



FISHING VESSELS: Pre-Registration surveys for Fishing vessels of less than 15m Length Overall built before 16 July 2007 and existing vessels of 15m Length overall to less than 24m Registered Length wishing to join the UK Register

Notice to all Designers, Builders, Certifying Authorities, Classification Societies, Agents, Brokers, Owners, Employers, Skippers and Crew of Fishing Vessels

This notice should be read with The Fishing Vessel (Codes of Practice) Regulations 2017 No.943, MSN1871 (F) The Code of Practice for the Safety of Fishing Vessels of less than 15m Length Overall, MSN1872 (F) The Code of Safe Working Practice for the construction and use of Fishing Vessels of 15m Length Overall to less than 24m Registered Length, MGN 628 (M&F) Construction Standards for Fishing Vessels of less than 15m Length Overall, MGN 629 (M&F) Construction Standards for Fishing Vessels of 15m Length Overall to less than 24m Registered Length and MIN608 (M&F) MCA New Build Fishing Vessel Procedures from 21 July 2020

Summary

MSN 1871, as maybe amended, allows vessels of less than 15m Length Overall (LOA) built before 16 July 2007 to be considered by the Maritime and Coastguard Agency (MCA) for Registration as fishing vessels. As part of the process MCA requires evidence that such vessels are safe and suitable for commercial fishing.

Until 31 December 2020, MCA Authorised Surveyors will continue to be able to conduct Registration Surveys but from 21 July 2020 Fishing Vessel Certifying Authorities will now also conduct Pre-Registration Surveys of vessels of less than 15m LOA and this Notice sets out the processes now in place to deal with vessels wishing to Register as fishing vessels.

This Note also states that existing vessels of 15m LOA to less than 24m Registered Length wishing to join the Register may also, on a case by case basis, undergo the Pre-Registration Survey and the Note sets out the processes in place for this size of vessel



1. Introduction

- 1.1 Fishing is a dangerous industry with the rate of fatalities being approximately 100 times higher than that of the UK's general workforce. MSN 1871 The Code of Practice for the Safety of Fishing Vessels of less than 15m Length Overall (LOA) and MSN1872, The Code of Safe Working Practice for the Construction and Use of Fishing Vessels of 15m LOA to less than 24m Registered Length (L) require that vessels must meet a minimum standard of construction and outfit, if they wish to become a fishing vessel.
- 1.2 With Seafish ending their Marine Survey service, the MCA has now republished the Seafish Construction Standards as MGN 628 (M&F) – Fishing Vessel Construction Standards for Fishing Vessels of less than 15m LOA and MGN 629 (M&F) – Construction Standards for Fishing Vessels of 15m LOA to less than 24m L.
- 1.3 MSN 1871, requires that all vessels built on or after 16 July 2007 must be constructed, surveyed and certificated to the approved Fishing Vessel Construction Standards of Certifying Authorities or the Construction Rules of the United Kingdom (UK) authorised Classification Societies (Class) as equivalent construction standards for fishing vessels. MGN 628 meets the requirements of the approved Fishing Vessel Construction Standard of a Certifying Authority.
- 1.4 MSN 1871 allows vessels built before 16 July 2007 to be registered as commercial fishing vessels provided that applicants can demonstrate by survey that the construction standard and condition of the vessel is satisfactory. This requirement was previously supported by Seafish, and then subsequently by Authorised Surveyors appointed by the MCA a condition being that they were authorised SEAFISH surveyors. The Survey Comparison Report was then examined by MCA registration (sometimes after requiring the applicant to address any areas of concern deemed necessary) was either permitted or refused dependent on the findings of the report.
- 1.5 This system is designed to ensure that vessels are suitable for commercial fishing and comply with an appropriate standard and that there will not be any technical or commercial advantage from potential owners adopting a lesser standard.
- 1.6 Until 31 December 2020, MCA Authorised Surveyors will continue to be able to conduct Registration Surveys using the process set out in Section 4 below. MCA Authorised Surveyors will set their own fees, forward Registration Survey Comparison Reports direct to MCA and oversee any additional work required by MCA.
- 1.7 Any outstanding work on vessels being conducted by MCA Authorised Surveyors at 31 December 2020 may continue to be overseen by the Authorised Surveyor until the vessel is accepted on to the Register or rejected.

