



IMPLEMENTATION OF THE ILO WORK IN FISHING CONVENTION (ILO 188)

PHASE IN PERIODS

The regulations implementing ILO 188 are expected to come into force later this year, subject to final ministerial approval and parliamentary process. The provisions of ILO 188 will be phased in and expected dates for each provision is below. MCA surveyors will work closely with the fishing industry during the first year to help the industry work towards full compliance.

The MCA will publish a set of guidance notices for information once the Regulations are made. Advance information will be published on www.gov.uk, but this information is subject to change as the Regulations are finalised. It is the responsibility of the fishing vessel owner to check the final requirements.

Date	Regs in force	Guidance	Additional comments
31 December 2018	Minimum Age Requirements Employment of young persons including nightwork	MSN 1882 Min Age and H&S Protection for young persons	
31 December 2018	Safemanning and Hours of Rest	MSN 1884	Reporting by Exceptions where a safety management system is in place to demonstrate compliance.
31 December 2018	Crew Lists for over 45m vessels	MSN to be developed to replace MGN 577	This is an existing requirement
31 December 2018	Fishermen's Work Agreements (FWA) for employed and share fishermen	MGN 583	Model agreement will be published in MGN.
31 December 2018	Repatriation requirements	MGN 584	
31 December 2018	Payment requirements	See MGN 585	
31 December 2018	Accommodation (existing vessels and new builds already planned or under construction when	FV Revised Codes MSN 1871 MSN 1872 MSN 1873	Will have to meet the code standards for existing vessels immediately. MCA surveyors will work

	the new regulations come into force)		with owners to agree any changes required for compliance
31 December 2018	Accommodation(new builds planning agreed after the regulations come into force)	FV Codes MSN 1871 MSN 1872 MSN 1873	Build to ILO 188 standards
31 December 2018	Extension of existing health and safety regs to share Fishermen	MGN 587 & MGN 588	
31 December 2018	Duty of care, Procedures for prevention of accidents etc, wearing appropriate PPE on board – (new for self employed share fishermen), Wearing of PFDs unless a satisfactory alternative method has been identified through a written risk assessment, Risk assessment for Health and Safety.		
31 December 2018	Health Protection and medical care	MGN 582	Existing requirement for employed fishermen under MSA s45
30 November 2019	Manning requirements for FV over 24m in length and fishing vessels of any size at sea for more than 72 hours	MSN 1884	
30 November 2019	Crew lists to be left ashore for fishing vessels less than 45min length	MSN to be developed to replace MGN 577	
30 November 2019	Compulsory financial security requirements for sickness, injury and death	MGN 582	

Surveys and Certificates of Compliance

ILO 188 Inspections will begin once the Regulations are made and will be synchronised with the existing survey and inspection regime, including those for over 24m vessels leading to a certificate of compliance. Phase in period of approx. 2-3 years

Medical Certification

Guidance for medical examination and certification will be published.

- MSN 1886 Medical and eyesight standards (with M+F)
- MSN 1883 Medical examinations for fishermen
- MSN 1815 Amendment [2] List of equivalent medical certificates; and
- MIN 575 Grandfather rights.

The provisions for medical certification will be phased in as follows:

	VESSEL	OPERATING PATTERN	DATE MEDICAL CERTIFICATE REQUIRED	NOTES
1.	FV of any length	Subject to inspection in a foreign port	31 May 2019	ENG 1
2.	FV 24m in length or over	At sea for more than 7 days	31 May 2019	ENG 1
3	FV 24m in length or over to which 1 & 2 do not apply		30 November 2019	ENG 1
4	FV under 24m in length ²	At sea for more than 72 hours	30 November 2019	ENG 1
5	FV under 24m in length	Operating more than 200 miles from the coastline of the UK or beyond the Continental shelf	30 November 2019	ENG 1
6.	FV under 24m in length to which 1., 4. and 5. do not apply		30 November 2023	ENG 1/ML5 ^{1,2}

¹ Any holder of a CoC for a vessel of 16.5m or more requires an ENG 1.

² Fishermen working on FV operating in categorised waters on any vessel under 24m can use an ML5 as an alternative to an ENG 1