Annex A

Non UK Beneficially Owned Fishing Vessels - Background to the Development of the Anglo/Spanish Fishing Fleet

Non UK Beneficially Owned Fishing Vessels – Background to the Development of the Anglo-Spanish Fleet

At the end of 2006 the Spanish owned UK fishing fleet comprised 61 vessels. Most vessels fish within EC waters where they target shark species, hake, anglerfish and megrim. However, some owners are active in looking for alternative fisheries in third country waters such as Brazil and Namibia.

The first Spanish owned vessels joined the UK register in 1979/80 before Spain had joined the EU. The fleet expanded after 1982/3 with the introduction of the Common Fisheries Policy which restricted Spain's access to its traditional fisheries and gave the UK access to quotas which Spanish vessels had traditionally targeted.

There was initial resentment towards the sector, which resulted in Spanish owned vessels being removed from the sector under the Merchant Shipping Act 1988 and then a landmark European Court Judgment case called "Factortame" which established the precedence of EU law over UK law and saw the return of most of these vessels to the UK register.

Since then, relations between the Spanish owned sector and other UK fishermen and UK Fisheries Administrations have steadily and significantly improved. Members of the Spanish owned sector are integrated into UK fishermen's organisations and have been active in resolving problems affecting other UK fishermen (e.g. shortage of VII nephrop quota for NI fishermen). They provide valuable advice and help to Fisheries Administrations.

Individual Spanish owned vessels provide benefits to the UK through compliance with the economic link, which they do either through landings into the UK or by quota contributions to the 10 metre and under fleet. The latter has been invaluable in enabling inshore fisheries to be sustained.

Annex B

Declaration by the Captain on Sailing and translation of Section 26 - Certificates and Other Documents (*Shark*)

DECLARACIÓN GENERAL DEL CAPITÁN

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PESCADO 10.834 Kg.			
25.Otras operaciones en puerto (indicar):			
28. CERTIFICADOS Y OTROS DOCUMEN	ros	-	
El Capitén del citado buque DECLARA además que todos los Certificados y docume el buque en cumplimiento de los Conventos SOLAS 74/78, MARPOL 73/78, Memo del Puerto (MOU-PSC) y los demás Certificados y documentos que puedan ser ex de buque, se encuentran a bordo y en vigor y su validez se extiende, como mínimo puerto de destino.	randum de Ei Igidos legalme	ntendimiento para el ente en función del ti	Control po o clase
27. OBSERVACIONES	**		
(indicar alguna observación, si procede, sobre la caducidad de los di	stintos cert	ificados)	
A bordo, en el puerto de: A CORUNA Firma	y sello del C	Capitán	
Fecha: 04/01/08 Esta declaración está basada en el "Convenio para Facilitar el Tráfico Mar			

GENERAL STATEMENT BY THE CAPTAIN

1. Name of the vessel	2. Registration N°	3. Name of the captain
SHARK	A21134	_

26. CERTIFICATES AND OTHER DOCUMENTS

The Captain of the aforementioned vessel also DECLARES that all the certificates and documents which it is obligatory for the vessel to carry, in accordance with the SOLAS 74/78 and MARPOL 73/78 conventions and the Memorandum of Understanding on Port State Control (MOU-PSC), and other certificates and documents which might be legally required depending on the type or class of vessel are on board, in force and will be valid until the date of arrival at the next port of destination.

Translated version of the Safety Plan (Shark)

EMERGENCY PLAN SARK

GFYU

INTERMITTENT RINGS ALARM BELL FIRE THE CAPTAIN GIVES THE ORDER TO ABANDON THE VESSEI

ACCESS LIFERAFTS ALARM

LONG BLAST BELL/WHISTLE

GENERAL EMERGENCY ALARM ONE LONG WHISTLE REPEATED WITH THE WHISTLE/BELL SEVEN SHORT WHISTLES FOLLOWED BY

ACCESS LIFERAFTS INSTRUCTIONS

UPON HEARING THE SIGNAL ALL CREW MEMBERS MUST MAKE THEIR WAY TO THE UPPER STERN BRIDGE WITH LIFE JACKET AND WARM CLOTHING.

CREW MEMBERS WHO HAVE NOT BEENASSIGNED SPECIFIC DUTIES SKIPPER MUST AWAIT ORDERS FROM THE

INFORM OF ANY MISSING CREW MEMBERS THE LAUNCHING OF THE LIFERAFT WILLBE MANOEUVRED UNDER SKIPPER'S ORDERS DURING DRILLS THE CREW WILL MAKE THEIR WAYTO THE MEETING POINT WEARING LIFE JACKETS. IN THE EVENT OF ABANDONING THE VESSEL ALL CREW MEMBERS WILL DO SO WEARING A LIFE JACKET AND WARM CLOTHING **LOCATION OF EQUIPMENT** RADIO BEACON MAIN DECK VHF RADIO TELEPHONES, DISTRESS SITUATED ON THE BRIDGE LIFEBUOYS BRIDGE SIDES LIFE JACKETS IN CABINS SPARE LIFE JACKETS BRIDGE RESCUE BOAT STERN BRIDGE LIFE BOATS MAIN DECK LIFERAFT No. 1 STARBOARD 20-SEAT LINETHROWERS, TRANSPONDER ROCKETS WITH PARACHUTES.

LIFERAFT No. 2 PORT 20-SEAT

LIFERAFT 2 LIFERAFT 2 LIFERAFT 2 LIFERAFT 2 LIFERAFT 2 LIFERAFT 2 LIFERAFT LIFERAFT LIFERAFT LIFERAFT LIFERAFT LIFERAFT LIFERAFT LIFERAFT LIFERAFT LIFERAFI TAKES CHARGE OF LAUNCHING LIFERAFT FERAFT LOADS WATER AND WARM CLOTHING LOADS WATER AND WARM CLOTHING ACCESS LIFERAFTS-RESCUE BOATS DUTIES OF LAUNCHING L. ON DECK READY FOR BOARDING LAUNCHES LIFERAFT 2 LAUNCHES LIFERAFT LAUNCHES LIFERAFT LAUNCHES LIFERAFT CHARGE GIVES ORDERS TAKES NAME ENGINEERING OFFICER 2ND MECHANIC BOATSWAIN 2nd SKIPPER SEAMAN 10 SEAMAN 3 **SEAMAN 4** SEAMAN 6 SEAMAN 9 SEAMAN 2 **SEAMAN 5** SEAMAN 8 SEAMAN 7 SEAMAN 1 SEAMAN POSITION SKIPPER COOK

2ND SKIPPER WILL TAKE THE PLACE OF THE SKIPPER IF NECESSARY. IF ONE THE LIFERAFTS FAILS ALL CREW MEMBERS WILL BOARD THE OTHER. OTHER CREW MEMBERS WILL CARRY OUT THE ABOVE ACTIONS ACCORDING TO THE ESTABLISHED HIERARCHICAL ORDER.

WHATEVER ITS SIZE. ATTEMPT TO SUFFOCATE COMPLETELY CUT-OFF VENTILATION TO LIMIT IF YOU DISCOVER A FIRE, RAISE THE ALARM IF IT IS NOT POSSIBLE TO PUT THE FIRE OUT, WHEN THE ALARM SOUNDS ALL CREW THE FIRE USING THE EXTINGUISHERS. INSTRUCTIONS IN CASE OF FIRE PROPAGATION.

