
STATUTORY INSTRUMENTS

2018 No. 1108

The Merchant Shipping (Work in Fishing Convention) (Medical Certification) Regulations 2018

Interpretation

2.—(1) In these Regulations—

“approval” means an approval given by the Secretary of State in writing and which specifies the date on which it takes effect, its duration and the conditions (if any) on which it is given, and “approved” has a corresponding meaning;

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

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

“fishing vessel owner” means the owner of the fishing vessel or any other organisation or 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;

“length” means registered length as defined by the Fishing Vessels (Codes of Practice) Regulations 2017⁽¹⁾;

“medical fitness certificate” means a certificate attesting to a person’s fitness to perform the duties which that person will carry out at sea and which is issued under regulation 6 or 11 (whether or not subject to restriction or conditions);

“medical practitioner” means a medical practitioner approved by the Secretary of State to issue medical fitness certificates who is—

- (a) in the case of a practitioner based in the United Kingdom, a registered medical practitioner who meets the criteria specified in Merchant Shipping Notice 1886 (M+F), being criteria which the Secretary of State considers appropriate having regard to the evidence of continuing professional development which such a practitioner must demonstrate in order to obtain a licence to practise; or
- (b) in the case of a practitioner not based in the United Kingdom, is entitled to practise in the country or territory in which that practitioner is based, and whose qualifications are specified in Merchant Shipping Notice 1886 (M+F) as equivalent to those required of a practitioner based in the United Kingdom who is a registered medical practitioner;

“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;

⁽¹⁾ S.I. 2017/943.

“relevant inspector” means any of the persons mentioned in section 258(1) of the Act;

“skipper” means the person having command of the 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

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

(2) In the application of these Regulations to a hovercraft a reference to the skipper includes a reference to the captain of the hovercraft.