



Safety at Sea Act 1986

1986 CHAPTER 23

PART I

SAFETY OF FISHING VESSELS

The vessel's equipment

1 Emergency position indicating radio beacon.

- (1) A fishing vessel shall carry a radio beacon which in the event of an emergency will indicate its position by transmitting on a prescribed frequency.
- (2) This section applies to all United Kingdom fishing vessels of 12 metres or more in length and to such other United Kingdom fishing vessels as may be prescribed.

2 Automatic release life rafts.

- (1) The life rafts carried by a fishing vessel shall be secured in such a way that they are automatically released and float free if the vessel sinks.
- (2) This section applies to all United Kingdom fishing vessels of 12 metres or more in length and to such other United Kingdom fishing vessels as may be prescribed.

3 Lifejackets.

- (1) A United Kingdom fishing vessel of less than 12 metres in length shall carry a lifejacket of an appropriate size for each person on board and extra lifejackets as follows—
 - (a) if lifejackets of different sizes are required to be carried, at least one extra lifejacket of each size;
 - (b) otherwise one extra lifejacket if there are 10 or fewer persons and two extra lifejackets if there are 11 or more.

Status: This is the original version (as it was originally enacted).

- (2) The lifejackets shall comply with the requirements for the time being of Part I or, as the case may be, Part II of Schedule 11 to the Fishing Vessels (Safety Provisions) Rules 1975 (general requirements for lifejackets).

4 Power to prescribe further requirements.

- (1) The Secretary of State may by regulations—
- (a) prescribe anything required to be prescribed for the purposes of sections 1 and 2 ; and
 - (b) amplify or extend the requirements of sections 1 to 3, in particular, by laying down further technical requirements in relation to the equipment required by those sections.
- (2) References in this Act or elsewhere to the requirements of sections 1 to 3 are to those requirements as amplified or extended under this section.

5 Enforcement.

- (1) In section 2(1) of the Fishing Vessels (Safety Provisions) Act 1970 (fishing vessel survey rules) for “and the rules for radio navigational aids” substitute “, the rules for radio navigational aids and sections 1 and 2 of the Safety at Sea Act 1986 (safety requirements for fishing vessels)”.
- (2) In section 3(1) of the Fishing Vessels (Safety Provisions) Act 1970 (fishing vessel certificates), omit “or” at the end of paragraph (b) and after paragraph (c) insert—
- “, or
- (d) sections 1 and 2 of the Safety at Sea Act 1986 (safety requirements for fishing vessels)”.
- (3) The references to “the Merchant Shipping Acts” in section 3(1) of the Fishing Vessels (Safety Provisions) Act 1970 and in section 76(1) of the Merchant Shipping Act 1970 (powers of inspection) include this Act.
- (4) In Schedule 1 to the Merchant Shipping Act 1984 (relevant statutory provisions for purposes of improvement and prohibition notices), at the appropriate place add—

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The Safety at Sea Act 1986. Sections 1 to 3.”

6 Offences.

- (1) No fishing vessel to which any of the requirements sections 1 to 3 applies shall go to sea unless the requirement is complied with.
- (2) If a fishing vessel goes to sea in contravention of this section the owner and skipper of the vessel are each liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) In proceedings for an offence under this section it is a defence for the accused to show that he used all due diligence and took all reasonable precautions to avoid the commission of an offence under this section.

The skipper and crew

7 Training in safety matters.

- (1) The Secretary of State may make regulations for securing that the skipper of and every seaman employed or engaged in a United Kingdom fishing vessel is trained in safety matters.
- (2) The regulations may provide that if a person goes to sea on a fishing vessel in contravention of a requirement of the regulations—
 - (a) he commits an offence and is liable on summary conviction to a fine not exceeding level 2, or if he is the skipper or an owner of the vessel level 5, on the standard scale; and
 - (b) the skipper and each owner of the vessel is (except in respect of a contravention by himself) liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Supplementary provisions

8 Exemptions.

- (1) The Secretary of State may exempt a fishing vessel or description of fishing vessel from any requirement of this Part.
- (2) He may do so generally or for a specified time or with respect to a specified voyage or to voyages in a specified area, and may do so subject to any specified conditions.

9 Regulations.

- (1) Regulations under this Part may make different provision for different cases, or descriptions of case, including different provision for different descriptions of vessel or according to the circumstances of operation of a vessel.
- (2) Regulations under this Part shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Before making regulations under this Part the Secretary of State shall carry out such consultation with organisations or persons likely to be affected by the regulations as appears to him to be appropriate.
- (4) If it appears to the Secretary of State that regulations under a power conferred by any other enactment supersede any of the provisions of this Part, or of regulations made under them, he may in exercise of that power repeal or revoke the superseded provisions and make such consequential repeals or amendments of any other provision of this Part or any enactment amended by this Part as appears to him appropriate.