

2017 No.

MERCHANT SHIPPING

The Merchant Shipping (Work in Fishing Convention) (Survey and Certification) Regulations 2017

<i>Made</i>	- - - -	*** 2017
<i>Laid before Parliament</i>		*** 2017
<i>Coming into force</i>	- -	*** 2017

The Secretary of State is a Minister designated for the purpose of section 2(2) of the European Communities Act 1972^(a), in relation to measures relating to the safety of ships and the health and safety of persons on them and measures relating to marine transport.

The Secretary of State makes the following Regulations, in exercise of the powers conferred by section 85(1)(a) and (b), (3) and (5) to (7) and section 86(1) of the Merchant Shipping Act 1995^(b) and section 2(2) of the European Communities Act 1972.

In accordance with section 86(4) of the Merchant Shipping Act 1995 the Secretary of State has consulted the persons referred to in that section:

Citation and Commencement

1.—(1) These Regulations may be cited as the Merchant Shipping (Work in Fishing Convention) (Survey and Certification) Regulations 2017.

(2) These Regulations come into force on [date] 2017.

Interpretation

2.—(1) In these Regulations

“the Act” means the Merchant Shipping Act 1995;

“certifying authority” means

- (a) the Secretary of State
- (b) an organisation which has an agreement with the Secretary of State pursuant to Article 5(2) of Directive 2009/15/EC of the European Parliament and of the Council of 23rd April 2009 on common rules and standards for ship inspection and survey organisations

(a) 1972 c.68.
(b) 1995 c.21.

and for the relevant activities of maritime administrations(4) which authorises it to undertake surveys of ships under these Regulations

“Convention” or “Work in Fishing Convention” means the convention adopted a Geneva on 14 June 2007 by the International Labour Organisation;

“Convention State” means a state, other than the United Kingdom, which is a party to the Convention;

“fishing vessel” means a vessel for the time being used for or in connection with fishing for sea fish other than a vessel used for fishing otherwise than for profit; and for the purposes of this definition “sea fish” includes shellfish, salmon and migratory trout (as defined by section 44 of the Fisheries Act 1981(a) [that is 24 metres or more in length];

“fishing vessel owner” means the owner of the fishing vessel or any other organisation or person such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the vessel from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on fishing vessel owners in accordance with the Convention, regardless of whether any other organisation or person fulfils certain of the duties or responsibilities on behalf of the fishing vessel owner;

“length” means registered length as defined by the Fishing Vessels (Safety of 15-24 Metre Vessels) Regulations 2002(b);

“Merchant Shipping Notice” means a notice described as such and issued by the Secretary of State, and any reference to a particular Merchant Shipping Notice includes a reference to a Merchant Shipping Notice amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time;

“proper officer” has the meaning given in section 313 of the Act ;

“relevant inspector” means any of the persons mentioned in section 258(1) of the Act;

“skipper” means the person having command of the fishing vessel;

“United Kingdom fishing vessel means” means a vessel which is

(a) a ship within the meaning of Section 85(2) of the Act; or

(b) a hovercraft registered under the Hovercraft Act 1968(c);

“Work in Fishing Convention Certificate” means, a certificate of that name issued by the Secretary of State or a certificate issued by the competent authority of a Convention State in accordance with article 41.1 of the Work in Fishing Convention

In the application of these Regulations to a hovercraft a reference to the skipper includes a reference to the captain of the hovercraft.

Application

3.—(1) Subject to paragraphs (2) to (4), these Regulations apply to United Kingdom fishing vessels wherever they may be.

(2) Subject to paragraphs (3) and (4), regulations 13 to 15 apply to fishing vessels which are not United Kingdom fishing vessels while the vessel is in United Kingdom waters.

(3) These Regulations do not apply to fishing vessels which are less than 24 metres in length, unless such vessels normally navigate at a distance exceeding more than 200 nautical miles from

(a)

(b)

(c) 1968

the United Kingdom coastline or to the outer edge of the United Kingdom continental shelf, whichever distance is the greater.

(4) These Regulations do not apply to fishing vessels which do not remain at sea for more than 72 hours.

