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## **Code of Practice for the Safety of Fishing Vessels of less than 15m Length Overall – Standards which can be used to prepare for your MCA Inspection**

### **Notice to all Designers, Builders, Owners, Employers, Skippers and Crew of Fishing Vessels**

*This note replaces MGN 502(F) and should be read in conjunction with the Fishing Vessels (Code of Practice for the Safety of Small Fishing Vessels) Regulations 2001 (S.I. 2001/9) as amended by the Fishing Vessels (Safety of 15-24 Metre Vessels) Regulations 2002 (S.I. 2002/2201; the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 (S.I. 1997/2962), as amended and MSN1813(F).*

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#### **Summary**

This Note provides a Small Fishing Vessel Code of Practice that is based on MSN 1813 and replaces MGN 502. This Code is voluntary but may be used as an alternative to MSN 1813 for the purposes of having your vessel inspected. MSN 1813 will remain in force.

The main changes from MSN 1813 are:

- Liferafts for are required for vessels of 7m Registered Length (L) to less 12m (L);
- Vessels built prior to 2007 newly entering the fishing industry must have a Seafish Survey prior to registration;
- Inspections of the vessel are required at change of ownership;
- Emergency drills are now required;
- Radar Reflectors are now to be fitted to all vessels;
- Bilge Alarms for Open vessels (7m (L) -15m Length Overall (LOA));
- Certificates to be issued for Small Fishing Vessels;
- Structural modifications to be notified to MCA prior to work taking place;
- EPIRBs and Stability requirements for vessels of 12m (L)-15m (LOA);
- Personal Floatation Devices or Lifelines to be worn whilst working on open decks of vessels that are underway.

The changes from MGN 501 are:

- That the Note clarifies that EPIRBs should be capable of transmitting the position obtained from a built-in GPS receiver to a satellite; and
- Carbon Monoxide Monitors for vessels with enclosed spaces that contains a fired cooking or heating appliance



## **1.0 Introduction**

1.1 This Marine Guidance Note is intended to allow skippers and owners to improve the safety of their vessels by complying with a revised but non mandatory Code of Practice for the Safety of Fishing Vessels of less than 15 metres Length Overall (the Code).

## **2.0 Background**

2.1 The Code is associated with the Fishing Vessel (Code of Practice for the Safety of Small Fishing Vessels) Regulations 2001.

2.2 The Regulations came into force on 1st April 2001 and gave statutory force to the Code of Practice for the Safety of Small Fishing Vessels and replaced the requirements of the Fishing Vessels (Safety Provisions) Rules 1975 and the Fishing Vessels (Life Saving Appliance) Regulations 1988 as they applied to fishing vessels with a registered length less than 12 metres.

2.3 The Fishing Vessels (Safety of 15-24 Metre Vessels) Regulations 2002 brought into force the Code of Safe Working Practice for the Construction and Use of 15 Metre Length Overall (LOA) to less than 24 Metre Registered Length (L) Fishing Vessels. Those Regulations also amended the Fishing Vessels (Code of Practice for the Safety of Small Fishing Vessels) Regulations 2001 to include vessels of less than 15 metres (LOA).

## **3.0 The Revised Code**

3.1 The Code contained within this MGN sets out the full text of the proposed revision to MSN 1813 - The Code of Practice for the Safety of Small Fishing Vessels. The existing Code of Practice remains the Code which applies to these vessels but owners and skippers may make use of this Code to prepare for their mandatory inspections and compliance with this Code will be treated as demonstrating compliance the Regulations and MSN 1813.

3.2 The Code has been subject to a review by MCA, industry and other interested bodies and this Note and the revised Code have been developed as a result of that review. The aim of the review is to update existing requirements in order to improve the safety of fishing vessels in foreseeable operating conditions, and the survival of the crew in the event of an accident.

3.3 It is the intention of the MCA to issue this Code as a Merchant Shipping Notice, subject to a formal consultation process, with the aim of making these requirements mandatory.

## **4.0 Changes applied to the revised Code**

4.1 This Code sets out a number of new requirements based on recommendations from the MAIB and investigations of past incidents.

4.2 The new requirements applied in this Code, which are not in MSN 1813, include:

- Liferrafts now required for vessels of 7m (L) to less 12m (L);
- Vessels built prior to 2007 newly entering the fishing industry must undergo a Survey by a Certifying Authority prior to registration as a fishing vessel (already required under Registration Regulation but to be made more explicit for potential vessel owners in the Code);
- Inspection of vessels will now take place when the vessels ownership changes;
- Monthly emergency drills are to take place;



- Radar Reflectors to be fitted to all vessels, previously only required on open vessels of 7m (L) -12m (L);
- Bilge Alarms for open vessels (7m (L) -15m (LOA)), previously this was only for decked vessels;
- Certificates to be issued when a vessel has satisfactorily undergone its Code inspection;
- Structural modifications to all vessels to be notified to MCA prior to work taking place;
- EPIRBs capable of transmitting the position obtained from a built-in GPS receiver to a satellite for all vessels;
- Carbon Monoxide Monitors for vessels with enclosed spaces that contains a fired cooking or heating appliance.

4.3 The requirements from MSN 1813 still apply in respect of:

- safety equipment to be carried on the vessel appropriate to its length and construction;
- annual self-certification that the vessel complies with the Code, by declaring that the safety equipment has been properly maintained and serviced in accordance with manufacturers' recommendations;
- presenting the vessel for inspection at intervals not exceeding five years from the date of last inspection in accordance with the provisions of section 3.2;
- ensuring that new vessels are constructed and outfitted in accordance with the latest release of the construction and outfit standards issued by a Certifying Authority;
- to ensure that vessels of 15m (LOA) and over which operate solely in categorized waters, comply with this code as an alternative to complying with the Code of Safe Working Practice for the Construction and Use of 15 metres (LOA) to less than 24 metre Registered Length (L) Fishing Vessels, shall report their intentions to the nearest Coastguard Station before proceeding outside categorized waters.

4.4 In addition, the requirements for Stability for vessels of 12m (L) to less than 15m (LOA) were inadvertently removed from legislation when the 15-24m Code came into force. With the agreement of Industry, these are being reintroduced into this Code.

4.5 Extensive repairs, modifications or alterations carried out to the structure or machinery of a vessel, shall only be undertaken after consultation and with the MCA's approval to ensure it complies with the requirements of the Code, as applicable to a new vessel, to the satisfaction of the MCA.

4.6 Due to the numbers of fishermen that have died after falling overboard, the Code recommends that all crew whilst working on the open deck of a vessel that is underway wear a personal floatation device or a safety harness. This is not a mandatory requirement. Attention is also drawn to The Merchant Shipping and Fishing Vessels (Personal Protective Equipment) Regulations 1999 which set out the general rule that Personal Protective Equipment must be used when risks cannot be avoided or reduced to an acceptable level. MSN 1731 (The Merchant Shipping and Fishing Vessels Personal Protective Equipment Regulations 1999) says that for any work where there is reasonable foreseeable risk of going overboard then a lifejacket or Personal Floatation Device should be worn.



## 5.0 Additional Guidance

5.1 The guidance contained in this section of the Code is a reminder of other statutory requirements, which are relevant to fishing vessels covered by the Code. It does not form part of the statutory requirements under the Fishing Vessels (Code of Practice for the Safety of Small Fishing Vessels) Regulations 2001.

5.2 An owner will be required to ensure that an appropriate and up to date health and safety risk assessment has been completed in accordance with the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997.

### More Information

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