



Maritime &  
Coastguard  
Agency

Consultation Report:  
Proposed Amendments to the Merchant  
Shipping (Standards of Training,  
Certification and Watchkeeping)  
Regulations 2021 (SI 2015 No. 782)

September 2021

# Contents

- Foreword..... 3
- 1 Key Findings ..... 4
  - 1.1 Introduction..... 4
  - 1.2 Consultation..... 5
  - ..... 6
- 2 Summary of responses ..... 7
  - 2.1 Introduction..... 7
- 3 Our response ..... 8
  - 3.1 What happens next..... 8
- ANNEX A..... 9

# Foreword

The International Convention and Code on Standards of Training, Certification and Watchkeeping (STCW) 1978 ('the STCW Convention' or 'the Convention') sets the minimum qualification standards for masters, officers and watch personnel on seagoing merchant ships. Since its entry into force in 1984, the STCW Convention has been subject to several revisions. The UK has supported and implemented all the previous amendments.

In accordance with its international obligations, the UK is now in the process of implementing the provisions of the 2017 and 2018 STCW Amendments by reference to the amendments into domestic law.

The latest amendments to the STCW Convention brought in new requirements for seafarers serving on ships subject to the International Code of Safety for Ships Using Gases or Other Low-Flashpoint Fuels (IGF), those that operate in polar waters, and passenger ships. These specialised ships require additional training and certification to demonstrate competency based upon the responsibility of a seafarer onboard the vessel.

Furthermore, the Post Implementation Review (PIR) of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015 ('the 2015 Regulations') identified that amendments were required to correct unintended consequences and put forward initiatives to enhance the current seafarer training and education system. This includes amendments to the Maritime and Coastguard Agency's (MCA) approval process for seafarer training and education delegated to training providers, as well as the provision to cancel a non-conforming training provider and clarifying the definition of 'seafarer'. Enhancements identified by the PIR aim to modernise training to ensure the UK can deliver seafarers to meet the current and future demands of shipping.

The UK wishes to thank all of those organisations, agencies and individuals who took the time to read the consultation documents which were placed on GOV.UK. In total 27 responses (providing a total of 421 comments) were received from individuals, UK businesses, UK training establishments and a number of responses from organisations representing the views of their members.



# 1 Key Findings

## 1.1 Introduction

1.1.1 The Maritime and Coastguard Agency (MCA), an executive Agency of the Department for Transport (DfT), carried out a public consultation from 14 June to 09 August 2021 regarding the proposed implementation of the Amendments to the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015. The consultation was published on [www.gov.uk](http://www.gov.uk), and notification of the consultation was sent to more than 100 shipping and marine industry companies, along with 10 government departments and maritime bodies with professional and specialist functions.

1.1.2 The proposed STCW amendments are to be implemented by the amending regulations, the Merchant Shipping (Standards of Training, Certification and Watchkeeping) (Amendment) Regulations 2021 ('the proposed amending Regulations').

1.1.3 The amendments that came into force internationally on 1st January 2017 and 1st July 2018, the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 ('the Convention') brought in new requirements for seafarers serving on:

- ships subject to the International Code of Safety for Ships Using Gases or Other Low-Flashpoint Fuels (IGF);
- ships that operate in polar waters; and
- passenger ships.

These specialised ships require additional training and certification to demonstrate competency based upon the responsibility of a seafarer onboard the vessel.

1.1.4 The Post Implementation Review (PIR) of the 2015 Regulations and feedback from industry since the Regulations came into force, also indicated Government intervention was necessary in other areas. This involved amending unintended consequences in the 2015 Regulations, ensuring the robustness of the UK seafarer training and certification system and implementing additional training proposals aimed at modernising UK seafarer training.



1.1.5 These changes to the amending Statutory Instrument are accompanied by 14 Merchant Shipping Notices (MSNs), which have been updated to ensure clarity of the requirements for seafarers; many of these requirements are made mandatory by reference to the MSNs in the 2015 Regulations.

1.1.6 The proposed amending Regulations also proposed to make amendments to the Merchant Shipping (Fees) Regulations 2018 (SI 2018/1104) ('the Fees Regulations') to make changes to charging provision in the 2015 Regulations. In line with the Treasury's publication, 'Managing Public Money', the MCA must seek to recover the cost for the services it provides.<sup>1</sup> The MCA amending Regulations will do this by introducing a fair charging structure, and so not to burden the UK taxpayer with supporting the running costs of private enterprises or external organisations.

