

General Feedback

Section of Code	Feedback Received	MCA Position
<p>General</p>	<p>There was overwhelming objection by the TWG members to the re-numbering of the sections. The MCA case for doing this was not accepted. It was felt that the original numbering, familiar to the industry & in alignment with other codes, could easily have been adapted & retained. The dismantling of Section 25 is unnecessary & a backward step</p>	<p>Feedback received through consultation do not support this narrative.</p>
	<p>No the numbering should stay the same in the restructuring – you are changing 25-30 years of numbering for little advantage. It will have a knock on in fleets with SMS referencing and cause a trip hazard for all concerned</p>	<p>Of 63 overall responses, only 18 answered in the negative, i.e that the restructuring of the Workboat Code has not added clarity or assisted the reader in navigation. Of the 18 negative responses, just 7 attribute this to numbering changes.</p> <p>The codes of practice have, and continue to evolve, with new or amended sections appearing in subsequent versions ever since the Brown Code was first published.</p> <p>This revision is part of a process to review and revise all small commercial vessel codes of practice which will harmonise a revised structure across all codes of practice.</p> <p>It is accepted there will be a period of familiarisation required for Certifying Authorities and surveyors to understand the new and updated requirements of the code.</p>
	<p>Imposing the new standards on craft from 1968 onwards is a step too far and could create real problems in the application of new rules on old vessels. I think the new codes WBC TS/2/3 have been written with new large vessels in mind and this will put constraints on small vessel operators running existing vessels. This will also add to surveyors and CA's having differing standards when applying new construction standards. However easily transportable items like LSA, Manning and SMS would be worthy of making the same across all codes</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>It would also ensure that the UK is meeting its obligations to the EU under Article 91 of the UK EU Trade and Cooperation Agreement 2020.</p>	<p>Thank you for your comments. The Workboat Code is UK domestic legislation and as such does not need to meet requirements of the EU.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>ARTICLE 91 Technical regulations 1. Each Party shall carry out impact assessments of planned technical regulations in accordance with its respective rules and procedures. The rules and procedures referred to in this paragraph and in paragraph 8 may provide for exceptions. 2. Each Party shall assess the available regulatory and non-regulatory alternatives to the proposed technical regulation that may fulfil the Party's legitimate objectives, in accordance with Article 2.2 of the TBT Agreement. 3. Each Party shall use relevant international standards as a basis for its technical regulations except when it can demonstrate that such international standards would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued. 4. International standards developed by the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), the International Telecommunication Union (ITU) and the Codex Alimentarius Commission (Codex) shall be the relevant international standards within the meaning of Article 2, Article 5 and Annex 3 of the TBT Agreement. Further to the above one of the known issues of the workboat code ed 2 was that it was well set up to cover the larger commercial vessels such as the windfarm support boats/survey vessels etc but was less suited to the smaller vessels such as small commercial ribs etc. Better alignment to the ISO standards will better aid the suitability to the craft that were not properly covered by the last edition.</p>	
	<p>There appears to be a number of small craft standards that are non-referenced, does the MCA have a review document for each one to understand the reason for their exclusion. This would assist the Bsi Committee GME 33 understand how they could assist alignment and inclusion of the MCA's concerns within the reviews, making application for small craft manufacturers easier.</p>	<p>Workboat Code 3 will launch with an accompanying Marine Information Notice (MIN) which references applicable standards as appropriate to the requirement within the Code.</p>
	<p>Given the time passed since the original code was produced. Companies other than the existing CA should be able to apply to become a CA if/when they meet the requirements set by the MCA</p>	<p>The MCA places no restrictions on applications from a party to become a Certifying Authority. Parties that can meet the requirements to become a Certifying Authority are able to do so by</p>

