STATUTORY INSTRUMENTS

1999 No. 3210

The Merchant Shipping (Radio) (Fishing Vessels) Regulations 1999

PART II

UNITED KINGDOM DIRECTIVE FISHING VESSELS (New fishing vessels of 24 metres or more in length and existing fishing vessels of 45 metres or more in length, which are registered in the United Kingdom)

Radio equipment to be provided for all sea areas

10. Every fishing vessel shall be provided with–

(a) a VHF radio installation capable of transmitting and receiving–

(i) DSC on the frequency 156.525 MHz (channel 70). Means shall be provided to initiate the transmission of distress alerts on channel 70 from the position from which the fishing vessel is normally navigated; and

(ii) radiotelephony on the frequencies 156.300 MHz (channel 6), 156.650 MHz (channel 13) and 156.800 MHz (channel 16);

(b) a VHF radio installation capable of maintaining a continuous listening watch on channel 70 using DSC, which may be separate from, or combined with, that required by paragraph (a)(i) of this regulation;

(c) a radar transponder capable of operating in the 9 GHz band, which shall be so stowed that it can be easily utilised;

(d) if the fishing vessel is at sea in any area in which an international NAVTEX service is provided, a receiver capable of receiving International NAVTEX service broadcasts;

(e) if the fishing vessel is at sea in any area of INMARSAT coverage but in which an international NAVTEX service is not provided, a radio facility for reception of maritime safety information by the INMARSAT enhanced group calling system; and

(f) subject to the provisions of regulation 11(3), a satellite EPIRB complying with the requirements of Schedule 1 to these Regulations.

Additional radio equipment to be provided for area A1 vessels

11.—(1) In addition to meeting the requirements of regulation 10, every area A1 vessel shall be provided with a radio installation capable of initiating the transmission of ship-to-shore distress alerts by operation from the position from which the vessel is normally navigated, operating either–

(a) on VHF using DSC; this requirement may be fulfilled by the VHF EPIRB required by paragraph (3) of this regulation if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated;

(b) through the Cospas-Sarsat satellite service in the 406 MHz band; this requirement may be fulfilled by the satellite EPIRB required by regulation 10(f), if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated;

(c) if the vessel is at sea within coverage of an MF coast station equipped with DSC, on MF using DSC;

(d) on HF using DSC; or

(e) through the INMARSAT geostationary satellite service; this requirement may be fulfilled by–

(i) an INMARSAT ship earth station; or

(ii) the satellite EPIRB required by regulation 10(f), if it is installed close to, or capable of remote activation from, the position from which the fishing vessel is normally navigated.

(2) The VHF radio installation required by regulation 10(a) shall also be capable of transmitting and receiving general radio communications using radiotelephony.

(3) An area A1 vessel may, instead of being provided with the satellite EPIRB required by regulation 10(f), be provided with an EPIRB which is–

(a) capable of transmitting a distress alert using DSC on VHF channel 70 and providing for locating by means of a radar transponder operating in the 9 GHz band;

(b) installed in an easily accessible position;

(c) ready to be manually released and capable of being carried by one person into a survival craft;

(d) capable of floating free if the vessel sinks;

(e) capable of being activated manually; and

(f) automatically activated when afloat.

Additional radio equipment to be provided for area A2 vessels

12.—(1) In addition to meeting the requirements of regulation 10, every area A2 vessel shall be provided with–

(a) an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies–

(i) 2,187.5 kHz using DSC; and

(ii) 2,182 kHz using radiotelephony;

(b) an MF radio installation capable of maintaining a continuous listening watch on the frequency 2,187.5 kHz using DSC; such installation may be separate from, or combined with, that required by sub-paragraph (a)(i); and

(c) means of initiating the transmission of ship-to-shore distress alerts by a radio installation, other than an MF radio installation, operating either–

(i) through the Cospas-Sarsat satellite service in the 406 MHz band; this requirement may be fulfilled by the satellite EPIRB required by regulation 10(f) if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated;

(ii) on HF using DSC; or

(iii) through the INMARSAT geostationary satellite service; this requirement may be fulfilled by–

(a) the equipment specified in paragraph (3)(b), or

(b) the satellite EPIRB required by regulation 10(f) if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated.

(2) Means shall be provided to initiate transmission of distress alerts by the radio installations specified in paragraph (1)(a) and (1)(c) from the position from which the vessel is normally navigated.

(3) The vessel shall, in addition, be capable of transmitting and receiving general radio communications using radiotelephony or direct-printing telegraphy by either–

(a) a radio installation operating on working frequencies in the bands between 1,605 kHz and 4,000 kHz or between 4,000 kHz and 27,500 kHz; this requirement may be fulfilled by the addition of this capability to the equipment required by paragraph (1)(a); or

(b) an INMARSAT ship earth station.

