



Jersey

**SHIPPING (FISHING VESSELS –
SAFETY TRAINING) (JERSEY)
ORDER 2004**

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued
under the authority of the Legislation (Jersey) Law 2021.

19.885.30

Showing the law from 1 January 2019 to Current



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SHIPPING (FISHING VESSELS – SAFETY TRAINING) (JERSEY) ORDER 2004

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Jersey

SHIPPING (FISHING VESSELS – SAFETY TRAINING) (JERSEY) ORDER 2004¹

THE HARBOURS AND AIRPORT COMMITTEE, in pursuance of Article 89 of the [Shipping \(Jersey\) Law 2002](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In this Order, except where the context otherwise requires –

“approved instructor” means an instructor approved by the Secretary of State for the purpose of the Fishing Vessels (Safety Training) Regulations 1989 of the United Kingdom;

“approved training course” means, in relation to any subject specified in Article 2(1), a course under the control of an approved instructor, covering the syllabus specified in Merchant Shipping Notice M1367 for that subject;

“certificated deck officer” and “certificated engineer officer” mean officers who hold certificates of competency issued pursuant to the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984 of the United Kingdom;

“Merchant Shipping Notice” means a notice described as such issued by the Secretary of State or his or her agent;

“Sea Fish Industry Authority” means the authority constituted under section 1 of the Fisheries Act 1981 of the United Kingdom;

“Secretary of State” means one of Her Majesty’s Principal Secretaries of State.

- (2) For the purposes of this Order, the length of a fishing vessel shall be its register length shown in the certificate of registry issued in respect of it under the Registration Regulations.
- (3) Unless the context otherwise requires, a reference in this Order to Regulations of the United Kingdom or to a Merchant Shipping Notice is a reference to those Regulations or that Notice as amended from time to

time or to such Regulations or Notice, as the case may be, as replace them.

2 Requirement for safety training

- (1) A person must not be employed or engaged on a fishing vessel unless the person is –
 - (a) a certificated deck officer or a certificated engineer officer;
 - (b) the holder of a valid certificate issued by the Sea Fish Industry Authority that certifies that the person has undergone an approved training course in basic survival at sea, basic fire-fighting and prevention, and basic first aid;
 - (c) the holder of a valid certificate which, in the opinion of the Harbour Master, certifies that the person has undergone training in the subjects referred to in sub-paragraph (b) that is equivalent to or superior to the training mentioned in that sub-paragraph; or
 - (d) a person exempted under Article 4 who is being employed or engaged in accordance with the terms of the exemption.
- (2) This Article does not apply to a fishing vessel that is less than 8 metres long until 28th November 2004.

3 Offences

If a person goes to sea on a fishing vessel in contravention of Article 2 –

- (a) that person shall be guilty of an offence and liable to a fine of level 2 on the standard scale or, if the person is the skipper or an owner of the vessel, a fine of level 3 on the standard scale; and
- (b) the skipper and each owner of the vessel (except the skipper in respect of a contravention of Article 2 by the skipper) shall be guilty of an offence and liable to a fine of level 3 on the standard scale.²

4 Exemptions

The Minister may grant a person or a class of persons an exemption from the requirement in Article 2 on such terms as the Minister may specify and may alter or cancel any such exemption or its terms.

5 Citation

This Order may be cited as the Shipping (Fishing Vessels – Safety Training) (Jersey) Order 2004.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Shipping (Fishing Vessels – Safety Training) (Jersey) Order 2004	R&O.24/2004	1 June 2004
States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005	R&O.50/2005	9 December 2005
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)

Table of Renumbered Provisions

Original	Current
5(1)	5
5(2)	spent, omitted from this revised edition

Table of Endnote References

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- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *Article 3 amended by L.1/2016*