Workboat Code Edition 3 Consultation Feedback

		following the guidance set within MIN 538, as amended.
	The other point that would be great to correct is eliminating the double negatives.	A final review of the draft will be undertaken prior to launch where any remaining grammatical errors are intended to be corrected.
	The draft copy refers to hyperlinks. These do not function within the draft document. Will these be applied / working when the code goes live? Is there somewhere we can test these? Will the document have a search function to assist in finding relevant sections	Yes, accessibility features such as hyperlinking and search facilities are intending to be operational at launch of the finalised Code of Practice.
	To avoid the almost certain demise of many small vessel operators I would urge you to apply any structural designs changes to the keel lay date of the vessel in line with normal international practice. New build vessels are not really affected, and the changes can easily be done during build. In the case of older vessels these can be addressed at time of a major conversion where the re-investment into a vessel would make it commercially viable to do so	The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.
	It strikes me that the MCA could vastly reduce the pain of introducing WB3 by developing a common draft SWB2 to promulgate to the CAs. I also think that it could use the style of CE-Pro, which would allow non applicable sections to be removed. I would be more than happy to discuss. I would suggest that this would be great PR for the MCA.	The SWB2 form can be reviewed as code is launched. We can look at providing draft and/or have input from Certifying Authorities to ensure that this is fit for purpose and causes as minimal disruption as possible.
	There may be an error in interpreting WBC2 and WBC3 , but we could also not find any requirement for the bilge and fire alarms to sound in the manning and accommodation areas. This should be considered, if it is not already included in the guidance	The MCA note your comment on these specific sections with thanks and will look to clarify these concerns in the final draft.
	The new numbering system is really not tennable. The views of the TWG have been ignored and I would say that 90% of those asked said that the new numbering was not necessary and untenable. There were qwuite a few TWG members that took part in the rewrite process in the beginning and many of those dropped out because they realised that the Codes Team were completely ignoring all the advise and comments that were being offered by industry parties. The ammount of time and money that has been wasted by the Codes Team is quite unprecedented. Please consider at least alinging the Appendix numbers as much as possible with the WB Code 2 numbering. Eg There was no need not to kleep Appendix 3 as Appendix 3, it is now 5 whereas old	<p>Feedback received through consultation do not support this narrative.</p> <p>Of 63 overall responses, only 18 answered in the negative, i.e that the restructuring of the Workboat Code has not added clarity or assisted the reader in navigation. Of the 18 negative responses, just 7 attribute this to numbering changes.</p> <p>The codes of practice have, and continue to evolve, with new or amended sections appearing in subsequent versions ever since the Brown</p>