Additional radio equipment to be provided for area A3 ships

13.—(1) In addition to meeting the requirements of regulation 10, every area A3 vessel shall be provided with either the following equipment–

ALTERNATIVE A

(a) an INMARSAT ship earth station capable of–

(i) transmitting and receiving distress and safety communications using direct printing telegraphy;

(ii) initiating and receiving distress priority calls;

(iii) maintaining watch for shore-to-ship distress alerts, including those directed to specifically defined geographical areas;

(iv) transmitting and receiving general radio communications, using either radiotelephony or direct-printing telegraphy;

(b) an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies–

(i) 2,187.5 kHz using DSC; and

(ii) 2,182 kHz using radiotelephony;

(c) an MF radio installation capable of maintaining a continuous listening watch on the frequency 2,187.5 kHz using DSC, which may be separate from, or combined with, that required by paragraph (b)(i) of this ALTERNATIVE; and

(d) means of initiating the transmission of ship-to-shore distress alerts by a radio installation operating either–

(i) through the Cospas-Sarsat satellite service in the 406 MHz band; this requirement may be fulfilled by the satellite EPIRB required by regulation 10(f) if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated;

(ii) on HF using DSC; or

(iii) through the INMARSAT geostationary satellite service, either by an additional ship earth station, or by the satellite EPIRB required by regulation 10(f) if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated,

or the following equipment–

ALTERNATIVE B

(a) an MF/HF radio installation, capable of transmitting and receiving, for distress and safety purposes, on all distress and safety frequencies in the bands between 1,605 kHz and 4,000 kHz and between 4,000 kHz and 27,500 kHz using–

(i) DSC;

(ii) radiotelephony; and

(iii) direct-printing telegraphy;

(b) an MF/HF radio installation capable of maintaining DSC watch on 2,187.5 kHz, 8,414.5 kHz and on at least one of the distress and safety DSC frequencies 4,207.5 kHz, 6312 kHz, 12,577 kHz or 16,804.5 kHz; the equipment shall be such that it shall be possible at any time to select any of these DSC distress and safety frequencies; this equipment may be separate from, or combined with, the equipment required by paragraph (a);

(c) means of initiating the transmission of ship-to-shore distress alerts by a radio installation, other than an HF radio installation, operating either–

(i) through the polar orbiting satellite service in the 406 MHz band; this requirement may be fulfilled by the satellite EPIRB required by regulation 10(f), if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated; or

(ii) through the INMARSAT geostationary satellite service; this requirement may be fulfilled by–

(a) an INMARSAT ship earth station; or

(b) the satellite EPIRB required by regulation 10(f) if it is installed close to, or capable of remote activation from, the position from which the vessel is normally navigated; and

(d) an MF/HF radio installation capable of transmitting and receiving general radio communications on working frequencies in the bands between 1,605 kHz and 4,000 kHz and between 4,000 kHz and 27,500 kHz, using radiotelephony or direct-printing telegraphy; this requirement may be fulfilled by the addition of this capability in the equipment required by paragraph (a) of this ALTERNATIVE.

(2) Means shall be provided to initiate transmission of distress alerts from the position from which the vessel is normally navigated by the radio installations specified in paragraphs (a), (b) and (d) of ALTERNATIVE A or paragraphs (a) and (c) of ALTERNATIVE B of this regulation.

Additional radio equipment to be provided for area A4 vessels

14. In addition to meeting the requirements of regulation 10, area A4 vessels shall be provided with the radio installations and equipment specified in ALTERNATIVE B in regulation 13(1), except that the equipment required by paragraph (c)(ii) of ALTERNATIVE B shall not be accepted as an alternative to that required by paragraph (c)(i) of ALTERNATIVE B, which shall always be provided. Such vessels shall in addition comply with the requirements of regulation 13(2).

Radio watches

15.—(1) Every fishing vessel while at sea shall maintain a continuous listening watch–

(a) on VHF channel 70 using DSC, if the fishing vessel, in accordance with the requirements of regulation 10(b), is fitted with a VHF radio installation;

(b) on the distress and safety DSC frequency 2,187.5 kHz, if the fishing vessel, in accordance with the requirements of regulation 12(1)(b) or paragraph (c) of ALTERNATIVE A in regulation 13(1), is fitted with an MF radio installation;

(c) on the distress and safety DSC frequencies 2,187.5 kHz and 8,414.5 kHz and on at least one of the distress and safety DSC frequencies 4,207.5 kHz, 6,312 kHz, 12,577 kHz or 16,804.5 kHz, appropriate to the time of day and the geographical position of the fishing vessel, if the fishing vessel, in accordance with the requirements of paragraph (b) of ALTERNATIVE B in regulation 13(1) or in accordance with the requirements of regulation 14, is fitted with an MF/HF radio installation; this watch may be kept by means of a scanning receiver;

(d) for satellite shore-to-ship distress alerts, if the fishing vessel, in accordance with the requirements of paragraph (a) of ALTERNATIVE A in regulation 13(1), is fitted with an INMARSAT ship earth station.

