
STATUTORY INSTRUMENTS

2018 No. 1106

The Merchant Shipping (Work in Fishing Convention) Regulations 2018

PART 4

Repatriation

Duty to repatriate fishermen

14.—(1) Subject to regulation 16, a fishing vessel owner must make such provision in accordance with this Part as is necessary for the repatriation of a fisherman as soon as is reasonably practicable in any of the following cases—

- (a) where the fisherman's work agreement expires;
 - (b) where the fisherman's work agreement has been terminated by the fishing vessel owner for justifiable reasons;
 - (c) where the fisherman's work agreement has been terminated by the fisherman for justifiable reasons;
 - (d) where the fisherman is no longer able to carry out the fisherman's duties under the fisherman's work agreement or cannot be expected to carry them out in the following circumstances—
 - (i) the fisherman has an illness, injury or medical condition which requires their repatriation when found medically fit to travel;
 - (ii) shipwreck;
 - (iii) the fishing vessel owner is not able to fulfil its legal or contractual obligations to the fisherman following insolvency, the sale of the fishing vessel or a change in the fishing vessel's registration; or
 - (iv) the fishing vessel is bound for a war zone to which the fisherman does not consent to go;
 - (e) where the fisherman has completed the maximum period of service on board following which the fisherman is entitled to repatriation in accordance with the fisherman's work agreement, and, in any event, 12 months after the fisherman joined the fishing vessel; and
 - (f) where the fisherman's work agreement is terminated pursuant to an order of a court or tribunal.
- (2) A breach of paragraph (1) is an offence by the fishing vessel owner.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Work in Fishing Convention) Regulations 2018, Section 14.