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STATUTORY INSTRUMENTS

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**2004 No. 1713**

**The Fishing Vessels (Working Time:  
Sea-fishermen) Regulations 2004**

**PART 4**

**MISCELLANEOUS**

**Detention and enforcement of detention**

**16.**—(1) Where a relevant inspector is of the opinion that:—

- (a) the requirements of regulation 7 have not been complied with in respect of any worker on a fishing vessel; and
- (b) a hazard to the health or safety of any worker is thereby created,

the fishing vessel may be detained until the worker has had sufficient rest to resume his duties without creating a hazard to the health or safety of any worker.

(2) The power of detention in this regulation may not be exercised unreasonably.

(3) Subject to the modifications in paragraph (4), section 284(1) to (6) and (8) of the Act <sup>M1</sup> (enforcement of detention) applies to a fishing vessel which may be detained under this regulation as it applies to ships which may be detained under the Act.

(4) The modifications referred to in paragraph (3) are –

- (a) the reference in subsection (1)(b) to “any officer of a Minister of the Crown” includes reference to a relevant inspector as defined by these Regulations;
- (b) “competent authority” means the Secretary of State; and
- (c) for the words “this Act” in section 284(6) there shall be substituted “ the Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004 ”.

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**Marginal Citations**

**M1** Section 284 was amended by the Merchant Shipping and Maritime Security Act 1997, Schedule 1, paragraph 5 (c.28).

**Changes to legislation:**

There are currently no known outstanding effects for the The Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004, Section 16.