## 1.2 Consultation

1.2.1 The consultation was carried out between 14 June and 09 August 2021. It can be found at: <https://www.gov.uk/government/consultations/proposed-amendments-to-the-merchant-shipping-stcw-regulations-2021>.

1.2.2 A total of 27 responses were received. Not all respondents answered every question posed. A summary of consultee responses and governments response can be found in Annex A. A more detailed summary can be found in the accompanying 'STCW Consultation Response' document. The answers given have been fully and carefully considered.

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<sup>1</sup> HM Treasury, Gov.UK, Managing Public Money, [www.gov.uk/government/publications/managingpublic-money](https://www.gov.uk/government/publications/managingpublic-money)



# Consultation Outcome



## 2 Summary of responses

### 2.1 Introduction

2.1.1 A total of 20 questions were posed in the consultation.

2.1.2 These questions, together with the consultees comments as well as the government's response, are shown in detail in the separate '*STCW Consultation Responses*' document. However, the main points are summarised below at Annex A.



## 3 Our response

### 3.1 What happens next

- 3.1.1 The government will finalise the proposed Regulations with a view to bringing them into force by early January 2022.





# ANNEX A

## SUMMARY OF THE CONSULTATION QUESTIONS, CONSULTEE ANSWERS AND GOVERNMENT RESPONSES TO THE ANSWERS

The response form was Section 5 of the Consultation Document, which included the following questions.

<p><b>Question 1 – IGF training requirements and Polar Code training requirements</b></p> <p><b>Question 1a</b></p>	<p><b>Do you have any additional evidence about the number of experienced seafarers who may be affected by the Polar or IGF Code requirements in general? Referenced/Contained in MSN 1866 Amendment 1)</b></p>
<p>Summary of Consulatee views</p>	<p>Consulatee responses did not provide any additional or substantial evidence in relation to this question.</p>
<p>Government response</p>	<p>The MCA thanks consultees for their comments. The comments received concurred with the MCA's rationale to introduce this mandatory training for seafarers serving on these types of vessels. This will help ensure UK seafarers are adequately trained and can take up employment on these types of vessels.</p>
<p><b>Question 1b</b></p>	<p><b>Do you agree with the assumption that ship owners will pay for training courses for their seafarers?</b></p>
<p>Summary of Consulatee views</p>	<p>Consulatees viewed varied on this question. Over half of the responses indicated that this assumption was incorrect, while the rest assumed that the ship owner would pay and therefore this assumption was correct.</p>
<p>Government response</p>	<p>The MCA notes that consultees views differed on this question. Some negative responses pointed to the fact that certain companies necessitated the training to be completed as a pre-requisite, and desired employees to remain competent on their own accord.</p> <p>However other responses indicated that many companies would still fund seafarers to undertake the courses for their vessels.</p>

	<p>Although some employers may include a retention clause to cover the costs paid out.</p> <p>Responses should be read with caution as evidence or opinions depended on personal circumstances and experiences. There was however a consensus from most that the assumption industry would pay for their seafarers' training courses should be best practice.</p> <p>For UK Cadets, there is funding available through the Support for Maritime Training fund, which is set to be reviewed as part of the wider UK Seafarer training review put forward by the Maritime Skills Commission (MSC).</p>
<b>Question 1c</b>	<b>Do you agree with the assumption that there will be a growing demand for both Polar and IGF vessel CoCs? (Please provide any evidence regarding this assumption)</b>
Summary of Consultee views	All consultees agreed with the assumption. Several consultees provided extra information regarding vessels future areas of operation and the potential increase in training demands as a result. Although the scope of these demands is not yet known.
Government response	The MCA thanks consultees for their views and responses to this question. Consultees anticipate and agree that the potential growth in these areas demand the need for suitable training courses for seafarers who operate or wish to serve on these types of vessels. The evidence supports the need for the amendments to the regulations to enable STCW accepted training courses.
<b>Question 2 - Clarifying the definition of 'seafarer':</b>  <b>Question 2a</b>	<b>Do you agree that the following statement is a reasonable expectation? 'Privately owned yachts of 24 metres or over, not in commercial use, should meet the training requirements for a UK Certificate of Competence' (If not please provide any relevant information)</b>