UPPER DECK TO AWAIT FURTHER INSTRUCTION MEMBERS MUST MAKE THEIR WAY TO THE GROUP INTERVENTION 2ND SKIPPER'S 2ND ONCE THE FIRE IS CONTAINED IN COMMAND.

WHERE THERE IS SMOKE, WEAR PROTECTIVE DO NOT OPEN DOORS OR HATCHES IN AREAS IF THE VESSEL IS IN PORT NOTIFY THE GARMENTS AND CARRY MEANS OF FIRE BRIGADE IMMEDIATELY. EXTINGUISHING THE FIRE.

ASSIGNED DUTIES BY THE SKIPPER SHOULD CREW MEMBERS WHO HAVE NOTBEEN KEEP THE EMERGENCY EXITS CLEAR.

FISHING DECK CENTRE STERN LOCATION OF EQUIPMENT FIRE HOSES AND COUPLINGS UPPER DECK PORT STERN ENGINE ROOM FIREFIGHTING EQUIPMENT PORT STERN AISLE

PORT BOW

FOAM EXTINGUISHER 45 L ENGINE ROOM CO2 MACHINES PORT STERN BRIDGE **EXTINGUISHERS DISTRIBUTED** STARBOARD BOW ENTRANCE

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INSTRUCTIONS EMERGENCY CALL ALWAYS UNDER SKIPPER'S ORDERS	GROUP 4 MAINTENANCE 2 ND SKIPPER ENGINEERING OFFICER BOATSWAIN SEAMAN 1	DUTIES UNDER SKIPPER'S ORDERS MONTHLY INSPECTION EMERGENCY EQUIPMENT DRILL PREPARATION REPAIR ABNORMALITIES RECORD IN NAVEGATION LOG
COMMUNICATIONS USE VHF AND TELEPHONY RADIO BEACON TRANSPONDER RADARS	SUPPORT GROUP ON DECK SEAMAN 7 SEAMAN 8 SEAMAN 11 COOK	DUTIES UNDER SKIPPER'S ORDERS PREPARE TO LAUNCH LIFE BOATS TAKE EMERGENCY EQUIPMENT WATER AND SUPPLIES
	RESCUE GROUP ON DECK BOATSWAIN SEAMAN 4 SEAMAN 5 SEAMAN 6	UNDER SKIPPER'S ORDERS HANDLE EXTINGUISHERS ACCOMMODATIONS SUPPORT GROUP 2 USE FIREFIGHTING EQUIPMENT FOR RESCUE. CLOSE GATES WATERTIGHT DOORS SHAFTS
SKIPPER DUTIES IN CASE OF FIRE	GROUP 3 ENGINE ROOM ENGINEERING OFFICER 2 ND MECHANIC SEAMAN 9 SEAMAN 10	DUTIES TO PREPARE MAIN FIRE PUMP, HANDLE EXTINGUISHERS, DISPERSE CO2. TO PREPARE EMERGENCY PUMP CUT OFF VENTILATION SHUT-OFF FUEL VALVES
BRIDGE SKIPPER IN COMMAND 2ND SKIPPER IN CHARGE OF COMMUNICATIONS	GROUP 2 FIRE BRIGADE 2 ND SKIPPER SEAMAN 1 SEAMAN 2 SEAMAN 3	DUTIES TO PREPARE FIRE HOSES AND LINETHROWERS TO ATTEND AREA OF FIRE TO EXTINGUISH
INSTRUCTIONS ALL CREW MEMBERS MUST KNOW THE DETAILS OF THE SAFETY PLAN [ILLEGIBLE] PERSONAL DUTIES	GROUP 1 MAN OVERBOARD SKIPPER 2 ND SKIPPER BOATSWAIN ENGINEERING OFFICER SEAMAN 1	SKIPPER IN CHARGE ENGINEERING OFFICER ENGINE ROOM FOR MANOEUVRE ON DECK SECOND SKIPPER BOATSWAIN SEAMAN 1 READY TO HANDLE LIFEBUOYS, LIGHTS, FLAGS AND JACK LADDER

MCA Inspection Report dated 24 January 2008 (Shark)



REPORT OF INSPECTION* AND/OR-SURVE

Of *United Kingdom / *Bependent-Territory or *Foreign Vessel

(*delete as appropriate)

Maritime and Coastguard Agency HQ, Inspection Branch - 105 Commercial Road, Southampton, 5O15 1EG - United Kingdom MCA Copy Tel: +44 (0)2380 329100 Fax: +44 (0)2380 329104 3. Flag of Ship: 2. Name of Ship: SHARK UK. 5. Call Sign: GEYV 4. Type of Vessel: 6. IMO: 6a. UK Official No: 7. GT: 7a. DWT: (tankers) 4a. UK Class: 6d Length (m): 962 76. KW: 47 9 6b. FV No: " 30.22 8. Year of Build: 10. Place of Inspection: 9. Date of Report: 24-1-08 Inspection NO 12 3a. Classification Society: 3b. & c, Company Details (Name, Address, Unique (Company DOC No), Tel/Fax (to be taken from ISM certificates, where applicable) CHENERIC ENTERPRISES LTD 15 DUNCAN TERRACE LONDON N18BZ 11. Relevant Certificate(s) b) Issuing Authority c) Dates of Issue **Expiry Date** a) Title 12-12-2004 20-7-2008 MCA 21-3-61. 4. 5. 6. 9. 10. 11. d) The information below concerning the last annual or intermediate survey shall be provided Surveying Authority Port Country 2. 3. 5. 6. 7. a. 9. 10. 11. YES VA If yes see attached FORM B NO D 12. Deficiencies NO 🗆 YES If yes 13. Ship Detained Date of Release: Type of Inspection Type of Survey(s) This report must be retained on board for a period of two years and must be available for consultation by MCA Officers at all times.

tamp

Signature

Fax

Telephone +44 (0)

+44 (0)

mcga.gov.uk at an Inspection has taken place. This report cannot be construed as a

(duly authorised surveyor of issuing authority)



REPORT OF INSPECTION AND/OR *SURVEY

Of United Kingdom/Dependent Territory/Foreign Vessel*

				*Delete as appropriate
2. Name of Ship	SHU	ark		Page Z of Z
5. Call Sign	1 GFY	1 0 Date (11/1000/-)	24-1-08	MO Copy
10. Place of Inspec		KILLYBEGS	24-1-08	
15. Nature of Defi	ciency			
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199 7		NVALID		17
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930 I		INCOMPLETE		17
725 I		NOT READY FOR USE		17
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Office use only: Co	onfirmation received	l on Signa	ture	

Annex E

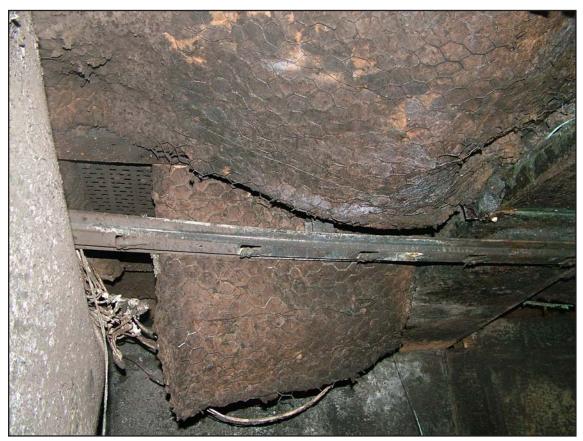
Photographs showing damage to the cabins and alleyways (Shark)



No 1 cabin looking forward



Damage to accommodation alleyway



Detachment of deckhead insulation in No 2 cabin



Chief engineer's cabin - heat and smoke damage to television set and desk



Debris in No 2 cabin



Cross alleyway, port watertight door - heat damaged seal



Outboard damage to No 2 cabin



Damage in No 3 cabin

Annex F

Photographs showing damage to the domestic compartments, fishing park and main deck (*Shark*)



Blistering of paintwork on main deck



Conducted heat damage to after bulkhead in bathroom



Melted oil skin on accommodation alleyway / fish park watertight door



Galley smoke and heat damage

MCA booklet "Fishermen and Safety - A Guide to Safe Working Practices for Fishermen" pages 17,18,19 and 27

Refrigeration Plant

Do not smoke when you are near a refrigeration plant.

