



## MGN 630 (M+F) Amendment 2

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

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

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

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#### **Summary**

MSN 1871 allows vessels of less than 15m Length Overall (LOA) built before 16 July 2007 to be considered by the Maritime and Coastguard Agency (MCA) for Registration as fishing vessels. This Notice sets out the process in place to ensure the MCA is satisfied vessels are safe and suitable for commercial fishing. This Note also states that existing vessels of 15m LOA to less than 24m Registered Length wishing to join the Register may also, on a case by case basis, undergo the Pre-Registration Survey and the Note sets out the processes in place for.

This Amendment sets out a revision to the process by which Fishing Vessel Certifying Authority and Authorised Surveyors conducting Registration Surveys may agree corrective action to meet the Construction Standards with vessel owners and verify that action has been completed prior to a report being submitted to MCA. Where the vessel cannot meet Construction Standards, then MCA should still be consulted to agree corrective action.



## 1. Introduction

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

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

- 2.1 From 21 July 2020, to ensure that vessels continue to comply with a suitable standard and do not gain any technical or commercial advantage, new arrangements have been put in place. Vessels of less than 15m LOA which are not currently registered as fishing vessels and which are verified as being built before 16 July 2007, seeking to register as such, will be surveyed, against the requirements of Section 3.11 of MSN1871 Amendment No.1. The Pre-Registration Survey Comparison Report shall be supplied to the MCA for consideration.



- 2.2 Fishing vessels of less than 15m LOA which leave the Fishing Vessel Register for a period of six months or more will be treated as new registrations and it will be necessary to confirm compliance with the applicable standards as set out in sections 3.10 or 3.11 of MSN1871 Amendment No.1, dependent on the date of build for the vessel, before these vessels can be re-registered and re-certificated by the MCA.
- 2.3 Before purchasing a vessel the potential applicant is recommended to assess the vessel using the Matrix at Annex 1. This matrix is a guide only. If you identify a vessel you wish to purchase, you can use the matrix to calculate a point score for the vessel before you make a purchase. This matrix gives an indication of the construction standard of the vessel. The lower the number of points your vessel scores more likely it is to be registered as meeting the necessary standard.
- 2.4 Please note the Matrix is **NOT** used by the MCA as part of the process of considering the vessel for Registration, the decision of the MCA is based solely upon the Pre-Registration Survey Comparison Report. The purpose of this Report is to establish that the vessels construction standard is equivalent to the requirements of MGN 628 (M&F) and that it has been adequately maintained over time. The Matrix is therefore not a guarantee of either refusal or acceptance for Registration, it is solely for the potential purchaser to use as a guide for choosing a vessel.

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

- 3.1 MCA have now also resumed survey work for new build fishing vessels of 15m LOA to less than 24m RL. The standards applicable can be found in MGN 629 (F) The Construction and Outfit Standards for Fishing Vessels of 15m Length Overall to less than 24m Registered Length. New build work will be exclusively overseen by MCA, see [MSIS27 Chapter 1 Annex 24 New Build Procedures](#) for further details.
- 3.2 MSN1872 The Code of Safe Working Practice for the Construction and Use of Fishing Vessels of 15m LOA to less than 24m L, as maybe amended, sets out the following requirements for existing vessels wishing to flag in.

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

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

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

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

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

(ii) *The vessel is certified as being in Class; or*

(a) *the owner is able to demonstrate, to the satisfaction of MCA, that the vessel's structural strength, equipment and machinery are adequate*



*for the intended purpose by meeting Seafish Construction Rules (now MGN629) or Classification Society Standards; and*

**(b) a verifiable record of safe operation for the intended mode of fishing can be provided by the vessel owners. E**

*1.3.13.4 The Vessel will be assessed against a Flag in Matrix (see Annex 3), prior to acceptance on the UK Flag. Depending on the outcome of the assessment, the vessel will either be Flagged in by MCA through survey, have a Pre Flag Inspection by MCA prior to rejection or agreement to Flag in through survey or be referred to the Flag in Panel for a decision to confirm rejection or to allow Pre Flag Inspection.*