Summary of Consultee views	<p>All consultees who responded to this question agreed with the expectation. Consultees did not provide any additional comments or substantial evidence in relation to this question.</p> <p>One consultee noted that the requirements should meet the STCW requirements.</p>
Government response	<p>The MCA thanks consultees for their comments. In addition, the MCA have clarified that the requirements for pleasure vessels over 24m are outlined in MSN 1858 (Amendment 1) and MSN 1859 (Amendment 1) and are considered appropriate for this type of vessel.</p>
<b>Question 2b</b>	<b>Do you have any evidence about the number of seafarers who may be affected by this?</b>
Summary of Consultee views	All consultees who responded to this question did not provide further evidence.
Government response	The MCA thanks consultees for their comments.
<b>Question 3 – MCA course approval procedure</b>	<b>If an MCA approved training provider was found to have major non-conformities that impact on safety, do you agree with the MCA introducing provision to allow the cancellation of a course/a training provider’s approval?</b>
<b>Question 3a</b>	
Summary of Consultee views	<p>In total 21 consultees responded to this question. 19 agreed, and 2 disagreed.</p> <p>The majority of responses agreed that provisions should exist to enable the MCA to cancel a course if necessary. However, several responses noted that cancellation should not be a last resort and the wording describing the provision to cancel a course should be clarified.</p> <p>The two consultees who disagreed on the basis that there should be a feedback and remediation procedure, and the need for auditing and re-assessment was not necessary if the course had not changed since the last approval.</p>
Government response	As per the STCW Convention and Code, it is a mandatory requirement for the MCA, on behalf of the Secretary of State, to approve and monitor STCW 'short' and 'long' courses. The re-



	<p>approval process must not take place at periods greater than five years.</p> <p>The MCA's intention would be to work with approved training and education providers whose qualifications lead to an MCA CoC to ensure standards are maintained. If, during the approval process, the MCA were to identify major non-conformities, the course approval may be altered or suspended until these issues were rectified. The MCA would work with the approved provider to ensure the standards were remedied.</p> <p>Similarly, for 'Short Courses', the provision would enable the MCA, if there are major non-conformities during the process or an audit, to either cancel or suspend the approval until improvement was evidenced and the standards met. The provision to cancel a course would be enabled, but this would only be used as a last resort.</p> <p>Cancellation would only be considered as an option if the rectification of any major non-conformities were unable to be closed out within a clear plan and timeframe. Cancellation would be subject to an enquiry (an 'appeal process') as set out in the Statutory Instrument.</p> <p>The wording in the applicable MSNs has been checked and amended where required to address these concerns.</p>
<p><b>Question 3b</b></p>	<p><b>If your answer to the above is yes, in what circumstances would you expect this to occur?</b></p>
<p>Summary of Consultee views</p>	<p>The majority of responses provided additional evidence or circumstances such as:</p> <ul style="list-style-type: none"> <li>• Improper record keeping</li> <li>• Academic malpractice</li> <li>• Training courses lacking substance or appropriate time frames</li> <li>• Poor Health and Safety measures or procedures</li> </ul>



	<ul style="list-style-type: none"> <li>• Repeated failures to meet the agreed standards.</li> </ul>
Government response	The MCA's proposed 'short' and 'long' course guidance already included most of the proposals. The guidance contained a 'non-exhaustive' list and rationale. The agreed standards are available within MCA approved guides that incorporate the STCW requirements. This allows standards to be clearly set out and agreed during the approval process.
<b>Question 3c</b>	<b>If your answer to the above is no, please detail why and what other recommendations you would propose instead?</b>
Summary of Consultee views	One consultee response disagreed with question 3a and proposed the need to have a feedback and remediation process before cancellation. Another consultee proposed that there could be another way for the surveyor to attend a provider or monitor a course.
Government response	<p>The MCA agree that cancellation would only be considered as a last resort, becoming an option if the rectification of any major non-conformities were not closed out in accordance with a clear plan and timeframe. Cancellation would be subject to an enquiry (an 'appeal process') as set out in the Statutory Instrument.</p> <p>As per the STCW Convention and Code, it is a mandatory requirement for the MCA, on behalf of the Secretary of State and as the authorised Maritime Administration, to approve and monitor STCW 'short' and 'long' courses. Therefore the MCA must ensure that the auditing process meets the STCW requirements and can ensure these standards are maintained.</p> <p>A review into modernising the auditing process is ongoing, including the ability to use alternative methods of assessment, which the new regulations will help facilitate while ensuring STCW standards are maintained.</p>
<b>Question 3d</b>	<b>Does the new course/training provider approval process clearly define what the MCA expects from training</b>



