



Jersey

## SHIPPING (FISHING VESSELS SAFETY PROVISIONS) (AMENDMENT) (JERSEY) ORDER 2015

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Jersey

## **SHIPPING (FISHING VESSELS SAFETY PROVISIONS) (AMENDMENT) (JERSEY) ORDER 2015**

*Made*

*Coming into force*

**THE MINISTER FOR ECONOMIC DEVELOPMENT**, in pursuance of Articles 83 and 84 of the Shipping (Jersey) Law 2002, orders as follows –

### **1 Interpretation**

In this Order “principal Order” means the Shipping (Fishing Vessels Safety Provisions) (Jersey) Order 2004, which is re-named in Article 137 of that Order by Article 40 as the Shipping (Fishing Vessels of 24 Metres in Length and Over) (Safety Provisions) (Jersey) Order 2004.

### **2 Revocation of Articles**

Articles 28, 30, 33, 39, 44, 48, 81, 82, 83, 106, 107 and 108 of the principal Order shall be revoked.

### **3 General omission of references to vessels of 12 metres in length and over**

The words “of 12 metres in length and over” wherever they occur in the principal Order shall be omitted.

### **4 Article 1 amended**

In Article 1 of the principal Order –

- (a) in the definition “length”, after the word “register” there shall be added the words “and the ‘length overall’ of a fishing vessel shall be determined in accordance with the Tonnage Regulations”;
- (b) in the definition “machinery space” –
  - (i) for the word “24.4” where it first appears there shall be substituted the word “24”,

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- (ii) the words “and in relation to vessels of less than 24.4 metres in length, means the main engine room;” shall be omitted;
  - (b) in the definition “surface spread of flame” for the word “1971” there shall be substituted the words “1997, or any British Standard Specification that replaces it”.

**5 Article 2 amended**

In Article 2 of the principal Order after the word “vessel” there shall be added the words “of 24 metres in length and over”.

**6 Article 7 amended**

In Article 7 of the principal Order –

- (a) paragraph (2) shall be omitted;
- (b) in paragraph (3)(a) –
  - (i) clause (i) shall be omitted, and
  - (ii) for the word “24.4” there shall be substituted the word “24”.

**7 Article 10 amended**

In Article 10 of the principal Order the words beginning “and provided further” to the words “freeboard deck” shall be omitted.

**8 Article 27 amended**

- (1) In the heading to Article 27 of the principal Order the words “– vessels of 24.4 metres in length and over” shall be omitted.
- (2) In Article 27(1) of the principal Order for the word “24.4” there shall be substituted the word “24”.

**9 Article 29 amended**

- (1) In the heading to Article 29 of the principal Order the words “– vessels of 24.4 metres in length and over” shall be omitted.
- (2) In Article 29(1) of the principal Order for the word “24.4” there shall be substituted the word “24”.

**10 Article 32 amended**

- (1) In the heading to Article 32 of the principal Order the words “– vessels of 24.4 metres in length and over” shall be omitted.
- (2) In Article 32(1) of the principal Order for the word “24.4” there shall be substituted the word “24”.

**11 Article 36 amended**

In Article 36 of the principal Order –

- (a) in paragraph (3) the words “in any vessel of 24.4 metres in length and over” shall be omitted;
- (b) paragraph (9) shall be omitted.

**12 Article 38 amended**

- (1) For the heading to Article 38 of the principal Order there shall be substituted the following heading –

**“38 Bilge pumping requirements for vessels”.**

- (2) In Article 38(1) of the principal Order the words “of 24.4 metres in length and over” shall be omitted.

**13 Article 43 amended**

- (1) For the heading to Article 43 of the principal Order there shall be substituted the following heading –

**“43 Power supply, installation and testing requirements”.**

- (2) In Article 43(1) of the principal Order the words “of 24.4 metres in length and over” shall be omitted.
- (3) In Article 43(9) of the principal Order for the word “24.4” there shall be substituted the word “24”.

**14 Article 45 amended**

Article 45(6) of the principal Order shall be omitted.

**15 Article 47 amended**

- (1) In the heading to Article 47 of the principal Order the words “of 24.4 metres in length and over” shall be omitted.
- (2) In Article 47(1) of the principal Order the words “of 24.4 metres in length and over” shall be omitted.

**16 Article 51 amended**

- (1) In the heading to Article 51 of the principal Order the words “– vessels of 24.4 metres in length and over” shall be omitted.
- (2) In Article 51(1) of the principal Order the words “of 24.4 metres in length and over” shall be omitted.