- Be familiar with the refrigerant leakage alarm system.
- Treat all refrigeration gases or liquids with caution. Fumes from small amounts of these in a confined space can make you unconscious and liquid refrigerant can cause burns.
- Report immediately any leakage of such gases or liquids.

Unless you are trained - do not touch the refrigeration system.

Dangers of Asbestos - Older Vessels

- Do not disturb it.
- Seal up any exposed material.
- Do not try to remove it it's a specialised task.
- Seek specialist advice.

Emergencies

EMERGENCY DRILLS

It is often too late to ask questions when an emergency has occurred. On joining a vessel, learn where the fire and lifesaving equipment are stowed and learn what to do in the event of a fire or other emergency. The emergency alarm may be a continuous sounding of the vessel's whistle, the ringing of an alarm bell, a shout from the skipper!

 All new crew members must be given a safety induction.

Fire

FIRE PRECAUTIONS

Each year fires kill people at sea and fires occur frequently on fishing vessels. Nearly always, this is due to carelessness or the misuse/poor maintenance of equipment and machinery.

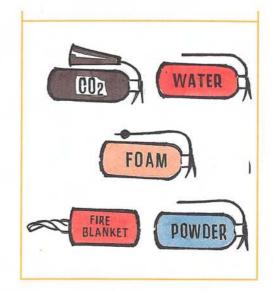
A carelessly discarded match or cigarette end or tobacco from a pipe can start a fire; so ensure that they are fully extinguished. Do not throw hot tobacco or a cigarette overboard; the wind may blow it back onto your vessel, or onto another vessel if you are in port. Never smoke in your bunk. Lives have been lost due to smoking seafarers falling asleep in a bed or chair. Smoke only in an authorised place, away from flammable liquids, gases and aerosols.



 Report damaged/faulty electrical equipment or wiring; they can cause a fire. Welding and electrical repairs should only be done by qualified people.
 Do not overload an electrical socket or circuit.



- Keep the vessel tidy and the machinery well maintained; rubbish and leaking oil invite a fire. Report all oil leakages; even if they do not cause a fire, they may cause someone to slip and result in serious injury. Immediately report to the skipper (or engineer) any oil spraying or dripping onto a hot surface.
- When cooking, do not overheat or spill fat or oil. Do not put water onto hot oil, and take care with the chips. Turn off cookers and heating plates as soon as they are finished with.
- Heaters in cabins and elsewhere should be kept in a good condition. Check their safety cut outs and alarms; report any that do not work, and don't continue to use them. Do not dry clothes, etc., on or directly over a stove or heater.



FIRE EXTINGUISHERS

- Use the correct type of extinguisher for the kind of fire you are dealing with. If you use the wrong one, the fire may be made worse and you may be injured or killed. Each extinguisher has instructions printed on it.
- When you join a vessel, find out where the extinguishers are, what fires each of them can be used for and how to use them. There will be little time to find this out when a fire occurs. Some vessels have a fixed extinguisher system using a special gas.
- Fire fighting equipment must always be kept in its proper location, maintained in good working order and available for immediate use. The presence of extinguishers and other portable fire fighting equipment must always be checked before the vessel gets under way.
- The location of fire fighting equipment must be indicated by signs.
- Fire detection and alarm systems should be regularly tested and well maintained.
 Fire drills should be carried out at regular intervals. You must ensure that you know what to do.



IF THERE IS A FIRE

- Raise the alarm at once.
- If possible, tackle the fire with a suitable extinguisher; if it is a fat or oil fire in the galley, etc., it is better to use a fire blanket. Leave any fire blanket in place for at least five minutes after turning the cooker off. Remove the blanket very carefully - as the flames could start again.
- Close any ports, doors or ventilators, which might let in air to feed the fire.
- If you are in an enclosed space where there is a big fire or much smoke, leave the space by crawling. Nearer the deck, the air will be purer, less full of smoke and cooler.
- If, when in the engine room, you hear the carbon dioxide or halon alarm, leave the room immediately, closing the door; even if you cannot see a fire. If you remain you maybe be gassed to death.
- When fighting a fire, make sure that a quick and safe retreat is possible at all times. Special precautions are needed if the fire is in an enclosed space.

Abandon Ship

- On joining your vessel make sure you know how to release and operate the life raft. It should be stowed securely where it cannot be easily damaged, but can also be launched quickly (Marine Guidance Note 130 (F) refers). The life raft must be capable of being automatically released and activated from a sinking vessel. Such float free arrangements are achieved by securing the life raft's painter to a hydrostatic release unit (HRU). [Marine Guidance Note 104 (M+F) refers]. Do not put gear, etc., on top of life rafts, or other emergency gear.
- Find where the lifejackets, portable emergency radio and flares, etc., are kept and how they work.
- Do not abandon ship unless the skipper orders you to do so. Often you are safer on a stricken vessel than in a life raft.



Emergency Situations require all onboard to react in an effective manner and without panic. Whilst it is expected that all persons will have completed basic training in survival, first aid and fire fighting, it is also essential that regular training and practise takes place to ensure that 'the crew' on your vessel can react properly in various situations. On every vessel, all onboard should be aware of what they should do (and the equipment to use) to cope with various types of emergency. Situations need to be discussed and courses of action planned. Equipment may need to be obtained and located where it will be to hand if required. The layout (or design) of each vessel and fishing methods used will impose particular problems and it is essential that solutions are found before facing these problems in an emergency.

Man Overboard

Consider all factors and actions which are necessary once the alarm has been raised. Throwing a lifebuoy, attempting to keep the person visually in sight, noting the vessel's position, putting out a radio alert, manoeuvring the vessel to pick the person up. Will it be possible to manoeuvre with the fishing gear down? Should it be hauled in or jettisoned and if you need to jettison it, how will you do it? When working static gear such as posts, lines or nets it will be easy to cut the vessel free from it. However, when trawling you may be very limited in what can be quickly achieved. In the event, factors such as wind, tide and sea state may dictate your actions, but it is sensible to consider now what will be possible at various stages in the fishing operation.

Have the necessary equipment to hand and stored in places known to everyone. If at all possible, practice using the equipment and make sure it can be quickly rigged in place on your vessel.

Abandon ship

Practice the abandon ship procedure, ensuring that all persons don lifejackets and that all are familiar with how to release/deploy the liferaft. Make sure that it will be possible to easily launch the liferaft; it may be necessary to use ropes to lower it down from the wheelhouse top. Everyone needs to be aware of the need to put on warm clothing and to take the vessel's EPIRB and stream it behind the liferaft.