	<b>providers to ensure the quality of training delegated to training providers? If not, how could it be improved?</b>
Summary of Consultee views	<p>The majority of responses agreed that the process clearly defines what is expected of an MCA approved training provider.</p> <p>Two consultees requested that more detailed guidance should be provided beyond the MSNs and MINs. Also, consultees asked if guidance could be made appropriate to the type of course being delivered (i.e. online compared to face to face approved courses).</p> <p>One consultee requested the inclusion of other representative bodies or organisations to help review standards.</p>
Government response	<p>The modernisation of seafarer training and the process to enable these changes are contained in the proposed guidance. The MCA are constantly reviewing this, along with the MCA approved guides, to ensure a flexible approach as technology and seafaring evolves. For example, MIN 643 can be updated along with the MCA approved guides to reflect future clarification on MCA 'short' courses.</p> <p>Updated internal guidance will also be available to MCA staff to reflect modernised or alternative methods of learning and assessment for MCA approved courses, while providing a higher level of consistency between MCA Offices.</p> <p>However, for STCW short courses the minimum standards are clearly detailed within STCW and must be met to ensure seafarers achieve the set requirements. If these minimum standards are not met or evidenced, then there is a risk of inconsistency across MCA approved training providers and an inability to monitor the course structure.</p> <p>Moreover, it is only the MCA, on behalf of the Secretary of State and as the responsible Maritime Administration, that can undertake the auditing process and ensure the robustness of</p>



	<p>the UK Seafarer training system (as per the STCW Convention and Code). The MCA, as the independent regulator, will work with industry where possible to maintain and improve the standards of UK seafarer training but this cannot create a conflict of interest.</p>
<p><b>Question 4 – Simulator time in lieu of seagoing service</b></p>	<p><b>Do you support the proposal to allow the use of structured and approved simulator time in lieu of some of the seagoing service requirements for a Deck Officer’s first CoC? (Contained in MSN 1856 (Amendment 1)). (Please provide any relevant evidence)</b></p>
<p>Summary of Consultee views</p>	<p>In total 21 responses were received: 11 no, 10 yes. However, 4 of the consultees noted the provision should only allow for a maximum of 1 month simulator time in lieu of seagoing service.</p> <p>Concerns related to the use of simulators not adequately reflecting the responsibilities and duties a cadet may experience while serving as an officer on board a vessel. Concerns were also raised regarding the existing length of the sea time requirements. It should be noted responses tended to agree that simulator training was not redundant as a whole and could offer benefits for cadet training, such as for navigational skills. However, this should be as a supplementary learning tool to enhance current training requirements.</p> <p>One formal response was received from a consultee questioning the MCA’s legal position regarding the implementation of the proposal. The MCA have comprehensively answered the points raised within the separate response document.</p> <p>Positive responses noted the potential benefits the equivalence could have in terms of training, considering the recent Maritime Skills Commission report and if the training was structured and properly assessed. The use of structured simulator training can</p>



	<p>enhance the training and allow cadets to experience situations that they may not encounter during their sea phase.</p> <p>Other responses agreed with both sides but advocated that the equivalence should first be tested as a pilot project, as per the intentions of the consultation, but with the conditions that the equivalence should not exceed 1 month allowance in lieu of qualifying period of seagoing service as a maximum.</p>
<p>Government response</p>	<p>The MCA thanks all consultees for their comments and consideration on this amendment. The MCA also acknowledges the importance of the responses received on this topic.</p> <p>The MCA's intention is to initially utilise the pilot project to ascertain the effectiveness of the proposal. The MCA would need to be fully satisfied that the level of seagoing service, knowledge, experience, and efficiency provided under the pilot project arrangements enhances the competency of the seafarers at least equivalent to the requirements of the Convention.</p> <p>The MCA has engaged with industry (including shipping companies, representative bodies, nautical colleges, seafarers and cadets) over the last three years which has illustrated the benefits that simulator training can have to enhance the UK's maritime training programme. The MCA is proposing to be flexible to enable modernised ways of learning and assessment but recognises that this should not come at the cost or detriment to UK seafarer training or standards. All points which have been highlighted will be considered and will be used to assist the pilot project. The MCA is and will continue to work with stakeholders to create and publish further guidance on this proposal.</p> <p>The MCA has taken into consideration the concerns. The acceptance of this time allowance will be reviewed in the future depending on the effectiveness of the results from the pilot project.</p>





