

Council Directive (EU) 2017/159 of 19 December 2016 implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation, concluded on 21 May 2012 between the General Confederation of Agricultural Cooperatives in the European Union (Cogeca), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises in the European Union (Europêche) (Text with EEA relevance)

- Article 1 This Directive shall implement the Agreement concerning the implementation of...
- Article 2 (1) Member States may maintain or introduce provisions more favourable...
- Article 3 Member States shall determine what penalties are applicable when national...
- Article 4 (1) Member States shall bring into force the laws, regulations...
- Article 5 The Commission shall, after consulting the Member States and the...
- Article 6 This Directive shall enter into force on the day of...
- Article 7 This Directive is addressed to the Member States.
Signature

ANNEX

Agreement concerning the implementation of the Work in Fishing Convention,...

PART 1

DEFINITIONS AND SCOPE

DEFINITIONS

- Article 1 For the purposes of this Agreement: fishing operation means catching,...

SCOPE

- Article 2 (1) Except as otherwise provided herein, this Agreement applies to:...
- Article 3 (1) Where the application of this Agreement raises special problems...
- Article 4 Nothing in this Agreement shall affect any law, award or...

PART 2

GENERAL PRINCIPLES

RESPONSIBILITIES OF FISHING VESSEL OWNERS, SKIPPERS AND FISHERMEN

- Article 5 (1) This Article applies without prejudice to Directive 93/103/EC.

PART 3

MINIMUM REQUIREMENTS FOR WORK ON FISHING VESSELS

MINIMUM AGE

Article 6 (1) This Article applies without prejudice to Directive 94/33/EC.

MEDICAL EXAMINATION

Article 7 (1) No fishermen shall work on board a fishing vessel...

Article 8 Each Member State shall adopt laws, regulations or other measures...

Article 9 In addition to the minimum requirements set out in Article...

PART 4

CONDITIONS OF SERVICE

MANNING

Article 10 (1) Each Member State shall adopt laws, regulations or other...

HOURS OF WORK AND HOURS OF REST

Article 11 (1) (a) Articles 3 to 6 inclusive, 8, and 21...

CREW LIST

Article 12 Every fishing vessel shall carry a crew list, a copy...

FISHERMAN'S WORK AGREEMENT

Article 13 Articles 14 to 18 inclusive apply without prejudice to Directive...

Article 14 Each Member State shall adopt laws, regulations or other measures:...

Article 15 Each Member State shall adopt laws, regulations or other measures...

Article 16 The fisherman's work agreement, a copy of which shall be...

Article 17 Articles 14 to 16 inclusive and Annex I to this...

Article 18 It shall be the responsibility of the fishing vessel owner...

REPATRIATION

Article 19 (1) Each Member State shall ensure that fishermen on a...

PRIVATE LABOUR MARKET SERVICES

Article 20 (1) This Article applies without prejudice to Directive 2008/104/EC.

PART 5

OCCUPATIONAL SAFETY AND HEALTH

FOOD AND ACCOMMODATION

Article 21 (1) Articles 22 to 25 inclusive apply without prejudice to...

Article 22 Each Member State shall adopt laws, regulations or other measures...

- Article 23 Each Member State shall adopt laws, regulations or other measures...
- Article 24 Each Member State shall adopt laws, regulations or other measures...
- Article 25 The laws regulations or other measures to be adopted by...

*HEALTH PROTECTION AND MEDICAL CARE; PROTECTION
IN CASE OF WORK-RELATED SICKNESS, INJURY OR DEATH*

- Article 26 Each Member State shall adopt laws, regulations or other measures...
- Article 27 Each Member State shall adopt laws, regulations or other measures...
- Article 28 Each Member State shall adopt laws, regulations or other measures...
- Article 29 Each Member State shall adopt laws, regulations or other measures...
- Article 30 National law or regulations may permit the exclusion of the...
- Article 31 (1) Each Member State shall take measures to provide fishermen...
- Article 32 Taking into account the characteristics within the fishing sector, the...

OCCUPATIONAL SAFETY AND HEALTH AND ACCIDENT PREVENTION

- Article 33 Articles 34 to 36 inclusive apply without prejudice to Directive...
- Article 34 Each Member State shall adopt laws, regulations or other measures...
- Article 35 (1) The requirements of this Article shall apply to all...
- Article 36 Risk evaluation in relation to fishing shall be conducted with...

PART 6

AMENDMENTS

- Article 37 (1) Subsequent to any amendments to any of the provisions...

PART 7

FINAL PROVISIONS

- Article 38 The signatory parties make this Agreement on condition that it...

ANNEX FISHERMAN'S WORK AGREEMENT

ANNEX FISHING VESSEL ACCOMMODATION

GENERAL PROVISIONS

1. This Annex applies without prejudice to Directive 92/29/EEC and Directive...
2. For the purposes of this Annex:
3. The following shall apply to all new, decked fishing vessels,...
4. The competent authority, after consultation, may permit variations to the...
5. The requirements for vessels of 24 metres in length and...
6. Fishermen working on board feeder vessels which do not have...
7. Member States may extend the requirements of this Annex regarding...

PLANNING AND CONTROL

8. The competent authority shall satisfy itself that, on every occasion...
9. For the occasions noted in paragraph 8, for vessels of...
10. For vessels of 24 metres in length and over, on...
11. When a vessel changes flag to a Member State flag...