2 Policy – Fishing Vessels of less than 15m LOA built before 16 July 2007

- 2.1 From 21 July 2020 to ensure that vessels continue to comply with a suitable standard and do not gain any technical or commercial advantage, new arrangements have been put in place. Vessels of less than 15m LOA which are not currently registered as fishing vessels and which are verified as being built before 16 July 2007, seeking to register as such, will continue to be surveyed, as far as is practicable, in comparison with the requirements of MGN 628. The Pre-Registration Survey Comparison Report will be supplied direct to the MCA for consideration.



- 2.2 Before purchasing a vessel the potential applicant is recommended to assess the vessel using the Matrix at Annex 1. This matrix is a guide only. If you identify a vessel you wish to purchase, you can use the matrix to calculate a point score for the vessel before you make a purchase. This matrix gives an indication of the construction standard of the vessel. The lower the number of points your vessel scores more likely it is to be registered as meeting the necessary standard.
- 2.3 Please note the Matrix is **NOT** used by the MCA as part of the process of considering the vessel for Registration, the decision of the MCA is based solely upon the Pre-Registration Survey Comparison Report. The purpose of this Report is to establish that the vessels construction standard is equivalent to the requirements of MGN628 and that it has been adequately maintained over time. The Matrix is therefore not a guarantee of either refusal or acceptance for Registration, it is solely for the potential purchaser to use as a guide for choosing a vessel.
- 2.4 Once the applicant has identified a vessel they wish to Register, they should contact a Fishing Vessel Certifying Authority (FVCA) which has an agreement with the MCA to conduct Pre-Registration Surveys. A list of Fishing Vessel Certifying Authorities which have signed agreements with the MCA is available from [web address] or by calling 0203 81 72452. The applicant should then contact a Fishing Vessel Certifying Authority to arrange a survey.

3.0 Fishing Vessels of 15m LOA to less than 24m (L)

- 3.1 MCA have now also resumed the work relating to the Construction and Outfit Standards of Fishing Vessels of 15m LOA to less than 24m L. New build work will be exclusively overseen by MCA, see MIN 608 for further details.
- 3.2 MSN1872 The Code of Safe Working Practice for the Construction and Use of Fishing Vessels of 15m LOA to less than 24m L, as maybe amended, sets out the following requirements for existing vessels wishing to flag in.

1.3.13 Standards for Vessels “Flagging-in” to UK Registration

1.3.13.1 *New vessels shall comply with the provisions of the Code wherever the place of construction or origin.* **N**

1.3.13.2 *Vessels flagging in will be treated as being new vessels.*

1.3.13.3 *Before purchasing and applying to register an existing vessel in the UK, owners are advised to consider the consequences of compliance with the Code. Owners are recommended to seek early advice from their technical consultants and MCA prior to making any commitment for registering a vessel that has not been constructed under the survey of a Classification Society or other organisation with delegated powers granted by a Marine Administration. Vessels will be considered for compliance with the Code for the purposes of UK registration on the following basis:*

- (i) *The vessel is registered as a fishing vessel in a British Crown Dependency (i.e. Isle of Man and Channel Islands); or*
- (ii) *The vessel is certified as being in Class; or*



- (a) *the owner is able to demonstrate, to the satisfaction of MCA, that the vessel's structural strength, equipment and machinery are adequate for the intended purpose by meeting Seafish Construction Rules or Classification Society Standards; and*
- (b) **a verifiable record of safe operation for the intended mode of fishing can be provided by the vessel owners.** *E*

1.3.13.4 *The Vessel will be assessed against a Flag in Matrix, prior to acceptance on the UK Flag. Depending on the outcome of the assessment, the vessel will either be Flagged in by MCA through survey, have a Pre Flag Inspection by MCA prior to flag in Survey or referred to the Flag in Panel for a decision.*

- 3.3 With the Seafish Standards for fishing vessels of 15m LOA to less than 24m L now being republished as MGN629 (M&F), MCA will, on a strictly case by case basis, allow for Pre- Registration Surveys of vessels of 15m LOA to less than 24m L to be conducted by the FVCA.
- 3.4 Pre-Registration Surveys of vessels of 15m LOA to less than 24m L must not commence without MCA approval. Failure to do so may lead to refusal of registration.