<b>Question 4b</b>	<b>Can you provide the cost and/or benefits this could have to you and/or your seafarers, associated with this change? (Please provide any relevant evidence)</b>
Summary of Consultee views	<p>Limited responses were provided as many detailed their views within their response to question 4a.</p> <p>Any additional responses that were received covered the costs of simulation training and the need for colleges to recover these directly with the ship owner or place them on the cadets themselves.</p>
Government response	<p>The MCA acknowledges the points raised, especially regarding the potential economic costs. However, the use of simulator time in lieu will be a non-mandatory option that the cadet sponsoring company can choose to place cadets on. Therefore, it will be down to the sponsoring company to fund this option if they choose too, or just use the existing route of only using seagoing service to qualify as an officer.</p> <p>To ensure adequate and accepted training, any simulator, training course and assessment, must be MCA approved. The instructors and assessors are required to be qualified in accordance with the requirements set out in the STCW Convention and Code.</p>
<b>Question 5 – Engineer Officer Small Vessel CoC (yacht, tugs, fishing, workboat etc)</b>  <b>Question 5a</b>	<p><b>Please provide feedback on the proposed new targeted Small Vessel Engineering certification route. (Contained in MSN 1904 and MIN 642)</b></p> <p><b>If this route applies to you as Small Vessel Engineer or an employer of Small Vessel Engineers, how would this change cost and/or benefit you? (Please include any relevant evidence)</b></p>
Summary of Consultee views	All but one consultee supported the proposed route and the amendment to the regulations to formalise the Small Vessel certificate structure. As part of their responses, consultees



	<p>asked for further clarification and improved guidance in some areas.</p> <p>One consultee enquired as to the possibility to include ferries within the criteria for the Small Vessel route.</p> <p>A further response enquired about the possibility to apply the flexibility across routes for Able Seafarer Deck and Engine Ratings' Certificates of Proficiency.</p>
Government response	<p>The MCA thanks consultees for their positive response to the question and proposed provision. In regard to the request to expand the Small Vessel route, it has been clarified that due to the operational requirements of ferries, these vessels cannot be included within the Small Vessel CoC route (i.e. they can carry a large number of passengers and therefore have a different scope of operation).</p> <p>The MCA have also clarified that the UK AB certificate can be used on all domestic and offshore vessels. However, some seagoing service must be beyond categorised waters, as is the requirement for the Small Vessel CoC.</p> <p>Consultees who asked for clarification on the guidance have been responded to individually within the separate response document. These responses include the rationale behind the regulations, indicate where guidance will be developed in the future, or note where the guidance has been amended.</p>
<b>Question 5b</b>	<b>Please provide any positives and challenges you believe may arise from implementing this provision. (Please provide any relevant evidence)</b>
Summary of Consultee views	Consultees did not provide any additional comments or substantial evidence in relation to this question.
Government response	The MCA thanks consultees for their comments.
<b>Question 6 – Cost recovery for course approval and re-assessment</b>	<b><u>Short Courses</u></b>



<p><b>Question 6a</b></p>	<p><b>Please indicate which example in Annex B is most applicable model to your organisation, if any</b>  <b>Do the examples in Annex B seem reasonable to short course providers as an estimation of time spent with surveyors conducting course re-approvals, ranging between three to five days?</b></p>
<p>Summary of Consultee views</p>	<p>For the most part consultees agreed with the provision to charge for the MCAs approval process.</p> <p>Evidence suggested that as businesses benefit from the approvals then it was reasonable to pay a fee to continue and enable the approval process; so long as the fees were not used by the government to subsidise other enterprises or businesses.</p> <p>However, clarification was sought over certain aspects. The clarification of the MCAs ability to reduce the number of audits, and costs as a result, was noted by consultees. Also, the ability for the MCA to utilise modern means of technology to remotely approve and monitor approved providers instead of onsite visits.</p> <p>Some consultees requested that a phased approach for charging existing providers should be adopted by the MCA to enable providers to plan for the costs to mitigate the impact on their business.</p> <p>One consultee raised concerns on the potential unintended consequences of increasing exports of maritime education and training on the MCA's Surveyor resources and other key safety statutory responsibilities these staff carry out, such as Port State Control.</p>
<p>Government response</p>	<p>The MCA agree with and understand the points raised by consultees. The MCA are investigating and where possible implementing modern means of technology to conduct the approval process and streamline the requirements. The amending guidance does enable the MCA to undertake certain</p>