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**17 Article 58 amended**

In Article 58 of the principal Order –

(a) for paragraph (5) there shall be substituted the following paragraph –

“(5) In every such vessel –

- (a) the number of openings in the bulkheads and decks referred to in paragraph (2) shall be as few as reasonably practicable; and
- (b) such openings shall be fitted with closing arrangements which provide protection equivalent to the surrounding structure in resisting fire.”;

(b) in paragraphs (9) and (20) for the word “24.4” there shall be substituted the word “24”.

**18 Article 59 amended**

In Article 59(11) of the principal Order for the word “24.4” there shall be substituted the word “24”.

**19 Article 60 amended**

In Article 60(10) of the principal Order for the word “24.4” there shall be substituted the word “24”.

**20 Article 62 amended**

In Article 62 of the principal Order for paragraph (2) there shall be substituted the following paragraph –

“(2) In every such vessel at least 2 means of escape, which may include the normal means of access, shall be provided from accommodation, service or working spaces situated on any one deck level within either watertight or fire resistant boundaries, except that only one means of escape must be provided where one such means is adequate having regard to the number of crew and the size of the space involved.”.

**21 Article 64 substituted**

For Article 64 of the principal Order there shall be substituted the following Article –

**“64 Automatic fire detection systems**

In every vessel to which this Order applies an automatic fire detection and alarm system complying with the requirements of Article 113 shall be installed in the main propulsion machinery spaces.”.

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**22 Article 66 amended**

In Article 66(1) of the principal Order after the words “In every vessel” there shall be inserted the words “to which”.

**23 Article 69 substituted**

For Article 69 of the principal Order there shall be substituted the following Article –

**“69 Compasses – requirements for vessels of 24 metres in length and over but less than 45 metres in length**

Every vessel of 24 metres in length and over but less than 45 metres in length to which this Order applies shall be provided with at least one efficient standard magnetic compass mounted in a binnacle and so fitted that a projected or reflected image, or a projected and reflected image, of the said compass is positioned near the normal steering position.”.

**24 Article 74 amended**

In Article 74 of the principal Order for the word “127” there shall be substituted the word “128”.

**25 Article 77 amended**

- (1) In the heading to Article 77 of the principal Order for the word “II” there shall be substituted the word “2”.
- (2) In Article 77(2) of the principal Order for the words “a Ministry Inspector” there shall be substituted the words “an inspector”.

**26 Article 80 amended**

In the heading to Article 80, and in Article 80(1), of the principal Order, for the word “24.4” there shall be substituted the word “24”.

**27 Article 85 amended**

In Article 85 of the principal Order for the words “these Rules apply” there shall be substituted the words “this Order applies”.

**28 Article 89 substituted**

For Article 89 of the principal Order there shall be substituted the following Article –

**“89 Requirements for lifebuoys**

- (1) Lifebuoys carried in every vessel to which this Order applies shall comply with the requirements of Schedule 10.
- (2) Any such lifebuoys shall weigh not less than 4.3 kilogrammes where the release of a self-igniting light depends upon the weight of the lifebuoy.”.

**29 Article 105 amended**

In the heading to Article 105, and in Article 105(1), of the principal Order, for the word “24.4” there shall be substituted the word “24”.

**30 Article 113 amended**

In Article 113(4), of the principal Order, the words “of 24.4 metres in length and over” shall be omitted.

**31 Article 121 amended**

In Article 121(1) and (3) of the principal Order, the words “of 24.4 metres in length and over” shall be omitted.

**32 Article 122 amended**

In Article 122 of the principal Order –

- (a) in paragraph (1) the words “of 24.4 metres in length and over” shall be omitted;
- (b) paragraph (2) shall be omitted;
- (c) in paragraph (4) for the word “24.4” there shall be substituted the word “24”.

**33 Article 123 substituted**

For Article 123 of the principal Order there shall be substituted the following Article –

**“123 Inspections**

In vessels to which this Order applies life-saving and fire appliances and equipment shall be inspected when musters of the crew are held, and in any case at intervals of not more than one month to ensure that all equipment is in good condition and always ready for immediate use.”.

**34 Article 124 amended**

- (1) In the heading to Article 124 of the principal Order for the word “III” there shall be substituted the word “3”.



- (2) In Article 124(2) of the principal Order for the words “a Ministry Inspector” there shall be substituted the words “an inspector”.

