

---

STATUTORY INSTRUMENTS

---

**1994 No. 1104**

**MERCHANT SHIPPING**

**SAFETY**

**The Merchant Shipping (Radio) (Fishing Vessels) (Amendment) Rules 1994**

<i>Made</i>	- - - -	<i>19th April 1994</i>
<i>Laid before Parliament</i>		<i>20th April 1994</i>
<i>Coming into force</i>	- -	<i>30th April 1994</i>

The Secretary of State for Transport, after consulting with the organisations referred to in section 85(3) of the Merchant Shipping Act 1970<sup>(1)</sup>, in exercise of powers conferred by section 3 of the Merchant Shipping (Safety Convention) Act 1949<sup>(2)</sup> and now vested in him<sup>(3)</sup> and of all other powers enabling him in that behalf, hereby makes the following Rules:—

1. These Rules may be cited as the Merchant Shipping (Radio) (Fishing Vessels) (Amendment) Rules 1994 and shall come into force on 30th April 1994.
2. The Merchant Shipping (Radio) (Fishing Vessels) Rules 1974<sup>(4)</sup> shall be amended as follows.
3. In Rule 1(4)—
  - (a) for the definition of “Radio watch” there shall be substituted ““Radio watch” means listening for signalling on the frequencies specified in Rules 11 and 11A”; and
  - (b) the definition of “Specified” shall be omitted.
4. At the end of Rule 3 there shall be added the following paragraph:

“(6) Every fishing vessel to which these Rules apply shall on and after 30th April 1994 be provided, in addition to the radiotelephone required by paragraphs (2) to (4) above, with a VHF radiotelephone installation which shall include a transmitter and receiver. This equipment, if fitted on or after 30th April 1994, shall conform to the performance standard specified in Merchant Shipping Notice No. M 928.”.

---

(1) 1970 c. 36.

(2) 1949 c. 43; section 3 was substituted by the Merchant Shipping Act 1970, section 85(1) and Schedule 1, and amended by the Merchant Shipping Act 1979 (c. 39) Schedule 6 Part VII, and S.I. 1980/539.

(3) See S.I. 1970/1537.

(4) S.I. 1974/1919, amended by S.I. 1982/1292.

5. In each of sub-paragraphs (a) and (b) of Rule 4(2) the word “and” shall be deleted at the end of paragraph (iii) and, before the punctuation mark at the end of the sub-paragraph there shall be inserted the words “, and” and the following paragraph—

“(v) the current consumed by the VHF radiotelephone receiver and one fifth of the current consumed by the VHF radiotelephone transmitter.”.

6. In Rule 6(1) the words “an aerial or” shall be omitted.

7. In Rule 6(2) the words “aerial or”, in each place where they appear, shall be omitted.

8. At the end of Rule 8(3) there shall be added the following sub-paragraph—

“(e) the VHF radiotelephone installation shall be in the upper part of the vessel, and control of the VHF channels shall be convenient to the place on board from which the vessel is normally navigated. Instructions giving a clear summary of the distress, urgency and safety procedures shall be displayed at the VHF radiotelephone operation position.”.

9. After Rule 11 there shall be inserted the following Rule:

“**11A.**—(1) In addition to the requirements of Rule 11, at all times while a fishing vessel to which these Rules apply is at sea, continuous radio watch on 156.8 MHz (VHF Channel 16) shall be maintained at the place on board from which the vessel is normally navigated.

(2) This radio watch may be discontinued—

- (a) when the receiver is being used for traffic on a frequency other than 156.8 MHz; or
- (b) when a watch is being maintained on a frequency other than 156.8 MHz for the purpose of a port operation, vessel movement or safety of navigation service.

(3) A written summary shall be maintained of all communications relating to distress, urgency and safety received or transmitted on the VHF radiotelephone installation during the radio watch.”.

10. In Rule 12(1) the words “and (e)” shall be inserted after the words “Rule 8(3)(b)”.

11. At the end of Rule 13 there shall be added the following paragraph:

“(5) In every fishing vessel of Class III a radio log recording the following shall be kept—

- (a) the name and official number of the vessel;
- (b) the name of each person carrying out radio watches, and the times at which he begins and ends his periods of radio watch;
- (c) a summary of communications relating to distress, urgency and safety;
- (d) the position of the ship at the time such a communication is received or transmitted; and
- (e) the time at which any radio watch is for any reason discontinued, together with the reason, and the time the radio watch is resumed.”.

Signed by authority of the Secretary of State for Transport

19th April 1994

*Mackay of Ardbrecknish*  
Parliamentary Under Secretary of State,  
Department of Transport

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules further amend the Merchant Shipping (radio) (Fishing Vessels) Rules 1974 to make the carriage of a VHF radiotelephone installation and a continuous radio listening watch on Channel 16 mandatory on fishing vessels of 12 metres or more in length. The requirements apply to all UK fishing vessels, irrespective of Class. New radio log procedures are introduced for Class III vessels.

VHF radiotelephone equipment fitted on and after the date on which these Rules come into force must conform to the performance standard specified in a Merchant Shipping Notice, which is obtainable from the Marine Safety Agency Library, Spring Place, 105 Commercial Road, Southampton SO15 1EG and from any Marine Office of the Department of Transport.

A compliance cost assessment in respect of these Rules has been prepared and copies can be obtained from the Marine Safety Agency, Spring Place, 105 Commercial Road, Southampton SO15 1EG. A copy has been placed in the Library of each House of Parliament.