

PROPOSED REVISION TO CHAPTER 6 OF 24M AND OVER CODE IMPLEMENTING ILO 188

CHAPTER 6 PROTECTION OF THE CREW

6.1 PROTECTION OF PERSONNEL

6.1.1 General

6.1.1.1 Owners shall have a Duty of Care to ensure that their vessels are operated without endangering the health and safety of the crew and any other persons legitimately on board the vessel.

6.1.1.2 The crew shall be given training and instructions on health and safety matters on board fishing vessels, and in particular, on accident prevention.

6.1.1.3 In accordance with the guidance in MGN XXX (F) or any superseding document, MCA considers that, unless measures are in place which eliminate the risk of fishermen falling overboard, all fishermen must be provided with and must wear, PFDs or safety harnesses. The measures eliminating the risk of Man Overboard must be documented in a written risk assessment. The following is provided as guidance on Personal Flotation Devices and statutory lifejackets:

- i) A vessel is required to carry life-saving appliances (LSA) including lifejackets for all persons on-board through regulation forming part of the "Statutory LSA". These Statutory Lifejackets are of a type designed tested and maintained to a standard appropriate to the vessel type and area of operation. These lifejackets are to provide persons buoyancy in an abandon ship scenario.
- ii) A PFD can be a lifejacket or a buoyancy aid or wearable buoyancy device that provides buoyancy in the water. The intended use of a PFD is to be constantly worn in the case of falling overboard, rather than for intentionally entering the water or survival craft during an abandon ship scenario.
- iii) A statutory lifejacket can be very bulky in nature and cumbersome when worn on deck, however once in the water, they provide a high level of buoyancy for the wearer awaiting rescue after abandoning ship. A PFD can be much smaller and more streamlined such as a waistcoat styled buoyancy aid enabling the user to continue to perform tasks whilst wearing it on deck, with the added level of safety that should they fall overboard, the PFD will offer them added buoyancy and increase the chances of survival.
- iv) In the event of an abandon ship scenario, individuals should, if time permits, remove their PFDs and don the statutory lifejacket provided on the vessel, which will offer them a higher level of buoyancy than their PFD and a greater chance of survival.
- v) A lifeline and harness attaching the person to the vessel may be worn while on deck, instead of or in addition to the PFD.

6.1.2 Risk Assessment

6.1.2.1 The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 or any superseding document require suitable and sufficient assessment of the risks to the health and safety arising in the normal course of their activities or duties. Guidance on these regulations and on the principals of risk assessment is contained in a Marine Guidance Note (currently MGN 20 (M&F)) or any superseding document.

6.1.2.2 A risk assessment is intended to be a careful examination of the vessels procedures or operations which could cause harm, so that decisions can be made as to whether adequate

control measures are in place to reduce those risks to an acceptable level or whether more shall be done.

- 6.1.2.3 The assessment shall first identify the hazards that are present and then establish whether a hazard is significant and whether it is already covered by satisfactory precautions to control the risk, including consideration of the likelihood of the failure of those precautions that are already in place.
- 6.1.2.4 The health and safety risk assessment must also be reviewed regularly, (at least annually) to ensure that it remains appropriate to the vessel's fishing method and operation. If there has been a change of fishing method or of operational practice, the assessment must also be reviewed accordingly.
- 6.1.2.5 Risk assessments are particular to each vessel. When a vessel is sold, the new owner must complete, or arrange the completion of, a new risk assessment and self-certification.
- 6.1.2.6 All members of the crew shall be informed of all measures to be taken regarding health and safety on board the vessel. Such information must be easily understood and promulgated for all to see by the persons concerned. All members of the crew must sign aforementioned Risk Assessment to agree it has been understood.
- 6.1.2.7 Where risks to the health and safety of the crew cannot be prevented or sufficiently controlled by collective or technical means of protection, they must be provided with personal protective equipment.
- 6.1.2.8 Personal protective equipment in the form of clothing or over clothing shall be in bright colours, contrasting with the marine environment and clearly visible. Reference must be made to The Merchant Shipping and Fishing Vessels (Personal Protective Equipment) Regulations 1999, No 2205, MSN 1870 and MGN 331 or any superseding document.