

Council Directive 93/103/EC of 23 November 1993 concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

COUNCIL DIRECTIVE 93/103/EC

of 23 November 1993

concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 118a thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>, drawn up after consultation with the Advisory Committee on Safety, Hygiene and Health Protection at Work,

In cooperation with the European Parliament<sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(3)</sup>,

Whereas, in its resolution of 21 December 1987 on safety, hygiene and health at work<sup>(4)</sup>, the Council noted the Commission's intention of submitting to it minimum requirements concerning the organization of the safety and health of workers at work;

Whereas occupational safety and health measures should be introduced as part of the various Community measures for the fisheries sector;

Whereas compliance with the minimum requirements for ensuring a better level of safety and health on board fishing vessels is essential to ensure the safety and health of the workers concerned;

Whereas, because of the specific and particularly difficult working and living conditions on board fishing vessels, the incidence of fatal accidents among workers engaged in sea fishing is very high;

Whereas, on 15 April 1988, the European Parliament adopted a resolution recognizing the importance of the preventive aspects of safety at work on board fishing vessels;

Whereas, for the safety and health of the workers concerned, prominence should be given to locating fishing vessels in an emergency, particularly through the use of new technologies;

Whereas this Directive is an individual Directive within the meaning of Article 16 (1) of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work<sup>(5)</sup>; whereas, therefore, the provisions thereof are fully applicable to work on board fishing vessels, without prejudice to more stringent and/or specific provisions contained in this Directive;

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Whereas the individual Directives already adopted in the field of safety and health at work apply, unless otherwise specified, to sea fishing; whereas, therefore, it may in some cases be necessary to specify the particular characteristics of this activity in order to ensure that the individual Directives are applied in the best way;

Whereas Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels<sup>(6)</sup> is applicable in full to the sea fishing industry;

Whereas this Directive constitutes concrete progress towards the achievement of the social dimension of the internal market,

HAS ADOPTED THIS DIRECTIVE:

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- (1) [OJ No C 337, 31.12.1991, p. 21](#); [OJ No C 311, 27.11.1992, p. 21](#).
- (2) [OJ No C 241, 21.9.1992, p. 106](#); and Decision of 27 October 1993 (not yet published in the Official Journal).
- (3) [OJ No C 169, 6.7.1992, p. 46](#).
- (4) [OJ No C 28, 3.2.1988, p. 1](#).
- (5) [OJ No L 183, 29.6.1989, p. 1](#).
- (6) [OJ No L 113, 30.4.1992, p. 19](#).