audits and reapprovals in a reduced timeframe or alternative capacity (using modern technology such as video links). However, in accordance with STCW Convention regulation I/6 and I/8, the MCA is responsible for the approval and ongoing monitoring of the training providers, and it must ensure courses uphold the required minimum standards. In the interest of health and safety, site visits will be a requirement where practical equipment is used for safety critical courses.

Further, to minimise the costs, the MCA's intention is to synchronise the course approvals of MCA approved training providers where they hold multiple approvals. The aim would be to mitigate the burden placed on approved providers and make best use of MCA Surveyor time. Alongside the published MSNs and MINs, an updated internal instructions and guidance will be published internally to MCA technical staff who undertake the auditing and approval process to detail the new procedures.

To aid MCA approved providers to estimate the cost within their business plans, the MCA plan to liaise with stakeholders and create a separate Marine Information Note to provide further guidance and a cost matrix to help providers plan for the necessary costs within their business models.

The MCA notes the points raised and wishes to clarify that the MCA's course approval process would not have a detrimental effect on other aspects of survey work and therefore not affect its highly regarded safety standards or impact on other statutory duties.

It is anticipated that charging for course approvals would enable the MCA to recover its costs and therefore continue to support overseas maritime training providers. Charging a fee for an approval should improve the quality of submissions because there will be an incentive for applicants to keep costs down thus reducing the time an MCA surveyor needs to spend on a course approval or re-approval.



<p><b>Question 6b</b></p> <p><b>Question 6b</b></p>	<p><b><u>Long courses</u></b>  <b>'MCA will audit existing long course providers once every three years, for an average of three to five days'. Is this a reasonable expectation when estimating costs for long course providers?</b></p>
<p>Summary of Consultee views</p>	<p>For the most part consultees agreed with the estimation and statement for auditing long courses. Two consultees raised concerns on the potential cost of this requirement and the time scale the audit would be undertaken within. Suggestions included the use of modern means of technology to remotely audit a provider, or alternative indicators to inform audit periods and used to monitor approved providers instead of onsite visits.</p> <p>One consultee suggested that the MCA should consider being removed from the long course process and this role should be covered by other approved delegated bodies or organisations to monitor and review standards.</p>
<p>Government response</p>	<p>The MCA intends to arrange a formal meeting to discuss the requirements, guidance, and process of the 'long' course audits. This will cover and ensure best use of time for MCA Surveyors and MCA approved Colleges. The MCA are keen to make best use of MCA resources to approve and monitor these courses and this in turn should reduce the burden on the colleges.</p> <p>The MCA, on behalf of the Secretary of State and as the responsible Maritime Administration, is the responsible UK Government Agency to approve and monitor maritime training, undertake the auditing process and retain oversight to ensure the robustness of the UK Seafarer training system (as per the STCW Convention and Code). The MCA, as the independent regulator, will work with industry where possible to maintain and improve the standards of UK seafarer training but this cannot be delegated as it could create a conflict of interest.</p>