Survey of Fishing Vessels

- 4.—(1) A fishing vessel is subject to the following surveys—
- (a) before a Work in Fishing Convention Certificate is first issued in relation to the ship, an initial survey by a certifying authority, as set out in Merchant Shipping Notice XXX,
 - (b) thereafter, at specified intervals, a renewal survey by a certifying authority, as set out in Merchant Shipping Notice XXX.
- (2) A renewal survey must be completed
- (a) if the fishing vessel is more than 24 metres in length, within four years of the initial survey,
 - (b) if the fishing vessel is between more than 15 and 24 metres in length, within five years of the initial survey.

Issue of Work in Fishing Convention Certificates

5.—(1) Where the certifying authority is satisfied after the completion of an initial or renewal survey carried out in accordance with the provisions of regulation 4(1)(a) or (b) that the Work in Fishing Convention standards are being complied with, that authority must issue a Work in Fishing Convention Certificate.

(2) A certifying authority may have regard to the results of a survey conducted before the date on which these Regulations come into force when deciding whether it is satisfied that standards referred to in this regulation are being complied with.

(3) A Work in Fishing Convention Certificate issued under this regulation must be drawn up in a form corresponding to the model given in Merchant Shipping Notice XXX and have the content specified in that Merchant Shipping Notice.

Duration and Validity of Work in Fishing Convention Certificates

- 6.—(1) Subject to paragraph (2), a Work in Fishing Convention Certificate must be issued—
- (a) on the date of the completion of the relevant survey, and
 - (b) with a period of validity starting on the date of issue and not exceeding five years.
- (2) Where a renewal survey as required by regulation 4(2) has been completed within a period of three months before the expiry of a Work in Fishing Convention Certificate, the new certificate must be issued as being valid from the date of expiry of the existing certificate.
- (3) A Work in Fishing Convention Certificate ceases to be valid
- (a) Upon the transfer of the fishing vessel to the flag of another State;
 - (b) If the person who is named on the certificate as the fishing vessel owner ceased to have responsibility for the operation of the ship;
 - (c) If substantial changes are made to the fishing vessel's accommodation or its food or catering facilities; or
 - (d) If the fishing vessels accommodation or the vessels food and catering facilities have sustained damage or otherwise become deficient and that damage or deficiency has not been rectified.

Documents to be carried on board ship and made available

7.—(1) The Fishing Vessel Owner and the Skipper must ensure that there is carried on board the ship at all times a copy of the Work in Fishing Convention.

(2) The Fishing Vessel Owner and the skipper of a fishing vessel to which a Work in Fishing Convention Certificate has been issued and which has not expired must ensure that the Certificate is carried on board the ship and posted in a conspicuous place on board where it is available to fishermen.

(3) The Fishing Vessel Owner and the skipper of a vessel must make the Certificate referred to in paragraph (1) available, upon request, to the persons specified in Merchant Shipping Notice XXXX.

On-board and on-shore complaint procedure

8.—(1) The Fishing Vessel Owner and the skipper of a vessel to which this regulation applies must ensure that there is available to a fisherman on that vessel a procedure to lodge a complaint alleging a breach of the requirements of the Work in fishing Convention and for that complaint to be resolved fairly, effectively and expeditiously.

(2) A procedure to lodge a complaint and have it resolved must—

- (a) seek to resolve the complaint at the lowest level possible,
- (b) enable a seafarer to complain directly to the skipper and appropriate external authorities,
- (c) include the right of the fisherman to be accompanied or represented during any hearing which takes place under that procedure,
- (d) [comply with the requirements of Merchant Shipping Notice XXXX.]

(3) The Fishing Vessel Owner and the skipper of a vessel must ensure that a fisherman joining the vessel is or has been provided with—

- (a) a copy of the complaint procedure which is available to the fisherman in accordance with paragraph (1),
- (b) contact information for the certifying authority for the vessel,
- (c) where applicable, contact information for the authority which is the competent authority for the purposes of the Work in Fishing Convention in the fisherman's country of residence, and
- (d) the name of a person on board the ship who can, on a confidential basis, provide the seafarer with impartial advice on their complaint and otherwise assist them in following the complaint procedure.

(4) A Fisherman may lodge with the [MCA] a complaint alleging a breach of the requirements of the Work in Fishing Convention, and the [MCA] must treat the source of any such complaint as confidential.

