- (b) a rescue boat, except where the Secretary of State is satisfied that, because of the size and the manoeuvrability of the vessel, the near availability of search and rescue facilities and meteorological warning systems, the operation of the vessel in areas not susceptible to heavy weather or the seasonal characteristics of the operation, such provision is unnecessary.”.

29. In Regulation 5, paragraph (4), for the words “paragraphs (2)(a) or (3)(a)” there shall be substituted the words “paragraphs (2)(a), (3)(a) or (3A)(a)”.

30. In Regulation 5 after paragraph (6) there shall be added:

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

“(7) Notwithstanding the provisions of paragraphs (2)(b), (3)(b) and (3A), for fishing vessels whose hull is built to comply with the rules of a recognised organisation for operation in waters with heavy drift ice concentration in compliance with Regulation 1 paragraph (2) of Chapter II of the Annex to the Torremolinos Protocol, the rescue boat/lifeboat required in paragraphs (2)(b), (3)(b) or (3A)(b) shall at least be partially covered (as defined in Regulation 18) and shall have sufficient capacity to accommodate all persons on board.”.

31. In Regulation 9, paragraph (1), at the end there shall be added:

“For vessels of less than 45 metres in length, operating in the Southern Region, the number of immersion suits need not be greater than two.”.

32. In Regulation 9 after paragraph (5) there shall be added:

“(6) For vessels operating in the Northern Region, notwithstanding the provisions of paragraphs (1) to (5) an approved immersion suit, of an appropriate size, complying with the provisions of Regulation 25 shall be provided for every person on board.”.

33. In Regulation 10 for paragraph (1)(b) there shall be substituted:

“(b) six lifebuoys in vessels of less than 75 metres in length but 45 metres in length and over.”.

34. In Regulation 10 after paragraph (1)(b) there shall be added:

“(c) four lifebuoys in vessels of less than 45 metres in length.”.

35. In Regulation 13, paragraph (1) shall be read as paragraph (1)(a).

36. In Regulation 13 after paragraph (1)(a) there shall be added:

“(b) However, for vessels of less than 45 metres in length the number of such apparatus may be reduced to two, if the Secretary of State considers the requirement to carry three such apparatus unnecessary taking into account the operation area of the vessel and the number of persons employed on board.”.

37. In Regulation 13, paragraph (2), the words “or the date of entry into force of this Protocol, whichever occurs later” shall be omitted.

38. Regulation 14 shall be read as Regulation 14 paragraph (1) and at the end there shall be added:

“On every vessel of less than 45 metres in length at least one radar transponder shall be carried.”.

39. In Regulation 14 after paragraph (1) there shall be added:

“(2) Notwithstanding the provisions of paragraph (1), for vessels operating in the Northern Region, every lifeboat, rescue boat and life-raft shall permanently be equipped with an approved radar transponder capable of operating in the 9GHz band.”.

40. In Regulation 25 after paragraph (3) there shall be added:

“(4) Notwithstanding the provisions of paragraphs (1) to (3) all immersion suits required under Regulation 9 paragraph (6) shall, as a single unit, be made of material with inherent insulation and shall also comply with the buoyancy requirements of Regulation 24 paragraph (1)(c)(i). All other relevant requirements of Regulation 25 shall also be complied with.”.

CHAPTER X—SHIPBORNE NAVIGATIONAL EQUIPMENT

41. In Regulation 3 for paragraph (7) there shall be substituted:

(a) “(7) In vessels of less than 35 metres where radar is fitted, the installation shall be to the satisfaction of the Secretary of State.

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

- (b) (7) Notwithstanding the provisions of paragraph (a) vessels of less than 35 metres in length operating in the Northern Region shall be fitted with a radar installation to the satisfaction of the Secretary of State. This radar installation shall be capable of operating in the 9 Ghz band.”.

42. In Regulation 5 after paragraph (3) there shall be added:

“(4) In addition to the provisions of paragraphs (1) to (3), every vessel shall, when operating in waters where drift ice may occur, be fitted with at least one searchlight with a lighting capacity of at least 1 lux, measured at a distance of 750 metres.”.