Fire

Check out your vessel for fire provisions making sure that extinguishers are in place and to hand. Test fire detection and alarm systems, try out escape routes to make sure that doors and hatches are not stuck. Ensure that all crew members are familiar with the extinguishers, how to use them and what type of fires they are suitable for. Discuss possible situations and work out plans of action for:-

- · raising the alarm
- · accounting for all onboard
- · fighting the fire

	Annex H
Shark's International Fishing Vessel Certificate dated 12 December 2004	



INTERNATIONAL FISHING VESSEL CERTIFICATE

(Certificate of Compliance)

EXISTING FISHING VESSELS 24 METRES AND OVER

Issued under the provisions of the Fishing Vessels (EC Directive on Harmonised Safety Regime)
Regulations 1999, as amended, and the Fishing Vessels (Safety Provisions) Rules 1975, and
confirming compliance of the vessel named hereafter with the provisions of Council Directive
97/70/EC, and with the Fishing Vessels (Safety Provisions) Rules 1975
under the authority of the Government of the United Kingdom of Great Britain and Northern Ireland
by the Maritime and Coastguard Agency,
an Executive Agency of the Department for Transport.

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Name of Vessel			SHARK						
	al (RSS) Number and I		A21134 TN99						
Port o	of Registry		TROON 30.22 m						
Lengt	h of Ship								
Date	on which keel was laid o	r ship was at	a similar stage of construction	1962					
	Date of bu	ilding or majo	or conversion contract						
	Date of de	livery or com	pletion of major conversion						
REN	EWAL SURVEY								
THIS	IS TO CERTIFY								
1.	that the vessel has been sur and Rule 124 of the Fishing		ance with Regulation I/6(1) of the Annex to the To Provision) Rules 1975	orremolinos Protocol 1993;					
2.	that the survey showed that								
2.1	that vessel fully complies w Rules 1975, and	ith the requireme	ents of Council Directive 97/70/EC; the Fishir	ng Vessels (Safety Provision)					
2.2	the maximum permissible contained in the approved s		sociated with each operating condition for the ve ted 23 January 2003	ssel is					
3.	that an Exemption Certifica	te has / has not b	een issued						
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Memorandum of Understanding with the Spanish Administration (without checklists)

mca Maritime and Coastguard Agency	Maritime and Coastguard Agency Operations Advice Note	Document Number: OAN 180
Revision: 02	MEMORANDUM OF UNDERSTANDING WITH THE SPANISH ADMINSTRATION TO ENABLE CONTROL OF UK FISHING VESSELS (WITH SPANISH INTERESTS) IN	Page 1 of 11
Date: 17 March 04	Distribution A, B & D	

Key Changes

- Updated references to Directive 97/70 (paragraph 4 of the MOU)
- The MOU now includes a separate paragraph (16) stating "A vessel without a valid UK fishing vessel certificate shall be detained." This was previously contained within paragraph 15.

INTRODUCTION

The Head of the Spanish Marine Administration and the Chief Executive of the MCA signed the memorandum of understanding (in English and Spanish) on 27 September 2001 at the IMO in London. It recognises the importance of cooperation between the two flag administrations on safety in the prevention of the loss of life. A significant number of UK flag fishing vessels call regularly in at Spanish ports, are manned primarily by Spanish nationals and are owned by Spanish interests. The MOU enables appointed officials of the Spanish Flag Administration to carry out safety inspections to UK standards on UK flag fishing vessels when they are in Spanish ports. The vessels concerned are over or just under 24 metres in registered length. They are all over 12 metres in registered length and 15 metres overall length.

Due to editorial and translation misinterpretations, the MOU was revised and a new version dated on the 17 march 2004, with changes in paragraphs 4, 16, 17, 18 and 19. It also contains a new checklist with updated requirements and a table with the legislation applicable to each size of vessel.

A copy of the agreement is an appendix to this document.

Maritime and Coastguard Agency	Maritime and Coastguard Agency Operations Advice Note	Document Number: OAN 180 Page 2 of 11	
Revision: 02	MEMORANDUM OF UNDERSTANDING WITH THE SPANISH ADMINSTRATION TO ENABLE CONTROL OF UK FISHING VESSELS (WITH SPANISH INTERESTS) IN		
Date: 17 March 04	Distribution A, B & D		

ROLES AND RESPONSIBILITIES

The roles and responsibilities are listed in the MOU. Criteria to define vessels with a "Spanish Interest" are also included. Inspection (control) is to be in accordance with the UK requirements listed in the Annex to the MOU. The inspections will primarily consist of on board visits for checking certificates and documents but a check list of items is also included in the Annex to the MOU for ease of use. Certificates of competency and training of skipper and crew are not included, but may be included at a later date pending revision of the MOU.

Surveyors or inspectors carrying out these inspections will be appointed under the Merchant Shipping Act 1995. Vessels that would be prohibited from going to sea under Section 125 of the Act should be detained under Spanish legislation (there is no power in the MSA to detain beyond UK waters).

The Spanish Administration has direct authority to inspect fishing vessels of 24 metres and above in accordance with European Council Directive 97/70/EC as amended (the Harmonisation Directive for the Torremolinos Protocol).

On inspection and/or detention the Spanish Administration shall inform the MCA Headquarters Operational Support Unit, Survey and Inspection Branch. On detention, they will make the arrangements for an MCA or appointed surveyor to be made available and will liaise with the Spanish Administration and the vessel owners.

MCA will, on a quarterly basis, provide notice to the Spanish Flag Adminstration of any UK flag fishing vessels with Spanish interest believed to be operating within their jurisdiction without the necessary UK Fishing Vessel Certificates of statutory documents.

Author:	Authorised:	Branch: Fishing Vessel Safety Surveyor

MEMORANDUM OF UNDERSTANDING BETWEEN THE MARITIME AND COASTGUARD AGENCY OF THE UNITED KINGDOM AND DIRECCION GENERAL DE LA MARINA MERCANTE OF SPAIN FOR CO-ORDINATED CONTROL ON UNITED KINGDOM FLAG FISHING VESSELS

THE AGREEMENT

Between the Maritime and Coastguard Agency of the United Kingdom and the Spanish Dirección General de la Marina Mercante

- 1. Taking into account that the maritime safety and the prevention of marine pollution are a priority for both Maritime Administrations.
- 2. Bearing in mind that the number of accidents with loss of human lives deserves special attention from both Administrations.
- 3. Also, account must be taken of the important number of UK registered Fishing Vessels belonging to Spanish Interests which shall be surveyed in the most convenient circumstances independent of place.

AGREE

- 4. That, without prejudice to their compliance with Directive 97/70/EC as amended, when applicable, the Maritime and Coastguard Agency delegates its Authority on the Spanish Dirección General de la Marina Mercante for the compliance with the statutory control of the UK registered fishing vessels, provided any of the following circumstances are present:
 - 4.1 The fishing vessel's shipowner/operator is Spanish
 - 4.2 More than 50% of the crew is Spanish
 - 4.3 The catches are unloaded in Spanish Ports
 - 4.4 The fishing vessel is located in Spanish territorial waters
- 5. The general rules used for the surveys carried out within this agreement are those stemming from the UK Merchant Shipping Act 1995, refer to annex.

- 6. The Spanish Dirección General de la Marina Mercante accepts the above delegation.
- 7. The expenses incurred by the performance of those surveys shall be assumed by the Administrations involved.