Question 7 – Best practice assumptions	Do you agree with these assumptions? (Please provide relevant detail and evidence)
Summary of Consultee views	<p>Many of the consultee responses focused on the potential economic costs of simulator training and the effects this provision could have if implemented. Other responses concentrated on the potential cost to an approved training provider if a course was cancelled or suspended by the MCA. Further responses requested clarity on the proposed premium oral exam fee.</p> <p>One consultee requested clarification on the assumptions of zero costs for the provisions as ‘there is no such thing as zero costs when a new regulation is implemented’.</p>
Government response	<p>Where zero costs to industry were calculated, this was due to the following criteria:</p> <ul style="list-style-type: none"> <li>- It was assumed or known that the amending provisions are already best practice and/ or implemented within industry; or</li> <li>- The regulations being introduced are optional, non-mandatory requirements that will be at the discretion of industry to utilise; or</li> <li>- There were no changes to the expected MCA's standards aside from enhanced guidance.</li> </ul> <p>The proposal to use some simulator time in lieu of seagoing service is a pilot project that intends to ascertain the effectiveness of the proposal. The assumption that there were no costs from this provision is because it is a non-mandatory option that the sponsoring training company can choose to place cadets on. Alternatively, the sponsoring company can continue to utilise the existing full seagoing route.</p> <p>In terms of the specific responses on the cancellation of MCA approved providers, as it is to be expected that courses should have already been meeting the STCW and MCA requirements it was assumed there would be no costs as a result. Furthermore,</p>



	<p>the cost is in relation to the provision to cancel a non-conforming approved course provider and not the process. As zero courses are expected to be cancelled, as has been the case in the last ten years (except from one overseas provider), the assumption was that there would be zero costs.</p> <p>The MCA have clarified that the option for premium oral exams is a provision for overseas training providers and is a requirement to enable the MCA to carry out the Government strategy to support quality training initiatives that will raise standing of seafarers across the globe and will be beneficial to 'UK PLC'. There is zero cost to UK industry, and it is an optional service that these overseas providers can choose to request for their candidates.</p>
<b>Question 8 – Small and Micro Businesses Questions</b>	<b>Are you/ do you know of a small and/or micro business(es) who will be disproportionately affected by any of the measures outlined? (If so, please provide relevant detail and evidence)</b>
Summary of Consultee views	<p>Two responses were received which detailed the potential impact the amending regulations would have on their businesses.</p> <p>One noted that as they are a new maritime training provider it is likely to be disproportionately affected by the charging regime. The other consultee noted the past regulations and policy restricted their ability to deliver courses 'offsite' and 'overseas' and affected the revenue stream. They also noted that the charging structure could limit their ability to deliver MCA training in the way they have for the past 18 years.</p>
Government response	<p>The MCA appreciate the points raised. These will be taken into account for the next steps and where necessary the MCA will provide further guidance to answer these concerns. More detailed responses have been provided in the separate 'response document' published alongside this report on the gov.uk website.</p>



<p><b>Question 9 – Unintended consequences</b></p>	<p><b>Do you foresee any unintended consequences of the proposed amendments to the 2015 Regulations that have not been mentioned in this document? (If so, please provide any relevant insight and/or evidence)</b></p>
<p>Summary of Consultee views</p>	<p>Consultees provided a variety of potential consequences of the amending regulations to be considered. The main themes were concerns on the provision to allow some simulator time in lieu of sea time; and six consultees raised concerns on the impact the charging structure could have on providers in terms of financial costs on providers, costs to seafarers and the availability of providers.</p>
<p>Government response</p>	<p>The responses will be taken forward and considered as part of the next stages of the amending regulations. Where possible consultees have been provided with further rationale and guidance to clarify the concerns or inform them of the measures in place to monitor the changes and minimise any unintended consequences.</p>
<p><b>Question 10</b></p>	<p><b>Do you have any additional comments to add to the response?</b></p>
<p>Summary of Consultee views</p>	<p>Consultees provided additional comments on the entire amending regulations package. These included potential drafting errors in the guidance, requesting further clarification over new requirements or updated requirements, and additional requests to be included within the amending regulations.</p> <p>A detailed response was received requesting clarification over the seagoing service requirements for yachts set out in MSN 1858 (Amendment 1) MSN 1904 and MIN 642.</p>
<p>Government response</p>	<p>Consultees who asked for clarification have been responded to individually within the separate responses document. These responses include the rationale behind the regulations, indicate where guidance will be developed in the future, or note where the guidance has been amended as necessary.</p>





	<p>The MCA arranged a meeting with key stakeholders to provide clarification over the definitions of yacht seagoing service used within the guidance. The term seagoing service must be used in line with STCW requirements and to ensure the UK can issue internationally recognised certificates. However, the MCA have provided a clearer definition and explanation within the MSNs for industry.</p> <p>Where comments proposed additional amendments, the MCA will look to explore potential developments. A comprehensive review of STCW is due to take place next year (2022) at the IMO, in which the UK will take part in these discussions and engage with stakeholders throughout the process.</p>
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