



Maritime &  
Coastguard  
Agency

Consultation Outcome Report:

**The Draft Merchant Shipping (Inspections of  
Ro-Ro Passenger Ships and High-Speed  
Passenger Craft) Regulations 2023**

December 2022

## **Table of Contents**

Section 1:	Introduction.....	3
Section 2:	Consultation .....	4
Section 3:	Consultation Outcome .....	5
Section 4:	Next Steps .....	6
Annex:	A.....	7

## Section 1: Introduction

- 1.1 The Maritime and Coastguard Agency (MCA), an Executive Agency of the Department for Transport (DfT), carried out a public consultation on the draft Merchant Shipping (Inspections of Ro-Ro Passenger Ships and High-Speed Passenger Craft Regulations 2023) (The Regulations). The consultation sought views on the replacement of the existing Merchant Shipping (Mandatory Surveys for Ro-Ro Ferry and High-Speed Passenger Craft) Regulations 2001 (SI 2001 No. 152) with the proposed new Regulations. The consultation took place from 19th July 2021 to 16th August 2021. The Regulations will simplify the existing safety inspection regime for ro-ro passenger ships and high-speed craft, ensuring that the UK's inspection regime for these vessels remains in line with international requirements for the benefit of the industry's future.
- 1.2 The main objective of the Regulations is to eliminate any overlaps between Port State Control inspections and the inspection regime applicable to ro-ro passenger ships and high-speed passenger craft in regular service. It will reduce the inspection effort of the Maritime and Coastguard Agency (MCA) and will benefit the shipping industry by maximising the time in which the affected vessels can be used for key transport services, whilst continuing to ensure high safety standards.
- 1.3 This package of legislative changes included the introduction of a new Marine Guidance Note (MGN 635 (M)).
- 1.4 Consultees were invited to comment on any aspect of this consultation; but more specifically to respond to the consultation questions as outlined in Section 2 of this report.
- 1.5 In total, two responses to the consultation were received; this report details the key findings, MCA response and who responded.
- 1.6 MCA would like to take this opportunity to thank all parties that took the time to read and respond to this consultation.

## Section 2: Consultation

2.1 The consultation was carried out from 19th July 2021 to 16th August 2021. It can be accessed at

<https://www.gov.uk/government/consultations/merchant-shipping-inspections-of-ro-ro-ferry-and-high-speed-passenger-craft-regulations-2021>.

Whilst the consultation was promulgated on GOV.UK for anyone who wished to read and/or respond to it and triggered notifications for anyone who is subscribed to receive such government notifications, a sample of interested individuals and organisations were also contacted individually by email. These recipients comprised a mixture of industry representative organisations, individual operators, devolved administrations, classification societies and other interested parties.

2.2 The initial objectives in relation to the proposal to replace the existing Merchant Shipping (Mandatory Surveys for Ro-Ro Ferry and High-Speed Passenger Craft) Regulations 2001 (SI 2001 No. 152) with the draft Merchant Shipping (Inspections of Ro-Ro Ferry and High-Speed Passenger Craft) Regulations 2023 were to establish and assess the impact of the changes on the UK shipping industry and seafarers, establish the relevance of the accompanying M notice.

## Section 3: Consultation Outcome

3.1 The Government's proposals were described in the consultation document, which then posed five generic questions. Question six offered a free comment box for respondents to provide detail and other thoughts they had in the content of the proposed guidance. The questions can be found at Annex A.

A total of two responses were received, one from an individual and the other from the UK Chamber of Shipping. Neither response was in relation to the questions posed and no new evidence relating to cost benefit, or the logistics of the inspection regime was provided. The points raised are summarised below:

- Request for clarification of the applicability of the proposed regulations via examples of ships and operating routes
- Highlighted differences between the current inspection report template and the information the proposed regulations will require and queried if the inspection report template will be updated.
- Proposing that a range window is added for the annual specific inspection.

3.2 In response to the above, the MCA clarifies that the proposed Regulations will not cover UK vessels operating between two non-EU foreign ports. It also clarifies that the Regulations will keep parity with the current EU standards. Vessels operating between the UK and a EU Member State will be subject to the European Ferry Directive therefore, they are excluded from these regulations to avoid duplication and align with wider inspection practice. The Government reserves the right to conduct inspections at all reasonable times for any vessels operating in UK waters, and under the Port State Control regime, so oversight and high safety standards will be maintained for these operating routes.

3.3 The MCA notes the proposal by the UK Chamber of Shipping and will look to incorporate a range window for the in-service inspection. However, the in-port inspection will not have a range date, as it will likely be conducted in line with the Paris MOU inspection priority requirements, and any misalignment with that would provide an extra inspection burden on the ship and the MCA. As the Paris MOU inspection regime "resets the clock" when an inspection occurs, if the MCA boards the vessel as a result of an unexpected or overriding

factor report, this will be credited as part of the “in port” inspection, rather than waiting for a range window.

## **Section 4: Next Steps**

4.1 The government will finalise the proposed Regulations with a view to publishing them by the end of 2022. They will then be laid in draft in 2023, following which they will be subject to debate in both Houses of Parliament. Once approved by both Houses, they will be made and will come into law.

4.2 The MCA would like to take this opportunity to again thank the respondents and those that took the time to review this consultation

## Annex: A

### Consultation Questions:

1. Are there any cost or benefits that you believe should have been analysed within our cost and benefit analysis (see Annex B), if so, please provide any relevant evidence to support the suggested omitted costs and/or benefits?
2. Can you provide any evidence in support or challenge of the cost and benefits analysed (see Annex B)?
3. Do you foresee any unintended consequences of the proposed Regulations, that have not previously been mentioned (see Annex B)? If so, please provide any relevant evidence.
4. Do you think that the revised logistics for organising the mandatory inspections are simpler now that the requirement for multiple host states to attend has been removed?
5. Do you anticipate any practical difficulties from the new regime where the inspections have to be carried out not less than 4 months and not more than 8 months from the previous inspection? Please provide any evidence to support your answer
6. We welcome your views and evidence on any other aspects of these changes.