4.0 Survey Process – All Vessels

- 4.1 Fishing vessels of less than 15m LOA which leave the Register (and must still be marked with the Official number) for a period of six months or more will be treated as new registrations and it will be necessary to confirm compliance with the applicable standards as set out in this MGN, and MGN 628 as far as this is practicable, before these vessels can be re-registered and re-certificated by the MCA.
- 4.2 Fishing Vessels of 15m LOA and over, if they leave the Register will be treated as new vessels if they apply for Registration and must comply with the applicable standards as set out in this MGN and MGN629.
- 4.3 Wooden hulls sheathed in GRP will not be accepted for Registration.
- 4.4 The applicant (e.g. owner or builder) will be responsible for all costs associated with work undertaken to demonstrate compliance with the relevant construction and outfitting standards. Fees for Pre-Registration Survey work will be set by the FVCA.
- 4.5 Fees for MCA work reviewing the Comparison Report will be charged at the rate set out in the Merchant Shipping (Fees) Regulations 2018, as may be amended.
- 4.6 When presenting the vessel for a survey, a number of Conditions must be complied with. These include, but may not be limited to:
- The vessel is to be presented in a complete and operational state.
 - Work or operations are not to be in progress during the survey unless requested (e.g. bilge alarms, hydraulic emergency stops etc.).
 - The vessel is to be out of water. This can include:
 - On a slip way



- Hard standing
 - On a trailer
 - On the beach (providing a reasonable survey of the hull is possible)
- Safe access is to be provided by the applicant or their representative.
 - Prior to survey bilges are to be empty and clean.
 - Prior to survey stores and equipment are to be removed from all areas restricting access to the internal hull structure.
 - Prior to survey and where possible, linings are to be removed for access to the hull structure.
 - Where ultrasonic tests are required (aluminium & steel vessels) the applicant or their representative is to provide adequate and safe means of access around the whole external perimeter of the vessel, including the provision of adequate and safe staging where necessary to assess hull plating to deck level.

Note: Where the attending surveyor deems the vessel unsafe/unfit for survey, or inadequate equipment/arrangements have been provided for access by the applicant or their representative, then the surveyor may decline to survey the vessel and further fees may be incurred for re-attendance.

- 4.7 Once the Pre-Registration Survey has been completed, the FVCA will forward a copy of the Pre-Registration Survey Comparison Report to the applicant and an MCA Consultant Surveyor. The Comparison Report will identify where the vessel does and does not meet the appropriate Standards.
- 4.8 The applicant must also sign a Declaration confirming that when presenting this vessel for MCA Inspection, they shall present the vessel in the same condition as it was presented for the Pre-Registration Survey, with the exception of addressing any deficiencies identified in the Pre-Registration Survey Comparison Report and that they will obtain prior approval from the MCA for any other modifications to the vessel before making those modifications
- 4.9 The MCA will review the Report and the resultant action may follow three paths:
- .1 the MCA will accept the Report and, subject to an Inspection against the relevant Code of Practice, agree to Register the vessel
 - .2 refuse to Register the vessel: or
 - .3 require additional work to be undertaken on the vessel to bring the vessel up to the required standard to be Registered. When additional work is required and before accepting the vessel meets the required standard, the MCA may, depending on the nature of the required work, either:
 - .1 accept the applicant's confirmation that the work has been undertaken; or
 - .2 require the work to be overseen by Fishing Vessel Certifying Authority Surveyor and confirmation received that the work has been completed to the standard required.



