
STATUTORY INSTRUMENTS

2018 No. 1108

The Merchant Shipping (Work in Fishing Convention) (Medical Certification) Regulations 2018

No person to be employed as a fisherman without a medical fitness certificate

5.—(1) Subject to paragraphs (2) and (3) and regulation 14, no person may employ or permit another person to work as a fisherman on a fishing vessel unless that other person has been issued with a medical fitness certificate which is still valid and is not suspended.

(2) A person may continue to employ, or permit to work, a fisherman on a fishing vessel, a person whose medical fitness certificate has expired during the course of a voyage until—

- (a) the time at which the fishing vessel arrives at first port at which it is possible for the fisherman to make an application for a medical fitness certificate and be examined by a medical practitioner; or
- (b) the expiry of three months starting on the date of expiry of the certificate,

whichever is the sooner.

(3) In urgent cases, with the Secretary of State's approval, if a person who is a fisherman—

- (a) does not hold a valid medical fitness certificate, but
- (b) has held a medical fitness certificate for a period of not less than 24 months (or in the case of a person under 18 years at the date of issue of the certificate, 12 months) and that certificate has expired no earlier than one month from the date on which the fisherman joined a fishing vessel,

another person may employ that person as a fisherman on that fishing vessel until the time at which the fishing vessel arrives at first port at which it is possible for an application for a medical fitness certificate as respects that fisherman to be made and for that fisherman to be examined by a medical practitioner, but in any case not for a period exceeding three months.

(4) No person may employ a person as a fisherman in a fishing vessel in a capacity of sea service or in a geographical area precluded by any restriction in that person's medical fitness certificate.

(5) No person may employ a person as a fisherman in a fishing vessel in in a capacity of sea service or in a geographical area in such a way as to breach a condition of that person's medical fitness certificate.