



Maritime and Coastguard Agency

Provision of Safe Means of Access to Fishing and Other Small Vessels

Notice to all Harbour Authorities, Owners, Consultants, Builders, Designers, Employers, Skippers and Crews of Fishing Vessels and Other Small Vessels.

This notice replaces MGN 268(M+F)

PLEASE NOTE:-

Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel and you should consider seeking independent legal advice if you are unsure of your own legal position.

Summary

This note:

- Is applicable to all fishing vessels, large and small, in UK and foreign ports.
- Reminds vessel owners and others of the need to ensure that safe means of access are provided to fishing vessels and other small vessels.
- Identifies some of the hazards that may be encountered.
- Advises on protective measures that can be taken to minimise risks

1. Introduction/ Background

1.1 Marine Accident Investigation Branch (MAIB) reports indicate that poor access, including poor lighting, are a cause every year of serious, and sometimes fatal, incidents involving crew members and other persons boarding or leaving fishing and other small vessels whether alongside a quay, jetty, afloat at a mooring; on a slipway, or in a dry-dock.

2. Responsibility

2.1 Primary responsibility for ensuring safe access to any vessel, large or small, rests with the person providing the means of access. This would be the owner and/or skipper of the vessel, when the means of access, e.g. a gangway, forms part of the vessel's equipment. For UK merchant ships, there is a specific duty on the employer to ensure safe access between the ship and the quay or pontoon, as detailed in the Merchant Shipping (Means of Access) Regulations 1988 (SI 1988/1637), as amended.

2.2 Alternatively primary responsibility could rest with the operator of a dock (including a dry-dock), jetty, harbour, pontoon or mooring when the means of access is provided by that shore facility, e.g. a gangway or ladder provided by a harbour or dock (including a dry dock) operator.

- 2.3 There can be situations in which there is dual responsibility e.g. when alongside a high dock wall and the vessel has to provide a means to get to a ladder on the dock wall.
- 2.4 This should not be seen as a hard and fast demarcation of responsibility; ensuring safe access is provided is a concern for everyone who requires access to a vessel.
- 2.5 Seafarers, and others requiring access to vessels, also have their part to play in minimising the risks to themselves. This includes avoiding alcohol, taking a torch and, especially, not taking a leap in the dark.

3. Means of Access

3.1 Generally access will be by:-

- (a) ladder from a quay, wall or pier;
- (b) gangway from a quay, wall or pier or another vessel;
- (c) stepping directly on to the vessel from a quay, wall, pier or another vessel, pontoon; or
- (d) climbing aboard, from a tender, a vessel afloat at a mooring;
- (e) climbing aboard a vessel on a slipway or in dry dock.

All of these methods for gaining access to vessels can be undertaken safely providing appropriate safety measures are taken including those detailed below. In all cases, a safety net should be provided beneath gangways, and a lifebelt with appropriate length of line attached should be immediately to hand at all crossing points.

3.2 Access By Means Of Ladders Fixed To A Quay, Wall Or Pier.

This is a common method of access when tied up to a quay in tidal waters. You should ensure that:-

- (a) the ladder is in good condition and that it extends above the quay side for ease of access;
- (b) the length of climb to reach the top of the ladder is not excessive and safety railings or similar features are provided;
- (c) the ladder is not wet, oily or covered with seaweed or barnacles;
- (d) the vessel's mooring lines allow for the rise and fall of the tide, without leaving a large gap between the vessel and the quayside;
- (e) at high water, there is safe access up the side of the vessel especially where decks are covered-in by shelters with few openings; and
- (f) lighting is adequate.

3.3 By Gangway from a Quay, Wall or Pier or Another Vessel

This is probably the safest method of access but you should ensure:-

- (a) mooring lines are not allowed to go slack,

- (b) the gangway is properly secured;
- (c) stanchions are not allowed to become loose;
- (d) side ropes are replaced before they become old and weak.

3.4 Stepping Directly On To the Vessel from a Quay, Wall, Pier, Another Vessel, Or Pontoon

This is acceptable provided vessels are securely moored and other vessels are moored so that any gap between them is minimal. Measures should be taken to:

- (a) prevent drifting as this can cause vessels to separate creating large gaps to cross;
- (b) stop crossing where vessels taper;
- (c) steps should be taken to provide gangways or other safe means of access between the vessels where tapered crossing is unavoidable;
- (d) avoid on fishing vessels a situation where:
 - (i) there are limited access points due to deck shelters and fishing gear;
 - (ii) the deck shelter tops of adjacent vessels have rounded tops leaving large gaps to cross from shelter to shelter;
 - (iii) access is possible only through shelter deck spaces that are badly lit.

3.5 Vessels on Moorings.

This is acceptable where the vessel being boarded has a fixed, safe boarding ladder and the tender being used can be properly tied up to the vessel to prevent more than slight movement whilst transfer takes place.

3.6 Vessels On A Slipway Or In Drydock

Good quality staging or scaffolding, properly installed by competent and trained personnel and fitted with safe means of access, should be used for maintenance work and inspection.

4. What action to take

- 4.1 The person responsible for providing a safe means of access should, as required by both Merchant Shipping and HSE legislation, carry out a risk assessment to identify potential hazards and implement appropriate safety precautions to mitigate the risk to an acceptable level. Failure to do so could result in potentially dangerous situations occurring.
- 4.2 Wherever possible, the person responsible for the provision of the access should deal with hazards in a way that removes them completely. Where this proves impossible, measures must be taken to minimise the risk by such means as the provision of additional ladders, suitable securing points, handholds and/or the provision of strong and secure scaffolding or staging.

4.3 The Health and Safety Executive is responsible for looking at the safety of dock premises and other land side premises and equipment, including means of access, gangways etc provided by a dock operator or other land based company or body. Any problems that are encountered with docks, quays etc should be reported to the harbour master, port authority or operator. If that fails to produce results the matter should be reported to the local HSE office (Details can be found at www.hse.gov.uk)

5. What may happen if safe access is not provided

5.1 Where no safe means of access is available to a vessel the consequences for the owner/skipper or land authority could be severe. For example:-

- (a) Should an accident occur because a safe means of access was not provided, detention and enforcement action may be taken, and there could be the additional possibility of civil action from the injured party, or the next of kin where death has resulted.
- (b) Enforcement action could be taken, resulting in conviction, a fine or even, in very serious cases, imprisonment.
- (c) In serious cases the vessel may be detained until a proper means of access was provided. This could result in loss of earnings as the vessel would be prevented from leaving port.
- (d) An MCA surveyor, attending to carry out a pre-arranged survey may decline to use a means of access because it is unsafe. Seafarers who find that there is no safe access to board a vessel, should not compromise their own safety by attempting to board using substandard or unsafe access.

More Information

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