Workboat Code Edition 3 Consultation Feedback

	<p>Appendix 11 is now Appendix 3 - changes like this were not necessary.</p>	<p>Code was first published.</p> <p>This revision is part of a process to review and revise all small commercial vessel codes of practice which will harmonise a revised structure across all codes of practice.</p> <p>It is accepted there will be a period of familiarisation required for Certifying Authorities and surveyors to understand the new and updated requirements of the code.</p>
	<p>In Application why does this not apply to non UK workboats in UK waters fullstop rather than being reliant on themoperating from UK ports?</p>	<p>The code is not reliant on non-UK vessels operating exclusively from UK ports, it is applicable to non-United Kingdom vessels in UK waters <i>OR</i> operating from UK ports.</p>
	<p>Suggest making reference to the IMO circular on prevention of false distress alerts. MSC.514(105) replaces A.814(19) from 1/1/2014</p>	<p>Workboat Code 3 has been written with the intention of removing exophoric reference to guidance and best practice documentation as this is often quickly out of date. However, Workboat Code 3 will launch with an accompanying Marine Information Notice (MIN) which references applicable standards as appropriate to the requirement within the Code which can be routinely updated as required.</p>
	<p>I would ask for at least a 3-6 month transition window to be introduced once Workboat Code Edition 3 is released in its final version for owners to ensure their vessel complies. This will help give time for Certifying Authorities to review and update forms and procedures as the changes requested and transition arrangements as they currently stand will make forms complex as to which section and rules currently apply. This needs to be longer than just 1 month as Certifying Authorities will be unable to complete these actions under that small time frame</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>The MCA need to review and agree how Certifying Authorities will complete the transitional arrangements once the Code is live. Examples of this are how to fit in a 4 year pilot boat within the new 5 year cycle as this needs to happen as soon as the code comes live. A vessel how does this affect a vessel on its second year as a 4 year pilot boat? Additionally at an annual survey for a vessel that</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>has transitioned from brown code to workboat code 3 after its implementation does the surveyor just need to complete an annual survey and not capture or check the full requirements of workboat code 3 as the vessel may be deficient in some areas? Do the certifying authority need to reissue certificates at the annual since the previous will note the wrong code. We as a CA would be unhappy to reissue any Code certificates until a renewal examination where it can be confirmed with a full inspection that the vessel meets the requirements of workboat code 3 in full. Additionally the MCA needs to notify how Stability will work since you will have vessels on the brown code coded to take 12 persons at 75kgs. Does this need to be changed and the heel test redone before the transition or do we need to lower the persons from the date of WBC3 being active?</p>	
	<p>Generally, with regard to retrospective application on existing vessels. It is our opinion that existing vessels should be brought to the standard of the new code in all ways that do not require serious structural or arrangement modifications. For example, we support a change that requires existing vessels to update their LSA loadout, but not ones that require cofferdams to be constructed in fuel tanks or whole additional anchor systems to be installed.</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>The transition period or requirements on entry into force under some clauses has created some queries which would benefit from clarification. This could be achieved with consultation with surveyors to understand how certain clauses will be interpreted and when they will enter into force or to which vessels they will apply.</p> <p>For example, for vessels already in service, will the new code apply across the fleet despite full conformation to WBC2? If so, that could require vessels to be retrofitted. Would there be a derogation for vessels in operation or in production? If there is a requirement for retrofitting (seating requirements, for example), there would need to be a transition period suitable from a supply chain perspective. Given the number of vessels in service and the potential demand on suppliers, the lead-in time for achieving compliance may be impractical and potentially have an impact on operations which were fully conforming under WBC2. For those vessels in service or those currently under production, it would be welcome to have a suitable (and risk-assessed) transition to WBC3.</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>There are parts of the code which may lead to unintended consequences for the sector/fleet. This is where our sector exceeds the planned requirements as detailed by the code but will, unintentionally (in our view) lead to non-conformity. One example is regarding lifejacket provision and requirements. Each of our members issue individual lifejackets and PPE to each crew member. Some of the clauses within WBC3 may lead to unnecessary requirements to replace fully functioning kit. Without clarification and amendment, this may also lead to supply chain delays which could lead to non-conformity if the transition period, as above, is not considered.</p>	<p>The MCA note your comment on these specific sections with thanks and will look to clarify these concerns in the final draft.</p> <p>It is the intention following consultation feedback that LSA and other carry-on items are in most cases replaced at the end of service life of existing equipment, such that there would not be a need to replace fully functioning kit ahead of schedule. The replacement schedule for existing vessels should be set out within the transitional arrangements within the Code of Practice.</p>
	<p>Following the end of the consultation period for the draft WBC3, it would be welcome to have a period where surveyor views and interpretations of the new code so that clarity and understanding is uniform across the fleet. This would assist with the durability of the code.</p>	<p>The MCA recognises the need for views and interpretation clarifications, and the codes team will be happy to receive queries via the current communication channels. A mechanism for formal interpretation requests remain in place but we would prefer that issues are identified prior to launch.</p>
	<p>Given the above queries and suggestions along with the opportunity to refine WBC3, we would recommend that there could be benefits from introducing a post implementation review of WBC3. This would allow feedback from sector and surveyors to provide meaningful feedback on the code once it is in force and suitable amends (which should/could be minor) could be made.</p>	<p>The MCA recognises the need for views and interpretation clarifications, and the codes team will be happy to receive queries via the current communication channels. A mechanism for formal interpretation requests remain in place but we would prefer that issues are identified prior to launch.</p>
	<p>In short, it is inappropriate for RYA/BML certificate holders to command tugs with large bollard pull and therefore there is a need to properly define a workboat to differentiate it from a tug. This was previously recognised in legislation limiting to non STCW holders to workboats of 24m and 20 tonnes bollard pull; MSN 1808, Para 5.2 states: the tug master is required to hold as a minimum the STCW Inshore Tug Certificate of Competency (see MGN 209(M)). (TGWU and BTA have agreed that this should apply to any vessel over 24m in length or with a bollard pull of more than 20 tonnes). We suggest that there is a proper understanding of winches incorporated in the Code. After a number of fatalities where winch emergency release systems were found defective (FLYING PHANTOM, TOWING CHIEFTAIN), the BTA engaged with IACS to review this and shape standards. IACS survey</p>	<p>Thank you for your feedback and will look to address your concerns in the final draft.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>standards were developed to ensure that all new winches were consistent in emergency release time, including under load and in blackout conditions, and that existing winches would be included in Class inspection regimes, including release testing. We suggest that the direction contained in UR79 is woven into the Code and that additional guidance for operators is included to assure that winch emergency release systems are tested, effective and their operation understood by ships' teams. Therefore it may be appropriate to give Certifying Authorities the responsibility for winch emergency release checks for Coded vessels.</p>	
	<p>The consultation process does not outline the steps following the consultation response and subsequent publication of MCA's response. We are concerned that we will not have sufficient time to review and implement any revised version of the new code at publication. We feel it is fair that the industry has sight of the final version of the code and reasonable time to digest before implementation. During consultation period people struggled to work through and comment on the code already, so sufficient time is required after publication to work through, understand the implications and plan for implementation.</p>	<p>The consultation document sets out the steps following the close of the public consultation and provides an approximate timeline to implementation.</p>