(2) Every fishing vessel while at sea shall maintain a radio watch for broadcasts of maritime safety information on the appropriate frequency or frequencies on which such information is broadcast for the area in which the fishing vessel is navigating.

(3) From the coming into force of these Regulations until 1st February 2005 every fishing vessel while at sea shall maintain, when practicable, a continuous listening watch on VHF channel 16; such watch shall be kept at the position from which the fishing vessel is normally navigated.

Sources of energy

16.—(1) There shall be available at all times while the fishing vessel is at sea a supply of electrical energy which is sufficient to operate the radio installations and to charge any batteries used as part of a reserve source or sources of energy for the radio installations.

(2) A reserve source or sources of energy shall be provided on every fishing vessel to supply radio installations used for the purpose of conducting distress and safety radio communications, in the event of failure of the fishing vessel's main and emergency sources of electrical power.

(3) Subject to the following paragraphs of this regulation, the reserve source or sources of energy must be capable of simultaneously operating the VHF radio installation required by regulation 10(a) and, as appropriate for the sea area or sea areas for which the fishing vessel is equipped, either–

(a) the MF radio installation required by regulation 12(1)(a),

(b) the MF/HF radio installation required by paragraph (a) of ALTERNATIVE B in regulation 13(1) or by regulation 14, or

(c) the INMARSAT ship earth station required by paragraph (a) of ALTERNATIVE A in regulation 13(1),

and the additional loads mentioned in paragraphs (5), (6) and (9) of this regulation, for the minimum period specified in paragraph (4).

(4) For the purposes of paragraph (3) the minimum period is:

(a) in the case of a new fishing vessel–

(i) three hours, or

(ii) one hour, if the emergency source of electrical power complies fully with all relevant requirements of regulation 17 of Chapter IV of the Protocol, including the requirements to supply the radio installations, and is capable of serving for a period of at least six hours; or

(b) in the case of an existing fishing vessel–

(i) six hours, if the emergency source of electrical power is not provided or does not comply fully with all relevant requirements of regulation 17 of Chapter IV of the Protocol, including the requirements to supply the radio installations;

(ii) three hours, if the emergency source of electrical power complies fully with all relevant requirements of regulation 17 of Chapter IV of the Protocol, including the requirements to supply the radio installations; or

(iii) one hour, if the emergency source of electrical power complies fully with all relevant requirements of regulation 17 of Chapter IV of the Protocol, including the requirements of regulation 17 of Chapter IV of the Protocol, including the requirements to supply the radio installations, and is capable of serving for a period of at least six hours.

(5) Where there is an HF radio installation and an MF radio installation, the reserve source or sources of energy are not required to be capable of supplying them simultaneously.

(6) The reserve source or sources of energy shall be independent of the propelling power of the fishing vessel and the fishing vessel's main electrical installation.

(7) Where, in addition to the VHF installation, two or more of the other radio installations referred to in paragraph (2) of this regulation can be connected to the reserve source or sources of energy, such sources shall be capable of simultaneously supplying, for the minimum period specified, as appropriate, in paragraph (4)(a) or (b) of this regulation the VHF radio installation and either–

(a) all other radio installations which can be connected to the reserve source or sources of energy at the same time; or

(b) if only one of the other radio installations can be connected to the reserve source or sources of energy at the same time as the VHF radio installation, whichever of the other radio installations will consume the most power.

(8) The reserve source or sources of energy may be used to supply the electrical lighting required by regulation 9(1)(d).

(9) Where a reserve source of energy consists of one or more rechargeable accumulator batteries–

(a) a means of automatically charging each battery shall be provided which is capable of recharging them to minimum capacity requirements within 10 hours; and

(b) the capacity of each battery shall be checked when the fishing vessel is not at sea and at intervals not exceeding 12 months.

(10) The siting and installation of a reserve source of energy consisting of one or more accumulator batteries shall be such as to ensure–

(a) the highest degree of service;

(b) a reasonable lifetime;

(c) reasonable safety;

(d) that battery temperatures remain within the manufacturer's specifications whether under charge or idle; and

(e) that when fully charged, the one or more batteries will provide a reserve source of energy for at least the minimum period specified in paragraph (4) under all weather conditions.

(11) If an uninterrupted input of information from the fishing vessel's navigational or other equipment to a radio installation required by this Part is needed to ensure its proper performance, means shall be provided to ensure the continuous input of such information in the event of failure of the fishing vessel's main or emergency source of electrical power.