- 3.3 Fishing Vessels of 15m LOA and over, if they leave the Register will be treated as new vessels if they apply for Registration and must comply with the applicable standards as set out in this MGN and MGN 629 (M&F).
- 3.4 With the Seafish Standards for fishing vessels of 15m LOA to less than 24m RL now being republished as MGN 629 (M&F), MCA will, on a strictly case by case basis, allow for Pre-Registration Surveys of vessels of 15m LOA to less than 24m L to be conducted by an FVCA.

#### **4.0 Survey Process – All Vessels**

- 4.1 Once the applicant has identified a vessel of less than 15m LOA they wish to Register, they should contact a Fishing Vessel Certifying Authority (FVCA) to request a pre-registration survey. Applicants wishing to Register vessels of 15m LOA to less than 24 RL must contact MCA first and be subject to the process set out in section 1.13.13 of MSN1872 Amendment No.1. Pre-Registration Surveys of vessels of 15m LOA to less than 24m RL by FVCAs must not commence without MCA approval. Failure to do so may lead to refusal of registration. . A list of Fishing Vessel Certifying Authorities which have signed agreements with the MCA is available from <https://www.gov.uk/guidance/fishing-vessel-classification-registration-andinspection> or by calling 0203 81 72452.

NOTE: Wooden hulls sheathed in GRP will not be accepted for Registration.

- 4.2 Vessels should be presented to the FVCA in accordance with the conditions set out in Annex 2.
- 4.3 During the survey the FVCA will advise the owner where the vessel does not meet the Construction Standards and agree with the owner what corrective measures should be taken to bring the vessel into compliance with the Standard. The deficiencies identified along with agreed corrective action shall be annotated in the survey report. The corrective actions will be verified by the FVCA before the vessel is presented to the MCA for its safety inspection. A copy of the report should be sent to both the MCA and the owner of the vessel.
- 4.4 If the vessel is found to have deficiencies which cannot be remedied to meet the Construction Standards these areas, along with recommendations by the FVCA for corrective action, should be annotated on the survey report. An example of such a situation might be a decked vessel built to a previous standard which required one bulkhead, where the current standard requires two. Corrective action might be to ensure bilge pump capacity is also to the earlier standard and the vessel limited in its operational area.
- 4.5 The report should then be sent to the MCA. On receipt of this report, the MCA shall review the report and, in consultation with the FVCA, agree on the appropriate action to take. The



FVCA will be required to oversee the agreed work and confirm to the MCA that the work has been completed prior to the vessel being presented to the MCA for its safety inspection.

- 4.6 The applicant (e.g. owner or builder) will be responsible for all costs associated with work undertaken to demonstrate compliance with the relevant construction and outfitting standards. Fees for Pre-Registration Survey work will be set by the FVCA.
- 4.7 The applicant must also sign a Declaration of Vessels Registration Survey Condition (MSF5589) confirming that when presenting this vessel for MCA Inspection, they shall present the vessel in the same condition as it was presented for the Pre-Registration Survey, with the exception of addressing any deficiencies identified in the Pre-Registration Survey Comparison Report and that they will obtain prior approval from the MCA for any other modifications to the vessel before making those modifications
- 4.8 Fees for MCA work reviewing the Comparison Report will be charged at the rate set out in the Merchant Shipping (Fees) Regulations 2018, as may be amended.
- 4.9 Based on the contents of the Report and whether the additional work identified by either the FVCA or the MCA can bring the vessel up to the required standards the MCA may either:
  - .1 accept the Report and, subject to an Inspection against the relevant Code of Practice, agree to Register the vessel
  - .2 refuse to Register the vessel.