Workboat Code Edition 3 Consultation Feedback

Contents

Section of Code	Feedback Received	MCA Position
Contents Page	Numbering needs to be updated	Thank you for your feedback, numbering will be updated following a final draft.

Workboat Code Edition 3 Consultation Feedback

1: Foreword

Section of Code	Feedback Received	MCA Position
<p>1 Foreword</p>	<p>It is not clear why wording which suggests that the code is intend to be a one stop shop / single point of reference have been excluded. This was one of the driving forces and advantages of the Codes and should be strived for at all opportunity. This enables the operators / crews / designers to have great trust in the code. Reinstate wording</p>	<p>The nature of innovation and developments within this sector and the associated standards regulating it means it is necessary to make reference to external documentation, as amended, to ensure that the Code of Practice remains current throughout it's lifecycle. This was also the case for previous iterations of this code despite the one-stop shop statement.</p> <p>By nature of the fact that the Code of Practice refers to external documentation, it is misleading to state that the Code is a a one stop shop, and owner/operators must ensure that they are appropriately aware of regulatory changes that impact their vessels outside of this Code.</p>
	<p>It was a request of industry at the time of writing of WB Code 2 that it was made clear which parts of the code are made mandatory by the code and which are guidance pointing to other regulation. There is no reason to believe that this position has changed - it certainly was not the wish or the TWG during the drafting process. Many of the references to guidance mandated by other SI's provide for helpful interpretation of that legislation for ththe workbaots where that SI is not clear for this type of vessels. This wording was included in the TWG draft and should be reinstated here. It would be helpful to reinstate WB Code 2 Section 1.20 in some form.</p>	<p>Workboat Code 3 has removed reference to guidance within the body of the code such that a list of the type written in WB2, 1.20 is no longer considered necessary. Workboat Code 3 sets out to state the minimum level of requirements that vessels must adhere.</p>
	<p>Generally this Section 1 does not properly describe the useage to <24m workboats and dedicated pilot boats of any size. Suggest to include wording rather than hide this in Section 2 definitions</p>	<p>Thank your feedback. We will review the text for the final draft and add a reference to <24m in the opening paragraphs.</p>
<p>1.1 This Code contains mandatory requirements that apply to workboats, including remotely operated unmanned vessels (ROUVs), that operate to</p>	<p>the wording in 1st sentence is not clear and almost suggests that the 12 pax etc applies to the pilot boats. Suggest changing the order or adding in ";" instead of commas</p>	<p>Thank you for your feedback. Will review the text for final draft for clarity.</p>
	<p>What is the definition of UK ports, i.e. what level of overseas territories apply. Gibraltar, Bermuda etc. ref if necessary to the relevant docs. Can we use the 12 reference from page 44 to clarify.</p>	<p>The MCA note your comment on these specific sections with thanks and will look to clarify these concerns in the final draft.</p>