(5) The Fishing Vessel Owner and the skipper of a vessel must ensure that a seafarer is not subjected to any detriment on the grounds that the fisherman has lodged a complaint, whether through an on-board procedure or to the [MCA], alleging a breach of the requirements of the Work in Fishing Convention.

(6) For the purposes of paragraph (2)(a), seeking to resolve a complaint at the lowest level possible means—

- (a) (a)having the complaint considered by the lowest level of manager or officer who has the expertise and authority appropriate to consider such a complaint, provided that the person considering the complaint is not directly involved with the particular complaint,
- (b) if that person is unable to resolve or reject the complaint, escalating the complaint to be considered by the next level of manager or officer who has the expertise and authority appropriate to consider such a complaint, provided that the person considering the complaint is not directly involved with the particular complaint, and
- (c) continuing to escalate the complaint in such manner until it is resolved or rejected.

Arbitration

9.—(1) If an applicant is dissatisfied for any reason with the outcome of a survey carried out in respect of a United Kingdom fishing vessel, that person may serve a written notice on the responsible person within 21 days of receiving notification of that outcome—

- (a) stating that there is a dispute in relation to the survey, and
- (b) requesting that the dispute be referred to a single arbitrator.

(2) Subject to paragraphs (3), (4) and (6) an arbitrator referred to in paragraph (1) must be appointed by agreement between the parties.

(3) In default of agreement between the parties, the arbitrator is such person as may be appointed by the President or Vice President of the Chartered Institute of Arbitrators following a request made by—

- (a) a party, after giving written notice to the other party, or
- (b) the parties jointly,

but this paragraph does not apply in relation to Scotland.

(4) No person is to be an arbitrator under this regulation unless that person is

- (a) a person who holds a certificate to act as—
 - (i) a master or chief mate on a seagoing ship of 3,000 gross tonnage or more, in accordance with Regulation II/2 of Chapter 2 of the Annex to the STCW Convention, or
 - (ii) a chief engineer officer or second engineer officer on a seagoing ship powered by main propulsion machinery of 3,000kW propulsion power or more, in accordance with Regulation III/2 of Chapter 3 of the Annex to the STCW Convention,
- (b) a person who holds a certificate of competency equivalent to a certificate referred to in sub-paragraph (a),
- (c) a naval architect,
- (d) a qualified person,
- (e) a person with experience of shipping matters or of activities carried on in ports, or
- (f) a member of the Chartered Institute of Arbitrators.

(5) An arbitrator appointed under this regulation has the powers of an inspector conferred by section 259 of the Act.

(6) In the application of this regulation to Scotland—

- (a) any reference to an arbitrator is to be construed as a reference to an arbiter, and
- (b) the reference in paragraph (2) to a single arbitrator appointed by agreement between the parties is to be construed as a reference to a single arbiter so appointed or, in default of agreement, appointed by a sheriff.

(7) The rules for arbitration set out in Merchant Shipping Notice M1613 apply unless alternative procedures are agreed between the applicant and the Secretary of State before the commencement of arbitration proceedings.

(8) In this regulation—

- (a) “applicant” means a person who makes an application for a survey required by these Regulations,
- (b) “the parties” means the applicant and the responsible person, and “party” is to be construed accordingly,
- (c) “qualified person” means—

- (i) a person who satisfies the judicial-appointment eligibility condition on a 7-year basis within the meaning of section 50 of the Tribunals, Courts and Enforcement Act 2007(15),
- (ii) a person who is an advocate or solicitor in Scotland of at least 7 years' standing,
- (iii) a person who is a member of the Bar of Northern Ireland or a solicitor of the Supreme Court of Northern Ireland of at least 7 years' standing,
- (d) "responsible person" means the certifying authority responsible for the issue of the certificate in connection with which a survey required by these Regulations is carried out, and
- (e) "the STCW Convention" means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers(a), as amended in 1995 by resolution 1 of the STCW Convention(b), convened at the International Maritime Organisation's headquarters from 26th June to 7th July 1995.