PURPOSE

8. The purpose of this agreement is to delegate authority for performance of UK statutory control on inspections and enforcement on UK registered fishing vessels when such vessels are primarily based in Spanish ports or in Spanish territorial waters. The standards employed for such inspections will be those developed under the UK 1995 Merchant Shipping Act, refer to annex.

GENERAL CONDITIONS

9. The authorities undertake to assist each other and to co-operate effectively to enable them to carry out their responsibilities and functions, and to maintain effective working arrangements for that purpose.

PRIORITY FOR INSPECTION

- 10. In determining the priority for the inspection of vessels the following elements are relevant:
 - 10.1 A vessel known to be operating without the required UK fishing vessel certificate, or have sailed without completing the survey for the certificate:
 - 10.2 Where the vessel has been involved in a collision, grounding or stranding on its way into port or safe navigation practices have not been followed or otherwise operated to pose a danger to persons, property or the environment;
 - 10.3 Where there are sufficient grounds to suspect that a vessel is unseaworthy or where any alteration is made to the vessel's hull, equipment or machinery which affects the safety or seaworthiness of the

vessel, or the completeness of the appliances or equipment that the vessel is required to carry; and

10.4 Where a vessel is not inspected by either authority within the previous 6 months.

INSPECTION PROCEDURES, RECTIFICATION AND DETENTION

- 11. In fulfilling its commitment, the Maritime and Coastguard Agency shall on a quarterly basis, provide notice to the Spanish Authority of any UK fishing vessel that is operating without the required UK Fishing Vessel Certificate where there is reasonable expectation that the vessel has or will enter a Spanish port.
- 12. In fulfilling its commitment, the Spanish Authority will carry out inspections that will consist of a visit on board vessels in order to check certificates and documents in accordance with the relevant rules and regulations listed in the Appendix. Furthermore the Spanish Authority will satisfy itself that the overall condition of the vessel, including the engine room and accommodation and including hygienic conditions, meet those acceptable under UK rules and regulations.
- 13. Nothing in this agreement will be construed as restricting the powers of the Authorities to take measures within its jurisdiction in respect of powers taken up in respect of Article 7 of Council Directive 97/70/EEC or of any other matter to which the relevant instruments relate.
- 14. Properly qualified persons authorised by the Spanish Authority shall carry out the inspections.
- 15. In the case of deficiencies that are clearly hazardous to safety, health or the environment, the Authority will ensure that the hazard is removed before the vessel is allowed to proceed to sea. Appropriate action will be taken, which may include detention or formal prohibition of a vessel to continue an operation due to deficiencies that would render continued operation hazardous.
- 16. A vessel without a valid UK fishing vessel certificate shall be detained.

- 17. In each case of inspection, the Spanish Authority will notify the results to the Maritime and Coastguard Agency in writing. The notification shall include a report of inspection.
- 18. In the case of detention, the Spanish Authority shall immediately notify the Maritime and Coastguard Agency and the vessel shall not be released from detention until the Maritime and Coastguard Agency has confirmed that the owner has made arrangements for a surveyor from Maritime and Coastguard Agency to inspect the vessel.
- 19. When exercising control, the Spanish Authority will make all possible efforts to avoid unduly detaining or delaying a vessel. In any instance of alleged undue detention or delay the burden of proof lies with the owner or operator of the ship.

SCOPE OF INSPECTIONS

20. Detailed in the checklist in the Annex numbering 6 pages.

RIGHT OF APPEAL BY THE OWNER/OPERATOR

21. If an owner is dissatisfied with an inspection and agreement cannot be reached with the person who carried out the inspection, the owner may refer the matter to the Maritime and Coastguard Agency Principal Fishing Vessel Surveyor and, if necessary to the Regional Manager of the relevant Maritime and Coastguard Agency region in which the vessel was previously surveyed.

Signed by:

Signed by:

Chief Executive
The Maritime and Coastguard Agency
Spring Place
105 Commercial Road

Dirección General de la Marina Mercante Ministerio De Fomento Ruiz De Alarcón, 1 28071 MADRID Southampton SO15 1EG United Kingdom Spain

Dated 17 March 2004

Dated 17 March 2004

Certificates of Equivalent Competency - Current Position

<u>Certificates of Equivalent Competency - Current Position</u>

Certificates of Equivalent Competency (CEC) were introduced by SI 1995 No. 1428 which amended SI 1984 No. 1115 – The Fishing Vessel (Certification of Deck Officers and Engineer officers) Regulations 1984. The 1995 regulations were introduced to ensure that officers serving in UK registered vessels were in possession of an equivalent Certificate of Competency (CoC) to those held by UK officers.

The 1995 regulations enabled officers holding CoCs issued by the Belgian, Spanish, Dutch and the Republic of Ireland authorities to be automatically recognised for service in any position on a UK fishing vessel; provided that they held a valid CEC issued by the MCA.

Marine Guidance Note (MGN) 220(F) laid out the CEC requirements, which included the need to provide evidence of competence of the English language. CEC applicants were also required to sit an examination to prove their knowledge of "UK Legal and Administrative Processes (UKLAP)".

Following a review of the CEC requirements, Marine Information Note (MIN) 242 (M+F) removed the requirement for an applicant to provide evidence of his English language competence. Instead, owners were required to ensure that at least one officer on board should be competent in the English language.

It was against the criteria set out in the SIs and the MCA's notices that surveyors carried out certificate checks during surveys and random inspections. As a result of possible detentions, because of CEC non-compliance, a number of legal challenges were made against the validity of imposing the need for a CEC. This was because it had already been indicated at Annex 1 of MGN 220 (F) that the Belgian, Spanish, Dutch and the Republic of Ireland's CoCs were equivalent to UK qualifications. However, this caused confusion as the CoCs were only partially equivalent because the UKLAP requirement was not stated as an additional element for equivalency. As a result of this confusion, the MCA issued instructions in October 2004 to its surveyors not to impose the CEC requirement.

After legal consultation, the MCA had intended to issue a Merchant Shipping Notice (MSN) consolidating the relevant contents of MGN 220(F) and MIN 242 (M+F). However, in May 2005 a Ministerial Review of CEC requirements was also set in motion and, in July 2006, the CEC Working Group, Terms of Reference were approved. Although the Review concentrated on merchant ship CEC applications the introduction of the MSN has been delayed as a result.

The outcome of the Review is now imminent. Once the outcome of the Review recommendations is known, the MSN will be reviewed, promulgated and instructions on CEC checks will be issued to surveyors.

