Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

2 January 2007 [shall come into force on 6 January 2007].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 61

Adopted 4 February 2003

**Regulations Regarding the Safety and Health Protection Requirements for Work on Fishing Vessels**

*Issued pursuant to*

*Section 25, Clause 10 of the Labour Protection Law*

1. The Regulation prescribes the safety and health protection requirements for work on fishing vessels.

2. Within the meaning of this Regulation, a fishing vessel is a ship that flies under the flag of Latvia or is under the unlimited jurisdiction of the Republic of Latvia and is used for commercial purposes – fishing and processing of fish and other living resources from the sea.

3. Within the meaning of this Regulation, a shipowner is the registered owner of the vessel. If the ship is chartered by demise or is managed, either wholly or in part, by a natural or legal person other than the registered owner under the terms of a contract, the charterer or the relevant legal or natural person shall be regarded as the owner.

4. Within the meaning of this Regulation, a ship’s crew member is any person employed on the ship, including trainees. Shore personnel that carries out work on board the ship at the quayside and port pilots shall not be regarded as ship’s crew members.

5. Within the meaning of this Regulation, the skipper is the ship’s crew member who commands the ship or is responsible for it within the scope of his or her competence.

6. The shipowner shall ensure the operation of the ship taking into account the foreseeable meteorological conditions so as not to endanger the safety and health of the ship’s crew member. This provision shall not prejudice the responsibility of the skipper.

7. Any occurrences at sea which endanger or could endanger the safety and health of the ship’s crew members shall be described in detail in the report sent by the shipowner or skipper to the Maritime Safety Inspectorate of *valsts akciju sabiedrība “Latvijas Jūras administrācija”* [the State joint stock company Maritime Administration of Latvia] and registered in the ship’s logbook.

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8. The shipowner shall have the following obligations regarding the maintenance of the ship (they do not limit the responsibility of the skipper):

8.1. to ensure that the ship, its equipment and facilities are technically maintained and any faults which could have an adverse effect on the safety and health of the ship’s crew members would be found and rectified as soon as possible;

8.2. to provide medical care on ships in accordance with the requirements specified by the Cabinet;

8.3. to ensure compliance with the safety requirements for fishing vessels laid down in the laws and regulations regarding the safety of seagoing fishing vessels as regards:

8.3.1. the maintenance of the ship, its premises, equipment and gear;

8.3.2. the emergency and life-saving and survival appliances (they must be in sufficient number and working order on board the ship);

8.4. to provide ship’s crew members with personal protective equipment if the risk to the safety and health of the ship’s crew members cannot be prevented or sufficiently minimised with collective and technical protective equipment. Such protective equipment must be worn over the clothing, must be in bright colours that contrast with the marine environment and must be clearly visible.

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9. The shipowner shall supply the ship with the means needed for the skipper to fulfil his or her duties in accordance with the requirements of this Regulation.

10. The shipowner shall provide the ship’s crew with labour protection instructions. The skipper of the ship shall inform the crew of the labour protection measures to be taken on board fishing vessels. This information must be clear and comprehensible.

11. The shipowner shall be responsible for ensuring that all ship’s crew members have undergone medical examination.

12. The shipowner shall ensure that ship’s crew members receive training on the navigation safety, labour and health protection on board a ship in accordance with the requirements laid down in the laws and regulations regarding the certification of seafarers and also the requirements for fishing vessel safety. Such training must include the following topics:

12.1. prevention of occupational diseases, incidents and accidents on a ship;

12.2. labour protection measures to be implemented in case of an incident or accident;

12.3. stability and maintenance of the ship under the foreseeable conditions of loading and during fishing operations;

12.4. radio navigation and communication (including procedures);

12.5. use of firefighting equipments and life-saving and survival appliances;

12.6. use of fishing gear and hauling equipment;

12.7. use of safety signs and other signs (including hand signals).

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13. The consultation of ship’s crew members or their representatives and their participation in discussions on the matters covered by this Regulation shall take place in accordance with the Labour Protection Law.

14. Ship inspectors shall carry out inspections on fishing vessels at least once a year.

**Informative Reference to the European Union Directive**

The Regulation contains legal norms arising from Directive 93/103/EC.

Prime Minister E. Repše

Minister for Transport R. Zīle