## **5 MCA Survey and Inspection**

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

## **6 Certification**

- 6.1 Only vessels which are deemed to meet the equivalent standards will be accepted for registration. Vessels which fail to meet the equivalent standards will not be registered.
- 6.2 MSN 1871, Section 3.7 states:





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

6.3 Section 3.5 of MSN1871 than states

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

6.4 Section 1.3.3.5 of MSN1872 also states:

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

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

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

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

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

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

## **More Information**

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

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





## ANNEX 2 - Conditions for presenting a vessel for a Pre-registration survey

All Vessels when presenting the vessel for a survey must comply with a number of Conditions. These include, but may not be limited to:

- The vessel is to be presented in a complete and operational state.
- Work or operations are not to be in progress during the survey unless requested (e.g. bilge alarms, hydraulic emergency stops etc.).
- The vessel is to be out of water. This can include:
  - On a slip way
  - Hard standing
  - On a trailer
  - On the beach (providing a reasonable survey of the hull is possible)
- Safe access is to be provided by the applicant or their representative.
- Prior to survey bilges are to be empty and clean.
- Prior to survey stores and equipment are to be removed from all areas restricting access to the internal hull structure.
- Prior to survey and where possible, linings are to be removed for access to the hull structure.
- Where ultrasonic tests are required (aluminium & steel vessels) the applicant or their representative is to provide adequate and safe means of access around the whole external perimeter of the vessel, including the provision of adequate and safe staging where necessary to assess hull plating to deck level.

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



## FV FLAG-IN MATRIX - VESSELS OF 15M AND OVER

FACTOR	CRITERIA	POINTS	ALLOCATED SCORE
Vessel name			
IMO Number			
Company/Applicant			
<b>Losing flag</b> <b>White - Grey – Black;</b> <b>taken from the Paris</b> <b>MOU List</b>	White Listed Grey Listed Black Listed	0 20 60	
<sup>1</sup> <b>Class society</b>  <b>See also Note A:</b>	(a) UK authorised society (built and maintained to class) (b) other IACS member (c) non IACS member (i.e. NSI Standard) (d) vessel not classed (e) For 15-24m vessels only – Meets Flag in requirements of 15 – 24 metre Code (Equivalent build standard to Seafish or MGN629)	0 20 30 100 30	
<b>Vessel Type</b>	Long Liner Seiner Pelagic Trawler/Seiner Potter Mussel Dredger Bottom Trawler Scallop (outriggers only) Beam Trawler/Scallop	0 5 5 5 10 10 15 20	
<b>Age</b>	0-15 16-25 Over 25	0 30 60	
<b>Flag State History</b>	Available for previous 24 months No History	0 20	
<b>Inspection History</b>	No deficiencies in last 12 months 0-10 deficiencies in last 12 months 11 – 20 deficiencies in last 12 months 20 deficiencies or more in last 12 months	0 10 20 30	
<b>Detention History</b>	Detained once in last 12 months Detained twice in last 12 months Detained more than twice in last 12 months Detained once in last 24 months Detained twice in last 24 months Detained more than twice in last 24 months Detained once in last 5 years Detained twice in last 5 years Detained more than twice in last 5 years	15 30 60 10 25 50 10 20 40	
		<b>TOTAL</b>	
<b>Name of CSM</b>	Check CSM database		

<sup>1</sup> Consideration of the Class Society relates to the Society BEFORE transfer to the UK Register.



**SURVEY THRESHOLDS - FOR USE WITH ABOVE TABLE**

Actual Score	Flag in by MCA through survey	Pre Flag in Inspection by MCA prior to flag in survey	Refer to Flag in Panel	Refer to Flag in Panel for confirmation of refusal to register
0 - 50	✓			
51 - 100		✓		
101 - 120			✓	
121 +				✓

**NOTES**

- A. Classification Society:** A previously un-classed over 24 metre Fishing Vessel or one classed with a non UK authorised classification society may be accepted subject to a UK authorised classification society classing the vessel prior to joining the UK Register and rigorous survey by the MCA.