- 4.10 Once the Pre-Registration Survey Comparison Report has been accepted by the MCA, the vessel must still undergo the following:
- For fishing vessels of less than 15m LOA, an Inspection against MSN1871 as maybe amended be issued a Small Fishing Vessel Certificate before it can be Registered as a Fishing Vessel; or
 - For fishing vessels of 15m LOA to less than 24m L, a survey against MSN1872 as maybe amended be issued a United Kingdom Fishing Vessel Certificate before it can be Registered as a Fishing Vessel.
- 4.11 The MCA, on Inspection or survey of the vessel against MSN 1871 or MSN1872, may refuse to Register the vessel if the vessel condition does not match the details set out in the submitted Report. In such circumstances, a new Pre-Registration Survey Comparison Report may be requested.
- 4.12 Any vessels that are presented for inspection or survey with modifications undertaken after the completion of the Pre-Registration Survey Comparison Report, may be refused Registration and requested to undergo a new Pre-Registration Survey.

5. Certification

5.1 Only vessels which are deemed to meet the equivalent standards will be accepted for registration. Vessels which fail to meet the equivalent standards will not be registered.

5.2 MSN 1871, Section 3.7 states:

3.1 *Substantial modifications, either funded through grants or other means, or alterations affecting the vessel's dimensions, structure or stability, the removal or repositioning of machinery or engines, changes in the vessel's mode of fishing and/or its gear or the fitting of additional equipment shall be investigated, prior to making any changes, to ensure that the vessel will continue to comply with the required stability criteria. In addition, such modifications or alterations to any vessel shall only be carried out after consultation and with the approval of the MCA.*

5.3 Section 3.5 of MSN1871 than states

the MCA may cancel a Small Fishing Vessel Certificate if satisfied that the vessel has been substantially modified or altered or changed its mode of fishing without due authorisation by the MCA

5.4 Section 1.3.3.5 of MSN1872 also states:

Substantial repairs, modifications, either funded through grants or other means, or alterations carried out to the structure or machinery of a vessel, shall only be undertaken after consultation and with MCAs approval to ensure it complies with the requirements of this Code, as applicable to a new vessel, to the satisfaction of MCA.

5.5 Section 1.8.3.4.1 of MSN 1872 relating to Cancellation of certificates also says:

(iv) that the vessel has been significantly modified or changed its mode of fishing without due authorisation;



5.6 In line with MSN1871, Section 3.1.5.1 of MSN1872 also states:

Modifications or alterations affecting the vessel's structure, the removal or repositioning of equipment, changes in the vessel's mode of fishing and/or its gear or the fitting of additional equipment shall be investigated, prior to making any changes, to ensure that the vessel will continue to comply with the required stability criteria. In addition, such modifications or alterations shall only be carried out after consultation and with the approval of MCA.

5.7 Therefore for all vessels of less than 24m L undergoing the Pre-Registration Survey process, all applicants must not make any changes to the vessel's mode of fishing without the approval of the MCA. The Small Fishing Vessel Certificate or United Kingdom Fishing Vessel Certificate issued to the vessel may include any conditions considered necessary, such as restrictions on the type of fishing or area of operation.

More Information

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Annex 1

Risk Assessment Matrix Scoring System – Fishing Vessels of less than 15m LOA

Vessel Name			
Owner			
Fishing No			
FACTOR	CRITERIA	POINTS	SCORE
Hull material	Steel	0	
	Aluminium	20	
	FRP/GRP	30	
	Wood	30	
	Other	40	
Registered length	Under 7m	10	
	7m to 15m	5	
Year of build	Built before 16 July 2007 and <20 years since build	10	
	Built before 16 July 2007 and between 20 and <25 years since build	20	
	25 years or more since build	100	
Mode of fishing Under 7m	Potter/Netter/Lining	30	
	Trawler/dredger	100	
Mode of fishing 7m to 15m	Potter/Netter/Lining	30	
	Trawler/dredger	40	
Certification- Under 7m	Seafish certificate	0	
	Class rules	0	
	CE recreational craft directive. A&B	40	
	ISO 12215 and ISO 12217	40	
	CE recreational craft directive. C&D	100	
	None of the above	100	
Certification- 7m to 15m	Seafish certificate	0	
	Class rules	0	
	CE recreational craft directive A&B	50	
	ISO 12215 and ISO 12217	50	
	CE recreational craft directive. C&D	100	
	None of the above	100	
Stability	Full Stability	Minus 50	
	Survivability	Minus 20	
		Total	