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Non UK Beneficially Owned vessels - fleet composition, 1995 - 2007

Non UK Beneficially Owned vessels – fleet composition – 1995 - 2007

2007	0	0	35	4	_	521	0	92
2006	0	0	45	2	2	621	0	114
2005	0	0	46	2	2	62	0	115
2004	-	0	44	2	2	62	0	114
2003	_	0	39	2	9	89	0	116
2002	_	0	38	2	9	74	0	121
2001	-	0	39	2	4	78	0	124
2000	_	0	37	က	4	87	0	132
1999	-	0	33	င	င	84	0	124
1998	1	0	36	4	3	97	0	141
1997	2	0	35	4	4	107	0	152
1996	2	2	40	4	4	107	-	160
1995	က	2	39	_	0	103	0	148
Country	Belgium	Denmark	Netherlands	Iceland	Ireland	Spain	Sweden	TOTAL

Note 1 - includes one vessel registered in the UK but not licensed to fish

Annex L

Marine Guidance Note 336(F) - Fishing Vessels - Overseas Management



MGN 336 (F)

Fishing Vessels - Overseas Management

Notice to all Owners, Employers, Managers, Skippers and Crews of Fishing Vessels

This notice replaces MGN 255(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:

- Identifies difficulties in managing fishing vessels operating outside familiar European ports.
- advises owners and skippers to identify means for providing technical support, ordering spares and carrying out repairs

1. Introduction/ Background

- 1.1 A Marine Accident Investigation Branch (MAIB) investigation found that a fishing vessel operating from the west coast of Africa did not have access to adequate spares, technical support and repair facilities.
- 1.2 The bilge pumping capability of the vessel became deficient and a petrol driven, portable salvage pump was used as the only means of pumping bilges. Sadly, this led to carbon monoxide poisoning and death of one crew member whilst using the pump inside the engine room. It was fortunate that more deaths did not occur when rescue attempts were made (including the local rescue services).

2. Managing Fishing Vessels

- 2.1 Owners are reminded that the requirement for surveys; renewals, intermediates and annuals where required, still stand regardless of where the vessel is deployed.
- 2.2 The day-to-day management of all fishing vessels is paramount to safety. Communication, as in any other business, is vital and it is up to the crew and shore-side support to communicate regularly and effectively.
- 2.3 All fishing vessels need to be well managed and this is particularly difficult to achieve for vessels operating outside familiar European ports. Some form of management system should be adopted to monitor and assist such vessels.

- 2.4 Management systems need not be "long-winded" affairs and simplicity is the key (a term often used in management is "KIS" Keep It Simple!").
- 2.5 Owners and skippers operating (but not limited to) fishing vessels outside the European regime should discuss and address the following items BEFORE the operation commences:-

2.5.1 **Control**

- The owner should make provision for controlling the whole operation.
 Strategy, allocation of resources, action plans and correction of major deviations should be addressed.
- The authority of the skipper should be established with the owner, including responsibility and accountability.

2.5.2 Monitoring

- The vessel's Risk Assessment¹ should be reviewed and updated as necessary.
- Effective means of monitoring the safety of the vessel should be identified. Rather
 than relying entirely on the skipper, it may be prudent to visit the vessel at regular
 intervals and independently assess items affecting safety.
- The owner should fully investigate the reason and action taken whenever the vessel diverts for repair.
- Minor and major incidents affecting the safety of the vessel should be reported to the owner and, when applicable, to the Marine Accident Investigation Branch (MAIB)².

2.5.3 Communication

- All members of the crew should be made aware of, read and implement the
 vessel's risk assessments. Procedures, written in "checklist format", may assist
 with this requirement.
- Items affecting safety should be reported by any crew member to the skipper and/or owner. Reporting should be actively encouraged.
- Regular agreed means of communication between the skipper and owner should be established to address items affecting safety.

¹ It is a legal requirement that fishing vessels carry out a Risk Assessment, to identify and reduce associated hazards. Further guidance may be found within MGN 20(M+F) and from SEAFISH.

² Requirements detailed in Statutory Instrument (SI) No.881 0f 2005 - The Merchant Shipping (Accident Reporting and Investigation) Regulations, and MGN 289.

2.5.4 Implementation

- Sufficient and suitably qualified crew should be appointed to the vessel. <u>All</u> crew members should have completed mandatory safety training courses (fire-fighting, first aid, sea survival and safety awareness).
- Each crew member should be aware of, and practise, their specific duties in an emergency. Drills should be carried out at regular intervals (at least monthly) and be suitably recorded.
- Maintenance of the vessel and safety equipment should be carried out and reported to the owner. The following points should be considered in particular:-

a) Repair Facilities

These may be lacking in remote ports. Alternative means should be provided and may involve either:

- i) the vessel diverting to a suitable port for repairs.
- ii) a suitable repair company or agent travelling to the vessel to carry out repairs.

The appointment of a suitable ship's agent (or "husband") may be necessary to assist with facilitating repairs.

b) Spare Gear

Additional spares (and associated tools) should be carried on vessels that do not have access to repair facilities; for example those for:

Bilge pumps
Cooling water pumps
Repair of pipe work (e.g. emergency repair kits)
Hydraulic equipment
Fuses/Circuit breaker parts

If the vessel is classed it should carry the minimum spares required by the classification society.

c) Engine Spares

It is also recommended that vessels operating long-term in remote areas carry main and auxiliary engine spares on board; for example:-

Piston (including rings)
Connecting rod
Cylinder head (including valves)
Cylinder liner

The above lists are suggested spare parts and should not be considered exhaustive.

2.5.5 Safety Equipment

 Means of servicing safety equipment should be identified. Service/supply agents for fire extinguishers, liferafts, flares, EPIRBS etc. may be in short supply, but this does not mean that they should be overlooked.

- It is the responsibility of the owner and skipper to ensure that all life saving apparatus, including liferafts, fire fighting equipment and radio equipment, including EPIRBS, remain serviceable and in date for inspection.
- If service stations are not available in the intended area of operation, it may be prudent to fully service and update safety equipment prior to departure.

More Information

Fishing and Code Vessels Safety Branch Maritime and Coastguard Agency Bay 2/05 Spring Place 105 Commercial Road Southampton SO15 1EG

Tel: +44 (0) 23 8032 9150 Fax: +44 (0) 23 8032 9161 e-mail: fishing@mcga.gov.uk

Fishing Helpline: 0845 601 4072

General Inquiries: 24 Hour Infoline

infoline@mcga.gov.uk

0870 600 6505

MCA Website Address: www.mcga.gov.uk

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Annex M

Hooktone Limited's Fisherman's Safety Training Memorandum 1/2007 dated 9 March 2007

CONSULTANTS TO THE FISHING INDUSTRY

FISHERMAN'S SAFETY TRAINING MEMORANDUM 1/2007

GUIDANCE TO OWNERS OF FISHING VESSELS WITHIN THE HOOKTONE AGENCY ON FISHERMAN SAFETY TRAINING

WHERE ARE WE NOW

It has been a requirement since 1st March 1989 with a phased introduction finishing in 1993 that all fishermen undertake safety training before going to sea. The safety training consists of the following.

- l Basic sea survival techniques.
- 2 Basic fire-fighting and prevention.
- 3 Basic first aid.
- 4 Safety awareness

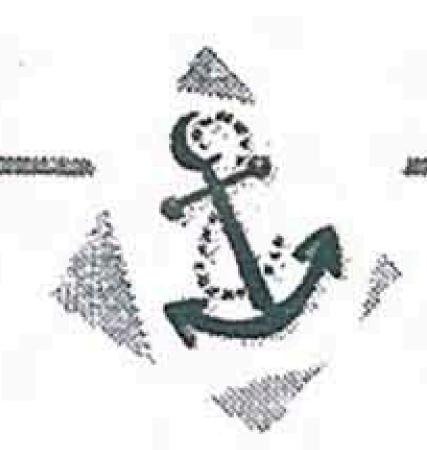
The crew members therefore require

- 4 safety Training Certificates issued by a UK approved training association
- 3 STCW certificates issued anywhere in the world + UK approved Safety Awareness.

The safety awareness course is newer than the other 3 and links into the Risk Assessment and Safety policy statement which should be conducted on each vessel with the participation of the crew.

