
STATUTORY INSTRUMENTS

2018 No. 1106

The Merchant Shipping (Work in Fishing Convention) Regulations 2018

PART 1

General Matters

Citation and commencement

1.—(1) These Regulations may be cited as the Merchant Shipping (Work in Fishing Convention) Regulations 2018.

(2) These Regulations, other than regulation 26, come into force on 31st December 2018; regulation 26 comes into force on 30th November 2019.

Interpretation

2. In these Regulations—

“the Act” means the Merchant Shipping Act 1995;

“Convention” or “Work in Fishing Convention” means the convention adopted at Geneva on 14th June 2007 by the International Labour Organisation⁽¹⁾;

“fisherman” means a person, including the skipper, employed, engaged or working in any capacity on board any fishing vessel, but does not include a person solely engaged as a pilot for the vessel;

“fisherman’s work agreement” means a written agreement between a fisherman and another person in respect of the fisherman’s work on board a fishing vessel;

“fishing vessel owner” means the owner of a fishing vessel or any other person such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the vessel from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on fishing vessel owners in accordance with the Convention, regardless of whether any other organisation or person fulfils certain of the duties or responsibilities on behalf of the fishing vessel owner;

“Merchant Shipping Notice” means a notice described as such and issued by the Secretary of State, and any reference to a particular Merchant Shipping Notice includes a reference to a Merchant Shipping Notice amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time;

“skipper” means the person having command of a fishing vessel;

“United Kingdom fishing vessel” means a fishing vessel which is—

(a) a United Kingdom ship within the meaning of section 85(2) of the Act; or

(1) Cm 7375.

- (b) a hovercraft registered under the Hovercraft Act 1968(2).

Application

- 3. These Regulations apply to—
 - (a) a United Kingdom fishing vessel wherever it may be; and
 - (b) a fishing vessel which is not a United Kingdom fishing vessel while that ship is in United Kingdom waters.

Obligation to comply with orders

- 4.—(1) A fisherman must comply with the lawful orders of the skipper regarding health and safety.
- (2) A fisherman who fails to comply with paragraph (1) commits an offence.

Competent authority

- 5. The Secretary of State is the competent authority for the purposes of the Convention.