Workboat Code Edition 3 Consultation Feedback

<p>sea, and to all dedicated pilot boats, carrying cargo and/or not more than 12 passengers, which includes any industrial personnel. The Code applies to United Kingdom (UK) vessels wherever they may be. It also applies to nonUnited Kingdom workboats in UK waters that operate from UK ports. The Code, including the appendices and annexes to which it refers, are given statutory authority by the Merchant Shipping (Small Workboats and Pilot Boats) Regulations 2023 ("the 2023 Regulations") where a vessel is certified under those Regulations as meeting the requirements of the Code.</p>	<p>The wording of the 1st sentence relating to number of passengers / industrial personnel does not describe the useage very well. Suggest to use the word "aggregate" as per WB Code Edition 2 section 1.6</p>	<p>Aggregate was specifically removed during the rewrite as it was not felt that this added clarity. Reinstated.</p>
	<p>The wording (including in Section 2 of the Code) does not highlight that pilot boats (or dedicated pilot boats) includes those that operate in Catgeorsied waters. The word "all" needs to describe this better</p>	<p>It is stated within 1.1 "The Code applies to United Kingdom vessels wherever they may be". Pilot Boats and Dedicated Pilot Boats, as certified under the Code, meet the definition of vessel as listed in Section 2 of the Code.</p>
<p>1.2 This Code applies to workboats, including ROUVs, and dedicated pilot boats when they are in commercial use. It may also be used for barges, pontoons, and similar small vessels when under tow, as specified in section 26. It does not apply when such vessels are in use for recreational, sport or pleasure use, for which there are more appropriate codes.</p>	<p>It would be a good idea to amend this list to specifically include the hopper barges, survey vessels (?) and any other vessels that are now being drawn into the code that were previously excluded by the legislation. Include the list of as many of the previously excluded vessel types as possible. This was the intention and direction of travel of the MCA and should be continued. SI 1998 No 2241 Reg 4 refers. The addition of Happer Barges would be a very simple addition to the stability section of the code. This is already written and would therefore not represent a change in policy.</p>	<p>Thank you for your comments.</p>
	<p>Can MCA please confirm that <24m vessel operating solely on Inland Catergorised Waters will remain exempt from Coding through the provisions set out in Section 4(1)(d) of the Loadline Regs (SI 1998:2241) and that the introduction of the proposed Statutory Instrument to replace 1998:1609 will not affect the survey and certification of these vessels or mandate the Coding of these vessels under Workboat 3?</p>	<p>The introduction of the new SI and accompanying Workboat Code Edition 3 do not change the position.</p>

Workboat Code Edition 3 Consultation Feedback

<p>1.4 Sections 1 to 4 of the Code outlines the application and interpretation and provides a detailed explanation on how the certification requirements in the 2023 Regulations are intended to be applied. The requirements in sections 5 to 31 of the Code, the appendices and annexes to which they refer, are mandatory requirements for workboats, pilot boats and remotely operated unmanned vessels which are certified under the 2023 Regulations.</p>	<p>This does not properly introduce the 2023 Regulations by name. Suggest including the full name of the Regulations "MS (Small Workboats and Pilot Boats) Regulation 2023"</p>	<p>The 2023 Regulations were introduced in full name under 1.1 of the Workboat Code Edition 3, where it is henceforth referenced as 'the 2023 Regulations'.</p>
<p>1.5 This Code does not apply to a vessel where bulk cargo is loaded into and carried in the vessel's hold or tanks. Such vessels are treated as small tankers or bulk carriers for the purposes of this Code and therefore cannot be certified under the provisions of this Code and the 2023 Regulations.</p>	<p>The reference to dredging spoil and gravel should be reinstated. Where the codes have previously been specific on these points it is not helpful to remove the references and just leads to a code which is more "grey".</p>	<p>Noted, this footnote will be reinstated.</p>
<p>1.5 This Code does not apply to a vessel where bulk cargo is loaded into and carried in the vessel's hold or tanks. Such vessels are treated as small tankers or bulk carriers for the purposes of this Code and therefore cannot be certified under the provisions of this Code and the 2023 Regulations.</p>	<p>This contradicts the MGO fuel transfer capability later in Section 29.1</p>	<p>Disagree. Transfer of MGO is set out as a separate provision but is excluded from the definition of 'bulk cargo' carriage.</p>
<p>1.6 Independent rescue boats, when engaged in commercial use, may use the Rescue Boat Code instead of this Code, in accordance with MGN 466(M).</p>	<p>General comment throughout the Code the MGN 466 full title should be included within the code either as a footnote or other. This applies to all references to MGN 's or other SI, MSN, Guidance notice , etc. Without this then this Code does not provide for a good "one stop shop".</p>	<p>Accepted commented regarding full title of M-notices. Footnote with full title to be included in final draft.</p>
<p>1.7</p>	<p>Some policeboats are non sea going</p>	<p>WB3 provides minimum standards over and above those listed with the separate Police Boat</p>