It was recognised by the Marine and Coastguard Agency (MCA) that it would take years to train all the necessary crew that required certification. The momentum was therefore lost at the beginning and slipped down the urgency list as fishing became less profitable and crew harder to find and keep.

Times have changed again and the MCA have crew safety training as one of their important safety objectives along with risk assessment. They see this as important with the crew directly participating in safety. The surveyors have been asking to see the crew safety training certificates with a mixed bag of results. Some crew members have the first 3 certificates whilst a significant number have unfortunately none. The MCA have told us that they will not allow this to continue. To avoid all doubt it is an offence by the uncertified crew member to be at sea and an offence by the skipper and owners to allow them to be at sea.



WHERE DO WE WANT TO BE

All crew on board UK registered fishing vessels whether in UK waters or not must have the 4 Safety Training certificates.

HOW ARE WE GOING TO GET THERE

Hooktone Limited has set up a training centre in the Port of Troon to cater for training of ships crews. The centre is large enough to hold 20 crew at a time although we would expect the normal numbers to be between 12 and 16. The training centre is within the boundaries of the Port of Troon 200m away from where the boats berth. We are acting with the West of Scotland Seafish Training Association Ltd. which is an approved training establishment approved by the Seafish Industry Authority who act on behalf of the UK government in these matters. The certificates will be issued by them in the form of 4 laminated pages plus a small credit card sized certificate with all 4 courses printed on it.

The vessel will require coming to Troon and the courses will take place one per day over 4 days. All will be held in the Hooktone Training Centre and surrounding port area except for one hour in the local swimming pool for the lifesaving practical aspect of the basic sea survival course. There is no written work involved and the emphasis is on visual and hands on learning. There is no formal examination. All equipment will be provided including swimming trunks, towels and transport where necessary. All instructors have a different technique but they usually try and work right through the day except for short breaks and finish early to save stopping for lunch. The training centre has, as well as the conference room, a small galley and toilet facilities. We understand that the crews will be multinational and to this end we will have on site a full time translator who is fluent in Spanish and with a working knowledge of Portuguese.

The costs work out at £85.00 per crew member payable at the start of the course. The ships berthing fees would be additional and at present work out at £0.795 per Gross Ton i.e. 362 GT would be £287.79.

ACTION PLAN

- Our representative will be contacting the owners to ask if you wish to use the facility.
- A date will be arranged when it will be convenient for the vessel to be in Troon.
- 3 The vessel will arrive at Troon and the course will start at 09.00 local time on Monday or Tuesday. If training is required over the weekend then extra time would be required to organise as some trainers are booked up to 6 months in advance for weekends.
- The course will start with copying the applicant's identity card and issuing them with name tags.
- The candidates will be asked to agree that their name, date of birth and ID number can be placed on our data base along with their certificates. They will also be asked to agree that their details can be released to genuine interested parties (owners, skippers. MCA surveyors).
- At the end of the course the certificates are handed out. The credit card size one will follow as it requires to be specially made.

Hooktone will hold a data base of each crew member containing their identity card and certificates. Any photocopies that we retain will be defaced with COPY printed over them.

THE MARINE AND COASTGUARD AGENCY REALLY WANT THIS TO HAPPEN AND THIS FACILITY WILL GIVE YOU THE OPPORTUNITY TO MEET YOUR LEGAL OBLIGATIONS.

TROON 9TH MARCH 2007

MAIB Safety Bulletin 1/2008, dated February 2008

MAIB SAFETY BULLETIN 1/2008

Fire on board fishing vessel *Shark*19 January 2008

MAIB SAFETY BULLETIN 1/2008

This document, containing an urgent safety recommendation, has been produced for marine safety purposes only, on the basis of information available to date.

The Merchant Shipping (Accident Reporting and Investigation) Regulations 2005 provide for the Chief Inspector of Marine Accidents to make recommendations at any time during the course of an investigation if, in his opinion, it is necessary or desirable to do so.

The Marine Accident Investigation Branch (MAIB) is carrying out an investigation into the fire on board the fishing vessel *Shark* which occurred on 19 January 2008. The MAIB will publish a full report on completion of the investigation.

Stephen Meyer

Chief Inspector of Marine Accidents

This bulletin is also available on our website: http://www.maib.gov.uk

Press Enquiries: 020 7944 6433/3387; out of hours: 020 7944 4292

Public Enquiries: 020 7944 3000

BACKGROUND

At about 0600 on 19 January 2008, a fire broke out on board the UK registered fishing vessel *Shark* which at the time was engaged in long-line fishing approximately 60 miles north-west of Aran Isle. Initial attempts by the crew to fight the fire were hampered by a loss of fire-fighting water when electrical supplies were burnt through (**Figure 1**), and because the emergency fire pump was disabled. There followed a period when the crew attempted to starve the fire of oxygen, however their efforts were again hampered because ventilators to the spaces where the fire was seated were seized and could not be closed off. The emergency services were eventually called at 1240 and a lifeboat, rescue helicopter, patrol craft and the Irish naval patrol vessel *L.E.Eithne* responded. The fire was eventually extinguished by a fire party from *L.E.Eithne* at 1947. *Shark* was then escorted to Killibegs where she berthed the following afternoon. Fortunately there were no injuries to the crew, however the accommodation of the vessel suffered extensive fire damage (**Figure 2**). The MAIB is conducting a full investigation into the accident, which will result in a published report.

ANALYSIS

Preliminary conclusions indicate that the fire started in one of the vessel's crew cabins probably due to an electrical fault. The MAIB's initial findings have highlighted the following areas of concern:

- The crew were all foreign nationals. The level of spoken English was very poor and the skipper and mate did not hold a valid Certificate of Equivalent Competency (CEC) issued by the Maritime and Coastguard Agency (MCA).
- None of the crew had completed the mandatory safety training courses, and emergency drills had never been conducted on board the vessel.
- Shark had been surveyed by an MCA surveyor in July 2004 but had not undergone her mandatory interim inspection, which became due in July 2006.
- In addition to the seized ventilation fire flaps and defective emergency fire pump described above, other fire protection and fire-fighting arrangements were very poor: the bellows breathing apparatus had missing seals, the fire detection system was defective; the engine room CO₂ system pipework was corroded, emergency remote quick closing valves were seized or inaccessible whilst, in the engine room, emergency quick closing valves were lashed open.
- Numerous domestic electrical appliances were left routinely powered up; electrical cables were
 draped over sharp edged, non-continuous bulkheads within the accommodation, with external
 and internal phase insulation found to be worn through.

Although registered in the United Kingdom, *Shark* is owned and controlled by interests domiciled in Spain. Licensed to fish in UK waters, the vessel operates primarily from La Coruňa, in northern Spain and calls only infrequently at UK ports to land fish. The MAIB is currently investigating accidents which recently occurred on a further two Spanish owned fishing vessels¹. Early feedback from these investigations has also raised similar concerns.

Data issued by DEFRA indicate there are 113 UK registered fishing vessels which are wholly or partly owned by foreign interests. Of these, 61 are controlled by interests based in Spain. The causes and circumstances of the fire on board *Shark*, and the accidents to two further Spanish owned, UK registered fishing vessels raises doubt not only over the safe operation and supervision of the three vessels concerned but, potentially, the entire foreign owned UK fishing fleet. The MAIB believes urgent action is required to verify the condition and operational safety of these vessels.

