
STATUTORY INSTRUMENTS

1991 No. 1342

MERCHANT SHIPPING

The Fishing Vessels (Safety Provisions) (Amendment) Rules 1991

<i>Made</i>	- - - -	<i>7th June 1991</i>
<i>Laid before Parliament</i>		<i>10th June 1991</i>
<i>Coming into force</i>	- -	<i>1st July 1991</i>

The Secretary of State for Transport, after consulting with the organisations referred to in section 7(2) of the Fishing Vessels (Safety Provisions) Act 1970(1) in exercise of powers conferred by section 2(1) of that Act and now vested in him(2) and of all other powers enabling him in that behalf, hereby makes the following Rules:

1. These Rules be cited as the Fishing Vessels (Safety Provisions) (Amendment) Rules 1991 and shall come into force on 1st July 1991.
2. Part V of the Fishing Vessels (Safety Provisions) Rules 1975(3) shall be amended as follows:
3. In rule 124, after the words “Part II and Part III” there shall be inserted the following words: “other than rules 76(3)(a), 77(5)(a), 78(3)(a) and 79(b) (portable radio equipment)”.
4. After rule 125 the following new rules shall be inserted:

“Radio Surveys

125A. A surveyor appointed in accordance with rule 125C shall carry out a survey (a “radio survey”) to ascertain whether the vessel complies with such of the requirements of the following rules as apply to it, viz:

rules 76(3)(a), 77(5)(a), 78(3)(a) and 79(b) of these Rules;
the Merchant Shipping (Radio) (Fishing Vessels) Rules 1974(4);
regulation 3 of the Fishing Vessels (Life Saving Appliances) Regulations 1988(5).

(1) 1970 c. 27.
(2) See S.I.1970/1537.
(3) S.I. 1975/330; relevant amending instruments are S.I. 1977/313, 1978/1598.
(4) S.I. 1974/1919, amended by S.I. 1982/1292.
(5) S.I. 1988/38.

Declaration of radio survey

125B. On completion of a radio survey the surveyor or British Telecommunications plc (hereinafter called “BT”) shall provide the Secretary of State with a declaration of radio survey.

125C. A radio survey and any periodical inspection relating to items included in a radio survey (a “periodical radio inspection”) shall, if it is to be carried out in the United Kingdom, be carried out by a surveyor appointed by BT and application for such survey or inspection shall be made to BT. A radio survey or periodical radio inspection to be carried out outside the United Kingdom shall be carried out by a surveyor appointed by BT or the Secretary of State and application shall be made accordingly to BT or the Secretary of State.”.

5. In rule 130(1) the words “the radio equipment and installations” shall be deleted.
6. In rule 130(5) before the words “shall endorse a record” the following words shall be inserted:
“and if satisfied on receipt of a declaration of inspection pursuant to rule 131(2) that the vessel complies with the requirements of rule 131(1),”.
7. After rule 130 a new rule shall be inserted as follows:

“Periodical radio inspection

131.—(1) Every vessel in respect of which a United Kingdom fishing vessel certificate is in force shall be periodically inspected by an appointed surveyor in accordance with rule 125C in order to ascertain that the installations and equipment required by the rules and regulations referred to in rule 125A are in an effective condition and comply with the applicable requirements of those rules and regulations.

(2) The surveyor if satisfied after such periodical radio inspection that the vessel complies with the requirements specified in paragraph (1) shall provide the Secretary of State with a declaration of inspection to that effect.

(3) Paragraph (4) of rule 130 shall apply to periodical radio inspection as it applies to other periodical inspections.”.

Signed by authority of the Secretary of State for Transport

7th June 1991

Brabazon of Tara
Minister of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Fishing Vessels (Safety Provisions) Rules 1975. They provide for surveys of radio equipment on fishing vessels carried out in the United Kingdom to be carried out by surveyors appointed by British Telecom. Such surveys if carried out elsewhere may be done by British Telecom surveyors or surveyors of the Department of Transport.