(12) For the purpose of calculating the required capacity of the reserve source of energy, the total current used in calculations shall be equal to the highest sum of all the radio installations which simultaneously can be connected to the source of energy, based on the following–

(a) the current consumption of the VHF receiver;

(b) one fifth of the current consumption of the VHF transmitter;

(c) the current consumption of an MF or MF/HF receiver and of the transmitter when it is in such a condition that operation of the “press to transmit" switch will make it ready for immediate transmission;

(d) one third of the current which may be drawn by an MF or MF/HF transmitter for speech transmission on the frequency at which the current consumption of the transmitter is at a maximum;

(e) the current consumption of an INMARSAT ship earth station when it is receiving transmissions;

(f) one quarter of the current which may be drawn by an INMARSAT ship earth station when it is transmitting in the mode at which the current consumption is at a maximum; and

(g) the total current consumption of all additional loads to which the reserve source may supply energy in times of distress or emergency.

Serviceability and maintenance requirements

17.—(1) The equipment used pursuant to these Regulations shall be so designed that the main units can be replaced readily, without elaborate recalibration or readjustment.

(2) Where appropriate, equipment shall be so constructed and installed that it is readily accessible for inspection and on-board maintenance purposes.

(3) Adequate information shall be provided on board the fishing vessel to enable the equipment to be properly operated and maintained.

(4) Adequate tools and spares shall be provided on board the fishing vessel to enable the equipment to be maintained.

(5) Radio equipment required by this Part shall be maintained to meet the performance standards recommended by the Organization for such equipment.

(6) On a fishing vessel engaged on a voyage in sea area A1 or A2, the availability of equipment shall be ensured in accordance with the requirements set out in Merchant Shipping Notice No. MSN 1749(F).

(7) On a fishing vessel engaged on a voyage in sea area A3 or A4, the availability of equipment shall be ensured in accordance with the requirements set out in Merchant Shipping Notice No. MSN 1749(F), subject to any exemption granted under regulation 20(1)(b) and to paragraph (8) of this regulation.

(8) Where an exemption is granted under regulation 20(1)(b) in relation to paragraph (7) of this regulation, the availability of equipment shall be ensured by the use of at least one of the methods referred to in paragraph 4(a) of Merchant Shipping Notice No. MSN 1749(F).

(a) (9) (a) The skipper of every fishing vessel shall nominate a person (“the nominated person") who shall have the function of carrying out, while the fishing vessel is at sea, the appropriate tests and checks specified in Schedule 2 to these Regulations.

(b) If any of the radio installations required by these Regulations are not in working order, the nominated person shall inform the skipper and record details of the deficiencies in the GMDSS Radio Log referred to in regulation 19(1).

Radio personnel

18.—(1) Every fishing vessel shall carry a person who is qualified for distress and safety radio communication purposes as specified in paragraph (2).

(2) A person is qualified for the purposes of paragraph (1) where–

(a) in the case of an area A1 vessel, he holds a GMDSS restricted operator's certificate or a GMDSS general operator's certificate, issued in accordance with Article S47 of the ITC Radio Regulations;

(b) in the case of an area A2, area A3 or area A4 vessel, he holds GMDSS general operator's certificate issued in accordance with Article S47 of the ITC Radio Regulations.

Radio records

19.—(1) A record (hereinafter referred to as "the GMDSS Radio Log") shall be kept of the matters specified in Part 1 of Schedule 3 to these Regulations.

(2) The skipper shall inspect and sign each day's entries in the GMDSS Radio Log.

(3) The skipper shall, on demand, produce the GMDSS Radio Log for inspection by–

(a) the Registrar General of Shipping and Seamen,

(b) a superintendent,

(c) a proper officer,

(d) an officer of customs and excise, or

(e) an officer authorised by the Secretary of State to make such inspections.

Exemptions from Part II

20.—(1) The Secretary of State may exempt any fishing vessel, on such terms as he may specify, from–

(a) a provision in regulation 10, 11, 12, 13 or 14; or

(b) in relation to an area A3 or A4 vessel, regulation 17(7).

(2) When considering whether to exempt a fishing vessel, the Secretary of State shall take into account the effect of such exemption on the fishing vessel's ability to maintain proper communication for distress and safety purposes.

(3) An exemption may be granted under paragraph (1) only:

(a) if the circumstances in relation to safety are such as to render the full application of regulation 10, 11, 12, 13, 14 or 17(7), as the case may be, unreasonable or unnecessary;

(b) in exceptional circumstances, for a single voyage outside the sea area or sea areas for which the fishing vessel is equipped; or

(c) where it is planned to take the fishing vessel permanently out of service on or before 31st December 2002.

(4) The Secretary of State may, on giving reasonable notice, alter or cancel any exemption granted under paragraph (1).

Changes to legislation:
There are currently no known outstanding effects for the The Merchant Shipping (Radio) (Fishing Vessels) Regulations 1999, PART II.