**Explanatory Memorandum to the**
**Fishing Vessel (Safety Training)(Amendment) Regulations 2004 No.2169**

1. This explanatory memorandum has been prepared by the Maritime and Coastguard Agency and is laid before Parliament by command of Her Majesty.

## 2. Description

These Regulations amend the Fishing Vessel (Safety Training) Regulations 1989 (the "1989 Regulations") so as to require all fishermen to undergo training in basic health and safety, experienced fishermen to undergo training in safety awareness and fishermen who were born before 1 March 1954 – in addition to undergoing training in basic health and safety and safety awareness – to undergo training in basic sea survival, basic fire fighting and basic first aid.

## 3. Matters of special interest to the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments

None

## 4. Legislative background

The 1989 Regulations exclude certain fishermen from the training requirements contained in those Regulations because of their age. However, the analyses of accident reports show that enhanced safety training is required.

## 5. Extent

This instrument applies to all of the United Kingdom.

## 6. Compatibility with Convention Rights

Not applicable.

## 7. Policy background

Sea fishing is an intrinsically dangerous occupation and the Government has been concerned for some time about the continuing poor safety record of the UK fishing industry. On average nearly 20 fishermen lost their lives at sea each year over the last 10 years. In terms of fatal injuries per worker employed in an industry, the risks from commercial sea fishing lie above those for agriculture, coal mining or oil and gas production. While the Government recognises the improvements in training which have been made, many of which have been initiated by the industry, the continuing loss of life underlines the need to make further changes to ensure that all fishermen receive basic safety training.

Sea fishing is a potentially high risk industry and the human element is identified as the most important factor in the cause of accidents and incidents.

There is a potential risk of loss of life or injury to all on board a fishing vessel if its crew is inadequately trained. Marine Accident Investigation Branch (MAIB) statistics show that on average, in the industry as a whole, more than 20 fishermen die in accidents each year. Improvements to training should result in a reduction in this figure and an overall improvement in the industry's safety record.

Fishermen have been offered additional basic training courses on a voluntary basis for the last 3 years but the take-up rate has been disappointingly low despite the courses being offered free of charge. The introduction of compulsory additional basic training for all fishermen would be in line with the UK's responsibility to encourage greater safety awareness within the fishing fleet.

It is not anticipated that there will be public interest in the Regulations outside of the fishing industry.

## 8. **Impact**

8.1. A Regulatory Impact Assessment is attached to this memorandum.

8.2. No regulatory impacts have been identified.

## 9. **Contact**

If further information is required please contact:

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