Workboat Code Edition 3 Consultation Feedback

<p>Police boats operating to sea shall meet the requirements of this Code in addition to the requirements set out in Annex XX.</p>		<p>annex. Police Boats that operate to sea must meet both the Police Boat annex requirements and the more stringent requirements of Workboat Code 3. Police Boats that do not operate to sea are only required to meet the requirements of the Annex.</p>
	<p>Has WB3 Superceeded Police Boat Code?</p>	<p>WB3 will include an annex for a revised Police Boat Code which will supersede the current version.</p>
	<p>Annex XX does not exist either within the code or in the contents page so it is difficult for this to be included in the consultation. Is their a revised version of MGN 518? Attention was drawn to this in the TWG review and nothing has been done.</p>	<p>A new Police Boat Code annex will launch in due course. It is not currently included as Annex as this was not finalized in time for Consultation.</p>
<p>1.9 A vessel which does not carry out any of its operation on the water's surface (i.e., operates underwater) is outside of the scope of this Code.</p>	<p>If submersibles are to be referenced then it makes sense to also document an equivalent para for WIG craft and hovercraft (see section 3.1.2). I presume the MCA would not be happy for WIG craft to fall under this Code.</p>	<p>Noted.</p>
<p>1.10 The 2023 Regulations set out the legal framework for the certification and continued compliance of vessels with this Code. The Code contains the technical requirements for the equipment, and practices and procedures to be followed, in relation to such vessels. The 2023 Regulations and this Code therefore provide a complete compliance regime for workboats, including remotely operated unmanned vessels and pilot boats which is enforceable</p>	<p>Should an owner/operator choose the alternative method, guidance should be given on the administration process and how the coding will be recognised in order to make an informed decision. No real alternative, other than to comply with WBC3</p>	<p>Noted.</p>
	<p>This code is not mandatory – but 1.21 says some of the requirements are/will be to historical code vessels</p>	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>under the 2023 Regulations. Compliance with the 2023 Regulations and this Code is not mandatory; it is an alternative regulatory regime and vessels may instead continue to comply with standards in all merchant shipping legislation that would otherwise apply to them, for example, the Merchant Shipping (Load Line) Regulations 1998 (SI 1998/2241). However, the Maritime and Coastguard Agency advise that it will be easier to understand, apply and comply with the 2023 Regulations and this Code of Practice rather than the many separate Regulations that otherwise must be complied with.</p>		
<p>1.11 This is the third edition of the Code. It replaces The Workboat Code Edition 2, as amended which was introduced in December 2018 and also the original Code titled, "The Safety of Small Workboats and Pilot Boats – A Code of Practice" that was introduced in 1998. This Code applies to workboats, pilot boats and remotely operated unmanned vessels, the keels of which are laid, or are at a similar stage of construction,</p>	<p>It would be useful here to create a link to Appx 9 on Savings and Transition Arrangements for existing vessels. I also note that Appx 9 also makes reference to the 2014 standard which 1.11 does not, I suggest that 1.11 needs to also reference the 2014 standard..</p>	<p>The MCA will insert appropriate links to other sections of the Code in the final version.</p>