DESIGN AND CONSTRUCTION

12. There shall be adequate headroom in all accommodation spaces. For...
13. For vessels of 24 metres in length and over, the...
Openings into and between accommodation spaces
14. There shall be no direct openings into sleeping rooms from...
15. For vessels of 24 metres in length and over, there...
Insulation
16. Accommodation spaces shall be adequately insulated; the materials used to...
17. All practicable measures shall be taken to protect fishing vessels'...
18. Emergency escapes from all crew accommodation spaces shall be provided...

NOISE AND VIBRATION

19. Paragraph 20 applies without prejudice to Directive 2003/10/EC and Directive...
20. The competent authority shall adopt standards for noise and vibration...

VENTILATION

21. Accommodation spaces shall be ventilated, taking into account climatic conditions...
22. Ventilation arrangements or other measures shall be such as to...
23. Vessels of 24 metres in length and over shall be...

HEATING AND AIR CONDITIONING

24. Accommodation spaces shall be adequately heated, taking into account climatic...
25. For vessels of 24 metres in length and over, adequate...
26. For vessels of 24 metres in length and over, with...

LIGHTING

27. All accommodation spaces shall be provided with adequate light.
28. Wherever practicable, accommodation spaces shall be lit with natural light...
29. Adequate reading light shall be provided for every berth in...
30. Emergency lighting shall be provided in sleeping rooms.
31. Where a vessel is not fitted with emergency lighting in...
32. For vessels of 24 metres in length and over, lighting...

SLEEPING ROOMS

General

33. Where the design, dimensions or purpose of the vessel allow,...

Floor area

34. The number of persons per sleeping room and the floor...
35. For vessels of 24 metres in length and over but...
36. For vessels of 45 metres in length and over, the...

Persons per sleeping room

37. To the extent not expressly provided otherwise, the number of...
38. For vessels of 24 metres in length and over, the...
39. To the extent not expressly provided otherwise, a separate sleeping...

40. For vessels of 24 metres in length and over, sleeping...
Other
41. The maximum number of persons to be accommodated in any...
42. Individual berths of appropriate dimensions shall be provided. Mattresses shall...
43. For vessels of 24 metres in length and over, the...
44. Sleeping rooms shall be so planned and equipped as to...
45. For vessels of 24 metres in length and over, a...
46. Sleeping accommodation shall be situated or equipped, as practicable, so...

MESS ROOMS

47. Mess rooms shall be as close as possible to the...
48. Vessels shall be provided with mess room accommodation suitable for...
49. For vessels of 24 metres in length and over, mess...
50. The dimensions and equipment of each mess room shall be...
51. For vessels with a length between perpendiculars (LBP) of 15...

TUBS OR SHOWERS, TOILETS AND WASHBASINS

52. Sanitary facilities, which include toilets, washbasins, and tubs or showers,...
53. The sanitary accommodation shall be such as to eliminate contamination...
54. Hot and cold running fresh water shall be available to...
55. Where sanitary facilities are provided, they shall be fitted with...
56. All surfaces in sanitary accommodation shall be such as to...
57. On vessels of 24 metres in length and over, for...

LAUNDRY FACILITIES

58. Amenities for washing and drying clothes shall be provided as...
59. For vessels of 24 metres in length and over, adequate...
60. For vessels of 45 metres in length and over, adequate...

FACILITIES FOR SICK AND INJURED FISHERMEN

61. In addition to the requirements of Directive 92/29/EEC a cabin...
62. Instead of the requirement laid down in Article 2, paragraph...

OTHER FACILITIES

63. A place for hanging foul-weather gear and other personal protective...

BEDDING, MESS UTENSILS AND MISCELLANEOUS PROVISIONS

64. Appropriate eating utensils, and bedding and other linen shall be...

RECREATIONAL FACILITIES

65. For vessels of 24 metres in length and over, appropriate...

COMMUNICATION FACILITIES

66. All fishermen on board shall be given reasonable access to...

GALLEY AND FOOD STORAGE FACILITIES

67. Cooking equipment shall be provided on board. To the extent...
68. The galley, or cooking area where a separate galley is...
69. For vessels of 24 metres in length and over, there...
70. The containers of butane or propane gas used for cooking...
71. A suitable place for provisions of adequate capacity shall be...
72. For vessels with a length between perpendiculars (LBP) of 15...

FOOD AND POTABLE WATER

73. Food and potable water shall be sufficient, having regard to...
74. The competent authority may establish requirements for the minimum standards...

CLEAN AND HABITABLE CONDITIONS

75. Accommodation shall be maintained in a clean and habitable condition...
76. Galley and food storage facilities shall be maintained in a...
77. Waste shall be kept in closed, well-sealed containers and removed...

INSPECTIONS BY THE SKIPPER OR UNDER THE AUTHORITY OF THE...

78. For vessels of 24 metres in length and over, the...

VARIATIONS

79. The competent authority, after consultation, may permit derogations from the...

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ([OJ L 354, 28.12.2013, p. 22](#)).
- (2) See, inter alia, the judgment of the Court of Justice of 14 January 2010, Commission v Czech Republic, C-343/08, [ECLI:EU:C:2013:423](#).
- (3) [OJ C 369, 17.12.2011, p. 14](#).