Offences and penalties for United Kingdom fishing vessels

10.—(1) If a fishing vessel to which regulation 3 applies proceeds or attempts to proceed to sea on a voyage without a valid Work in Fishing Convention Certificate, the fishing vessel owner and the skipper of the ship are guilty of an offence and liable on summary conviction—

- (a) in England and Wales to a fine, or
- (b) in Scotland and Northern Ireland to a fine not exceeding the statutory maximum

or on conviction on indictment to imprisonment for a term not exceeding two years, or a fine, or both.

(2) Any person who—

- (a) intentionally alters a Work in Fishing Convention Certificate;
- (b) intentionally produces a false Work in Fishing Convention Certificate;

is guilty of an offence and is liable on summary conviction—

- (i) in England and Wales to a fine; or
- (ii) in Scotland and Northern Ireland to a fine not exceeding the statutory maximum.

(3) Any contravention of regulation 7 or 8 is an offence by the fishing vessel owner and by the skipper punishable on summary conviction

- (a) in England and Wales to a fine; or
- (b) in Scotland and Northern Ireland by a fine not exceeding the statutory maximum

or on conviction on indictment by imprisonment for a term not exceeding two years, or a fine, or both.

(4) In any proceedings for an offence under this regulation, it is a defence for the person charged to prove that all reasonable steps had been taken by that person to ensure compliance with the requirements of the provision in question.

Inspection of United Kingdom fishing vessels

11.—(1) For the purpose of checking compliance with these Regulations other than regulations [9 and 18 to 20], a relevant inspector or a proper officer may at all reasonable times go on board a ship and inspect the ship, its equipment, any article and any document carried on it.

(2) Subsections (1A), (3) and (5) of section 258 of the Act (powers to inspect ships and their equipment, etc) apply in relation to paragraph (1) as if references in those subsections to "subsection (1) above" and "this section" were references to paragraph (1).

(a)
(b)

(3) Sections 259(1), (2), (5), (7) and (9) to (12) and 260(1) and (2) of the Act (powers of inspectors in relation to premises and ships, and supplementary provisions) apply in relation to the inspection of a fishing vessel for the purposes of checking compliance with these Regulations as they apply in relation to the inspection of a ship for the purposes of checking compliance with the Act, as if—

- (a) references in those sections to “this Act” were to these Regulations,
- (b) for section 259(1)(b) there were substituted a reference to any fishing vessel to which this regulation applies,
- (c) in section 259(2)(h)(iii) the words “or any instrument made under it” were omitted, and
- (d) in section 259(5), the reference to “subsections (2) and (4) above for the purposes of Chapter II of Part VI” were to “subsection (2) above”, and the reference to “those subsections” were to “that subsection”.

(4) Any Regulations made under subsection (8) of section 259 or subsection (3) of section 260 of the Act apply for the purposes of the provisions of those sections as applied by paragraphs (2) and (3) as they apply for the purposes of the Act.

(5) Sections 261 to 266 of the Act (improvement notices and prohibition notices) apply for the purposes of these Regulations as if the meaning of “the relevant statutory provisions” in section 261(4) included these Regulations.

Detention of United Kingdom fishing vessels

12.—(1) Where a relevant inspector has clear grounds for believing that—

- (a) a fishing vessel to which this regulation applies does not comply with these Regulations;
and
- (b) (i) the conditions on the fishing vessel are clearly hazardous to the safety, health or security of fishermen, or
(ii) the non-compliance represents a serious breach or the latest in a series of repeated breaches of these Regulations or the requirements of the Work in Fishing Convention,

that fishing vessel is liable to be detained.

(2) A person having powers to detain a ship may permit a fishing vessel which is liable to be detained under this regulation to proceed to sea for the purpose of proceeding to the nearest appropriate repair yard available.

(3) Section 284 of the Act⁽¹⁾ (enforcing detention of a ship) applies where a fishing vessel is liable to be detained under this regulation as if—

- (a) references to the owner of a ship were to the fishing vessel owner under these Regulations,
- (b) references to detention of a ship under the Act were references to detention of a fishing vessel under these Regulations, and
- (c) subsection (7) were omitted.

(4) Where a fishing vessel is liable to be detained under this regulation, the person detaining the ship must serve on the skipper a detention notice which—

- (a) states the grounds for the detention, and
- (b) requires the terms of the notice to be complied with until the fishing vessel is released by any person mentioned in section 284(1) of the Act.