Workboat Code Edition 3 Consultation Feedback

<p>on or after the date the 2023 Regulations come into force, subject to the transitional arrangements contained in those Regulations., From the same date, this Code supersedes the original Code, Workboat Code Edition 2, as amended, and also Marine Guidance Note MGN 280(M) “Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats – Alternative Construction Standards” as applicable to small workboats and pilot boats</p>		
<p>1.13 The following organisations participated in the Industry Working Group that reviewed and contributed to the drafting of this Code: Artemis Technologies British Marine International Institute of Marine Surveying Lloyd’s Register Maritime and Coastguard Agency Mecal Royal Yachting Association Society of Consulting Marine Engineers and Ship Surveyors The Workboat Association Yacht Designers and Surveyors Association</p>	<p>Meeting minutes should be published to form a correctly informed public consultation. No sighting of stake holder comments and how they are reflected within the final draft.</p>	<p>Noted with thanks. This document provides sight of stakeholder comments to public.</p>
<p>1.14</p>	<p>This claim is understood, however what it is saying is that the Code is intended to be a design code, however it appears to be</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>This Code aims to provide all the information needed for the design, construction, engineering, electrical systems, hull systems, fire protection, and provision of firefighting, lifesaving, navigation and radio equipment to ensure the safety and protection of the crew, personnel, passengers and other marine users, and to maintain environmental standards. It also deals with the equally important subject of manning and of the qualifications needed for the crew.</p>	<p>addressing both design and operational requirements which causes difficulty in developing and delivering certification because the two elements are addressed by different entities - being the builder/design and the owner/operator. It would be better to have a clear separation between design and operation.</p>	
<p>1.21 The Code consolidates all applicable requirements for workboats, including ROUVs, and pilot boats into a single document. Some of these requirements are made mandatory by the 2023 Regulations. The Code also refers to certain requirements that are contained in other regulations.</p>	<p>It doesn't seem helpful to the operator or builder to have removed the list of applicable regulations that apply to workboats / pilot boats that was previously included in Appendix 14. Early draft reviewed by the TWG included reference to old Appx 14. Please reinstate, this change was not agreed by the industry TWG.</p>	<p>Noted with thanks. It is difficult for any list to be exhaustive due to the range in operations and vessel types. It was felt that it could be misleading to include a list purporting to be complete when it is not. The accompanying MIN will provide a place to include a link to appropriate standards and regulations reference within the Code of Practice, and this format allows for the MIN to be regularly updated and maintained.</p>
<p>1.22 This Code provides information on many of the requirements that are applied by those other regulations, but this information may not be definitive. Additional references and information are provided in MIN XXX. The vessel</p>	<p>It would be useful to have an index of MINs, MSNs & MGNs on the same page as the code on the government website to make locating them easier. They can at time be very difficult to locate.</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>owners/operators may need to consult those regulations and the associated guidance to ensure they are compliant. This Code does not provide information on Statutory Instruments coming into force after the date of its publication which are required to be complied with. Statutory Instruments, Merchant Shipping Notices, Marine Guidance Notes and Marine Information Notes can be found on the MCA website.</p>		
<p>1.25 The owner or master of a vessel and in the case of pilot boats, a competent harbour authority as well, is responsible for the health and safety of workers and others on the vessel. The Merchant Shipping and Fishing Vessel (Health and Safety at Work) Regulations (SI 1997 No. 2962) and the Code of Safe Working Practice for Merchant Seafarers apply where persons are employed on board a vessel, see section 22 of this Code.</p>	<p>Suggest this adds in “The Master and owner” since owner has a responsibility</p>	<p>Noted with thanks. MCA will review and clarify as necessary.</p>

Workboat Code Edition 3 Consultation Feedback

2: Definitions

Section of Code	Feedback Received	MCA Position
2 Definitions	So always used in defined sense?	Yes, where in bold throughout the body of the code.
	The old provision which stated that “should” means “shall” has been omitted from the regulations, which is to be welcomed (since it allows the word “should” to mean “ought properly to do but is not obliged to do”, as might be appropriate in section 3.8.9 (for example)). There are, however, still a few residual “shoulds” in the Code which are probably intended to be “shalls” (e.g. in the definitions of “Annual examination”, “Critical Downflooding”, “Length” etc.).	Noted. Will review code to ensure correct usage of ‘should’ where these remain.
	The Regulations specifically extend the expression “owner” to include “manager” for the purposes of the Code so a “manager” could be liable for noncompliance. However, the definition of “owner” in the Regulations does not mention an “operator” and the Code can’t extend the application of the Regulations. References in the Code to the “owner/operator” might be useful to describe who may or may not carry out some of the tasks under the Code (e.g. submitting an application) but this expression does not accurately describe who is responsible for compliance with the Code. Responsibility for compliance with the Code (as with the underlying regulations) rests with the owner (which, under the Regulations, includes the manager) and the master, not the operator. In this respect, provisions in the Code such as those in sections 3.5.1 and 3.5.2 are misleading.	Noted with thanks. The body of the code will be checked for any disparities before final publication.
	It would be useful to include definitions of "simple" & "complex" vessels, meaning those not requiring or requiring SIB's. It is already in common use & particularly relevant when dealing with hull structure assessment, stability & survey regimes	Noted. There are already requirements set out for SIB/no SIB and otherwise impossible to define
	1st para - what does this mean, it makes very little sense.	Noted, text will be reviewed and clarified as required.