¹ FV Royalist foundered 180m SW of Ireland on 23/1/08; FV Spinningdale grounded off St. Kilda on 1/2/08



220 Volt electrical distribution box

Figure 2



Cabin damage

RECOMMENDATION

The Maritime and Coastguard Agency is recommended to:

2008/116 Review the survey status and manning arrangements of all foreign controlled UK fishing vessels to ensure:

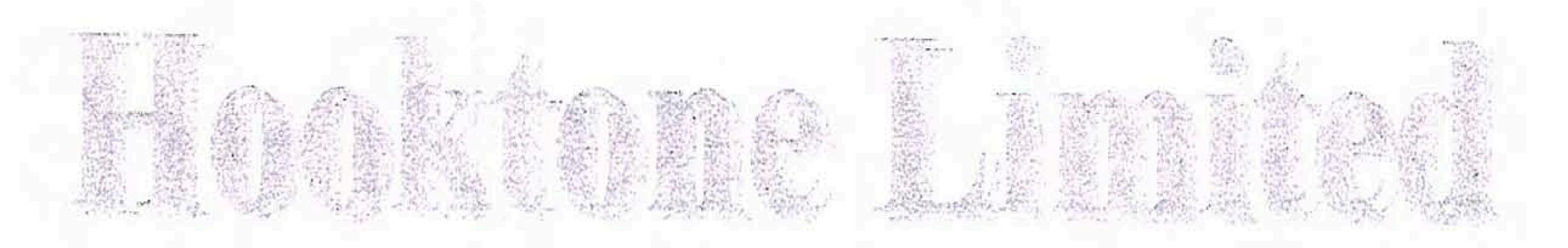
- Required surveys and inspections have been completed.
- Crews hold appropriate qualifications, including CECs where required and have attended mandatory safety training courses.

Where doubt over the survey status and/or manning arrangements exists, implement an urgent programme of inspection to ensure:

- Manning of the vessel is appropriate, with crew holding required qualifications and having attended mandatory safety training courses
- The skipper/mate is able to communicate in English.
- The vessel is seaworthy, fire-fighting and life saving equipment is fitted and maintained to an appropriate standard.
- A programme of emergency drills is being conducted as required by the applicable regulations.

Annex O

Hooktone Limited's Memo to Owners 01/08 - Crew Arrangements and Official Log Book, dated 19 February 2008



COMSILTARTS TO THE FISHING MOUSTRY

19th February 2008

MEMO TO OWNERS 01/08

CREW AGREEMENTS AND OFFICIAL LOG BOOK

It is a requirement of the MCA that the following documents are completed in accordance with the following procedure.

OFFICIAL LOG BOOK (GREEN)

Every UK registered fishing vessel over 55 feet (16.764m) in length is required to fill in an Official Log Book. The log book cover is completed on opening except for the bottom right hand box which is completed on closing.

Page 2 and 3 record the seamen employed on the vessel, later in the book the seamen can be referred to using their number.

Pages 4 to 6 refer to extraordinary incidents which occur to the crew or the vessel, deaths, serious illness and casualties to the vessel.

Page 8 This is a record of muster drills, boat drill, fire drill, training of crew, inspections of life-saving appliances and fire appliances. Inspections of life-saving appliances and fire appliances should be made before the vessel puts to sea on every trip. The drills and on board crew training could be done on the way to the fishing grounds (on every trip).

Page 9 Vessel steering gear tests as the vessel leaves harbour, with visual inspection before the vessel leaves the quay.



Page 10 We do not have pilot hoists but I recommend that the pilot ladder be inspected, this is something that the Fisheries Boarding Parties are particularly keen on.

Page 11 and 12 On every voyage the crew accommodation should be inspected.

Page 13 and 14 Food and water must be inspected during the voyage. I would suggest that the inspection should include the galley and store rooms for cleanliness.

Page 15 to 20 These pages record occurrences which the skipper deems should be entered formally in the Official Log Book.

AFTER 6 MONTHS THE BOOK IS CLOSED AND THE BOTTOM RIGHT HAND BOX ON THE COVER IS COMPLETED. THE BOOK IS THEN RETURNED TO HOOKTON'S OFFICE IN TROON

CREW AGREEMENT AND LIST OF CREW. (BLUE)

The front cover is completed except for the bottom right hand box.

CREW AGREEMENT AND LIST OF CREW. (RED)

The front cover is completed.

LIST OF CREW AND SIGNATURES WHO ARE PARTIES TO THE CREW AGREEMENT

The document usually comes as a pad with alternate pages which are BLUE then RED. ON OPENING THE AGREEMENT THE BLUE AND RED ARE COMPLETED AT THE SAME TIME USING DUPLICATING PAPER.

The agreement is split vertically into columns and horizontally into rows. One large row for each crew member.

Column 1 Reference number. This usually starts at one and proceeds upwards in integers. This should be the same number as allocated in the Official Log Book.

Column 2 Name of Seamen, place and date of birth and last vessel employed on.

Column 3 Address of Seamen and next of kin with their address.

Column 4 Capacity in which employed. (Skipper, Greaser, Deckhand etc.) with number and type of certificate of competency.

Column 5 Top Box Date of employment

Column 6 Rate of wages. Top Box This is usually filled in as "as agreed"

Column 7 Top Box Crews signature.

The RED copy is then placed between the Red Covers and THE BOOK IS THEN RETURNED TO HOOKTON'S OFFICE IN TROON.

The BLUE copy is then placed between the Blue Covers and THE BOOK IS KEPT ON BOARD.

If any additional crew join the vessel or leave the vessel, that can be recorded in the Official Log Book and the Blue copy of the Crew Agreement.

6 months after the crew agreement is opened it is closed by signing of the crew column 7 row 2.

The bottom right hand box is completed on the cover it is then forwarded to Hooktone Troon.

The sequence then starts again.

of you have any problems with this then come into our office and one of the staff will go through it with you and your skipper.

Regards

Director

At Troon 19th February 2008

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Annex P

Hooktone Limited's Memo to Owners 02/08 - Crew Training Certificates, dated 19 February 2008



19th February 2008

MEMO TO OWNERS 02/08

CREW TRAINING CERTIFICATES

This is an extract from the Memo issued in March 2007

ISHERMAN'S SAFETY TRAINING MEMORANDUM 1/2007

GUIDANCE TO OWNERS OF FISHING VESSELS WITHIN THE HOOKTONE AGENCY ON FISHERMAN SAFETY TRAINING

It has been a requirement since 1st March 1989 with a phased introduction finishing in 1993 that all fishermen undertake safety training before going to sea. The safety training consists of the following.

- l Basic sea survival techniques.
- 2 Basic fire-fighting and prevention.
- 3 Basic first aid.
- 4 Safety awareness

The crew members therefore require

- 4 safety Training Certificates issued by a UK approved training association
- STCW certificates issued anywhere in the world + UK approved Safety Awareness.

I remind you that there is a training facility at our premises at Troon and in conjunction with the West of Scotland Safety Training Association all the relevant courses are available. This is a non profit organisation and Hooktone will organise the courses at cost. We know the difficulties with changing crew but having no trained crew aboard is asking for trouble from a number of agencies and I would also ask you to look at your insurance for the vessel and crew. If there is an accident and the crew are not trained you may have a bigger problem on your hands than you think.

Regards

Director

Troon 19th February 2008

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