**35 Article 127 amended**

In Article 127 of the principal Order, for the words “II and III” there shall be substituted the words “2 and 3”.

**36 Article 129 amended**

In Article 129 of the principal Order for the words “II and III” there shall be substituted the words “2 and 3”.

**37 Article 132 amended**

In Article 132 of the principal Order –

- (a) in paragraph (1) for the words “II and III” there shall be substituted the words “2 and 3”;
- (b) in paragraph (3) for the words “4 years” there shall be substituted the words “5 years”.

**38 Article 134 amended**

In Article 134 of the principal Order –

- (a) in paragraph (1)(b) for the words “II and III” there shall be substituted the words “2 and 3”;
- (b) in paragraph 4 for the words “not less than 21 and not more than 27 months” there shall be substituted the words “not less than 27 and not more than 33 months”.

**39 Article 136 substituted**

For Article 136 of the principal Order there shall be substituted the following Article –

**“136 Transitional provision**

Anything done, approved, issued or granted under this Order and in force immediately before the Shipping (Fishing Vessels Safety Provisions) (Amendment) (Jersey) Order 201- came into force continues in force as if done, approved, issued or granted under this Order after the coming into force of that Order.”.

**40 Article 137 amended**

In Article 137 of the principal Order after the word “Vessels” there shall be inserted the words “of 24 Metres in Length and Over) (“.

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**41 Schedule 1 amended**

In Schedule 1 to the principal Order, in the form of Jersey Fishing Vessel Certificate –

- (a) for the words “Parts II and III” there shall be substituted the words “Parts 2 and 3”;
- (b) for the words “Shipping (Fishing Vessels Safety Provisions)” in both places where they appear there shall be substituted the words “Shipping (Fishing Vessels of 24 Metres in Length and Over) (Safety Provisions)”.

**42 Schedule 2 amended**

In Schedule 2 to the principal Order –

- (a) For the sub-heading to Schedule 2 there shall be substituted the following sub-heading –

“(Article 128(2))”;

- (b) In the Form of Record of Particulars of a Jersey Fishing Vessel –
  - (i) for the words “Fishing Vessels (Safety Provisions) (Jersey) Regulations 2003” in both places where they appear there shall be substituted the words “Shipping (Fishing Vessels of 24 Metres in Length and Over) (Safety Provisions) (Jersey) Order 2004”,
  - (ii) for the words “built in 2003” there shall be substituted the words “built in 2004”,
  - (iii) in the table headed “Record of Exemptions Granted” in the first column, for the word “Regulations” there shall be substituted the word “Order”.

**43 Schedule 10 amended**

In Schedule 10 to the principal Order –

- (a) the sub-heading “PART I” shall be omitted;
- (b) Part II shall be omitted.

**44 Schedule 11 amended**

For the sub-heading to Schedule 11 to the principal Order there shall be substituted the following sub-heading –

“(Articles 78(3)(d)(i), 79(5)(d)(i) and 80(3)(d)(i))”.

**45 Schedule 12 amended**

In Schedule 12 to the principal Order –

- (a) for the sub-heading immediately beneath the heading “SCHEDULE 12” there shall be substituted the following sub-heading –

“(Articles 78(3)(b), 79(5)(b) and 80(3)(b))”;

- (b) for the sub-heading “PART I” there shall be substituted the sub-heading “PART 1”;
- (c) for the sub-heading “PART II” there shall be substituted the sub-heading “PART 2” and the words “(Articles 78(3)(b), 79(5)(b), 80(3)(b), 81(c) and 82(b))” immediately following that sub-heading shall be omitted.

**46 Schedule 14 amended**

In Schedule 14 to the principal Order for the sub-heading there shall be substituted the following sub-heading –

“(Articles 78(3)(b), 79(5)(a) and 80(3)(a))”.

**47 Schedule 19 amended**

In Schedule 19 to the principal Order for the sub-heading there shall be substituted the following sub-heading –

“(Articles 78(3)(e), 79(5)(e) and 80(3)(e))”.

**48 Citation and commencement**

This Order may be cited as the Shipping (Fishing Vessels Safety Provisions) (Amendment) (Jersey) Order 2015 and shall come into force immediately upon the coming into force of the Shipping (Fishing Vessels Safety Codes of Practice) (Jersey) Regulations 2015.

*Signed*.....

*Date*.....

*Minister for Economic Development*

