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STATUTORY INSTRUMENTS

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**2004 No. 1713**

**The Fishing Vessels (Working Time:  
Sea-fishermen) Regulations 2004**

**PART 3**

**EXCEPTIONS**

**Exceptions**

**13.**—(1) The Secretary of State may grant an exception from the limit in regulation 6(1) or the requirements of regulation 7(3) and 7(4) for objective or technical reasons or reasons concerning the organisation of work if—

- (a) he has first (so far as is possible) consulted representatives of the employers [<sup>F1</sup>fishing vessel owners, fishermen] and workers concerned, and
- (b) the exception is subject to such conditions and limitations as will protect the health and safety of workers [<sup>F2</sup>and fishermen].

(2) The Secretary of State may, on giving reasonable notice and after consulting such persons (if any) as he considers may be affected, alter or cancel any exception granted under paragraph (1).

(3) An exception granted in accordance with paragraph (1) above

- (a) shall be limited to the extent necessary for the reasons mentioned in that paragraph; and
- (b) may take account of the granting of compensatory leave periods to workers in place of the limit in regulation 6(1) and the rest periods required by regulation 7(3) and 7(4).

(4) An exception under paragraph (1) may relate to classes of cases (a "class exception") or to individual cases (an "individual exception").

(5) An individual exception granted under paragraph (1), and an alteration or cancellation of such an exception under paragraph (2), shall—

- (a) be given in writing,
- (b) specify the date on which it takes effect, and
- (c) in the case of the grant of an exemption, specify the conditions and limitations subject to which it is granted in accordance with paragraph (1)(b) of this regulation.

(6) A class exception granted under paragraph (1), and an alteration or cancellation of such an exception under paragraph (2)—

- (a) may relate to particular types of fishing vessel and methods of fishing, and
- (b) shall be specified by the Secretary of State in a Merchant Shipping Notice which is considered by him to be relevant from time to time.

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**Changes to legislation:** There are currently no known outstanding effects for the *The Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004, Section 13. (See end of Document for details)*

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**Textual Amendments**

- F1** Words in [reg. 13\(1\)\(a\)](#) inserted (31.12.2018) by [The Merchant Shipping \(Work in Fishing Convention\) \(Consequential Provisions\) Regulations 2018 \(S.I. 2018/1109\)](#), regs. 1(2), **8(6)(a)**
- F2** Words in [reg. 13\(1\)\(b\)](#) inserted (31.12.2018) by [The Merchant Shipping \(Work in Fishing Convention\) \(Consequential Provisions\) Regulations 2018 \(S.I. 2018/1109\)](#), regs. 1(2), **8(6)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004, Section 13.