(5) Where a fishing vessel is detained under paragraph (1) but the failure to comply referred to in that paragraph has ceased, a person having power to detain the ship must, at the request of the fishing vessel owner or master, immediately release the fishing vessel—

- (a) if no proceedings for an offence under these Regulations are instituted within the period of seven days beginning with the day on which the ship is detained,

- (b) if proceedings for an offence under these Regulations, having been instituted within that period, are concluded without the fishing vessel owner or skipper being convicted,
 - (c) if either—
 - (i) the sum of [£30,000] is paid to the Secretary of State by way of security, or
 - (ii) security which, in the opinion of the Secretary of State, is satisfactory and is for an amount not less than [£30,000] is given to the Secretary of State by or on behalf of the fishing vessel owner or skipper,
 - (d) where the fishing vessel owner or skipper is convicted of an offence under these Regulations, if any costs or expenses ordered to be paid by that person and any fine imposed on that person have been paid, or
 - (e) if the release is ordered by a court or tribunal referred to in article 292 of the United Nations Convention on the Law of the Sea^(a), and any bond or other financial security ordered by such court or tribunal is posted.
- (6) The Secretary of State must repay any sum paid in pursuance of paragraph (5)(c) or release any security so given—
- (a) if no proceedings for an offence under these Regulations are instituted within the period of seven days beginning with the day on which the sum is paid or the security is given, or
 - (b) if proceedings for such an offence, having been instituted within that period, are concluded without the fishing vessel owner or skipper being convicted.
- (7) Where a sum has been paid, or security has been given, by any person in pursuance of paragraph (5)(c) and the fishing vessel owner or skipper is convicted of an offence under these Regulations, the sum so paid or the amount made available under the security must be applied as follows—
- (a) first in payment of any costs or expenses ordered by the court to be paid by the fishing vessel owner or skipper, and
 - (b) next in payment of any fine imposed by the court,
- and any balance must be repaid to the first-mentioned person.
- (8) Section 145 of the Act (interpretation of references in section 144 to the institution of proceedings or their conclusion) applies for the purposes of paragraphs (5) to (7) as if—
- (a) references to the owner of a ship were to the fishing vessel owner under these Regulations, and
 - (b) references to an offence under section 131 were references to an offence under these Regulations.

Documentation and complaint procedures for non-United Kingdom fishing vessels

13.—(1) A fishing vessel to which this regulation applies must ensure that —

- (a) a copy of the Work in Fishing Convention, and
- (b) a copy of the [Work in Fishing Convention Certificate].

(2) If a fishing vessel to which this regulation applies proceeds to sea in United Kingdom waters or attempts to proceed to sea or on a voyage in United Kingdom waters without complying with the requirements referred to in paragraph (1), the fishing vessel owner and the skipper are guilty of an offence and liable on summary conviction—

- (i) In England and Wales to a fine;
- (ii) In Scotland and Northern Ireland to a fine not exceeding the statutory maximum

^(a)

or on conviction on indictment to imprisonment for a term not exceeding two years, or a fine, or both.

(3) In any proceedings for an offence under this regulation, it is a defence for the person charged to prove that all reasonable steps had been taken by that person to ensure compliance with the requirements in question.

(4) In any proceedings for an offence under sub-paragraph (1)(b) where the Work in Fishing Convention is not in force for the State whose flag the fishing vessel is entitled to fly, it is a defence for the person charged to prove that documents containing substantially similar information to the document referred to in that sub-paragraph are carried on board the ship.

Inspection of non-United Kingdom fishing vessels

14.—(1) Where the Work in Fishing Convention is in force for the State whose flag the fishing vessel is entitled to fly, a relevant inspector may inspect the ship's Work in Fishing Convention Certificate or the fishing vessel's Interim Work in Fishing Convention Certificate.

(2) Where the Work in Fishing Convention is not in force for the State whose flag the fishing vessel is entitled to fly, a relevant inspector may carry out an inspection of that ship as set out in Merchant Shipping Notice XXXX.

Detention of non-United Kingdom fishing vessels

15.—(1) Where a relevant inspector inspects a fishing vessel under regulation 14 and has clear grounds for believing that—

- (a) the fishing vessel does not comply with the requirements of the Work in Fishing Convention, and
- (b) (i) the conditions on board are clearly hazardous to the safety, health or security of fishermen, or
(ii) the non-compliance represents a serious breach or the latest in a series of repeated breaches of the requirements of the Work in Fishing Convention,

the ship is liable to be detained.

(2) A person having powers to detain a ship may permit a fishing vessel which is liable to be detained under this regulation to proceed to sea for the purpose of proceeding to the nearest appropriate repair yard available.

(3) The power under this regulation to detain a fishing vessel may only be exercised if the fishing vessel in question is—

- (a) in a port or shipyard in the United Kingdom, or
- (b) at an offshore terminal in United Kingdom waters or controlled waters.

(4) Where a fishing vessel is liable to be detained under this regulation, section 284 of the Act has effect in relation to that fishing vessel as if—

- (a) references to the owner of a ship were to the fishing vessel owner under these Regulations,
- (b) references to detention of a ship under the Act were references to detention of the fishing vessel in question under this regulation, and
- (c) subsection (7) were omitted.

(5) Where a fishing vessel is detained under this regulation, the Secretary of State must immediately inform the consul or diplomatic representative of the State whose flag the fishing vessel is entitled to fly or the appropriate maritime authorities of that State, and invite them to send a representative to attend the fishing vessel.

(6) Where a fishing vessel is detained under this regulation but the failure to comply referred to in paragraph (1) has ceased, a person having power to detain the ship must, at the request of the

fishing vessel owner or skipper, immediately release the ship.

Review

16.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in 3 to 15 of these regulations to, and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before [enter date].

(3) Subsequent reports must be published at intervals not exceeding [5] years.

(4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015 requires that a review carried out under this regulation must, so far as is reasonable, have regard to how the obligations under the Work in Fishing Convention are implemented in other countries which are subject to the obligations.

(5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular-

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),

(b) assess the extent to which those objectives are achieved,

(c) assess whether those objectives remain appropriate, and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(6) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act)

Signatory text

Address
Date

Name
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Article 41 of the work in Fishing Convention, 2006 (Cmd. ###). They apply to United Kingdom fishing vessels wherever they may be and to fishing vessels in United Kingdom waters. .

Regulation 4 requires United Kingdom fishing vessels to be surveyed for the purposes of issuing a Work in Fishing Convention Certificate, and regulations 5 and 6 make further provision regarding surveys and the issuing of certificates.

Regulation 8 requires certain documents to be carried on board a United Kingdom fishing vessels and to be made available, and regulation 13r requires on-board and on-shore complaint procedures to be available to fishermen on the vessels . Regulations 9 to 12 make provision for arbitration on

the outcome of surveys and for the enforcement of the preceding regulations as regards United Kingdom fishing vessels.

Regulation 13(1) requires ships which are not United Kingdom ships to comply with requirements of the Work in Fishing Convention relating to the documents to be carried on board the ship and on-board and on-shore complaints procedures. Regulation 14 and 15 make provision for the enforcement of these requirements.

Regulation 16 requires the Secretary of State to review the operation and effect of these Regulations and publish a report within five years after they come into force and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be revoked or amended. A further instrument would be needed to revoke the Regulations or to amend them.

These Regulations are made under sections 85(1)(a) and (b), (3) and (5) to (7) and 86(1) of the Merchant Shipping Act 1995 except in so far as (a) they relate to parts of the Work in Fishing Convention, 2008 which do not concern the health or safety of persons on ships and (b) they relate to government ships. Section 2(2) of the European Communities Act 1972 is used to (a) ensure that all parts of the Work in Fishing Convention, 2006 are covered by these Regulations.

Merchant Shipping Notices are published by the Maritime and Coastguard Agency. Copies may be obtained from M-Notices Subscriptions, PO Box 362, Europa Park, Grays Essex RM17 9AY, tel 01375 484548, fax 01375 484556, email mnotices@ecgroup.co.uk. They may also be accessed via the MCA's website www.dft.gov.uk/mca, which also has details of any amendments or replacements.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is published with the Explanatory Memorandum alongside this instrument on www.legislation.gov.uk.