Workboat Code Edition 3 Consultation Feedback

		Noted with thanks.
	First paragraph very confusing, needs simplified. Why not add a glossary	Noted, text will be reviewed and clarified as required. The definitions section is the glossary
	Should WBC3 be limiting definition of special areas to those only covered in MARPOL Annex I? Other aspects of pollution refer to special areas, so the definition should not be tied to a specific pollutant (in this case oil).	This is stipulated by the MARPOL Convention
	Multiple use of phrase “steel or other equivalent material” reinforces long held impression that MCA’s perspective is still too ship-biased.	Noted, text will be reviewed and clarified as required.
“Accommodation space” means any space, excluding machinery space, which is enclosed on all sides by solid divisions, provided for the use of persons on-board;	This is not correct as the way it is written means that stores, refrigeration chambers, battery compartments, the wheelhouse etc. etc. should be regarded as accommodation spaces	Noted. This definition has not changed from previous versions of the Code.
“Bare-boat charter” means a charter for which the charterer provides the Master and the crew;	Bareboat charter in wrong order. Should be “bareboat” and also this could be expanded upon with the definition of “voyage charter” included where the vessel remains under the Owner but the voyage charterer provided the Master and crew (Mecal comments ignored)	Noted with thanks. Order amended.
Boundary	I noted there is no definition of “Boundary” which is very important for some regulations.	Noted with thanks. To review and consider clarification.
“Bulk cargo” has the same meaning as it has in The Merchant Shipping (Carriage of Cargoes) Regulations 1999 (SI 1999/336), as amended.		
	We do not consider additional benefit from the suggested inclusion. The draft code accounts for most scenarios and methods in which small boats are deployed in our sector. Small boats are rarely, if ever, used or considered to be used as bulk carriers.	Noted with thanks.
	WB3 section 1.5 is correct. Vessels carrying bulk cargo oil or bulk have specific well evolved rules and regulations that need to be followed.	Noted with thanks.
	Unlikely to affect smaller vessels as long as cargo carried in containers and IBC’s is not to be considered as “In Bulk”, although we have not checked the MS (Carriage of cargoes) regulations.	Noted with thanks.
	The renewables sector has a requirement to re-fuel generators on offshore installations during periods that they’re not electrically connected – usually during construction but also later in life during maintenance of cable break. This mode of operation is necessary and has previously	Noted with thanks. Note that transfer of MGO is permitted.

Workboat Code Edition 3 Consultation Feedback

<p>been accepted and is now 'normal'. To stop this activity by seeing CTVs as tankers will be detrimental to the industry and the UK's decarbonisation agenda. Provisions existing in Workboat Code Edition 2 are satisfactory.</p>	
<p>There are significant proposed changes that are required on entry of the code or at first renewal. The changes required necessitate significant expenditure potentially making vessels worthless. Little, if any, financial consideration seems to have been given to the impact on Brown Code and MGN280 vessels to conform to WBC3.</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>For the purpose of Section 29, all goods carried on board, which are not included as part of ship's stores, are considered to be cargo". It also contradicts the defined term of "cargo". Therefore, WBC3 would benefit from reviewing definitions against statements made elsewhere in the Code to remove contradiction and to provide clear and concise statements.</p>	<p>Noted with thanks. We will review and clarify text where necessary.</p>
<p>We consider any restriction of certain types of work boats ability to carry and transfer marine fuel oil within a defined project location and with the sole purpose of refueling other project related vessels to be detrimental to the fundamental use of vessels as part of a 'Marine Spread' operating within dredging and marine construction activities.</p>	<p>Noted your comments on this section and vessel use. MGO is permitted under the code, however these vessels should not be used as bulk carriers.</p>
<p>Because plenty of workboats carry bulk cargo in the vessels hold or tanks, there is even a defined section of the newly proposed (and previous) workboat code which discusses the carriage and transfer of bulk fuel from the vessels tanks. This pragaraph should be scrapped and Workboat Code 3 should include 'vessels where bulk cargo is loaded into and carried in the vessel's hold or tanks'. This statement unnecessarily removes a large number of code users from complying with the new code and adds complex contradictory information.</p>	
<p>Will this preclude fuel delivery to wind turbines unless by tanker?</p>	<p>No. Covered under MGO section.</p>
<p>Care must be taken not to exclude workboats from carriage of "reasonable" amounts and types of cargo as per their working profile. A large change to exclude these would be hugely detrimental.</p>	<p>Noted with thanks.</p>
<p>The details outlined within the code is highlighting some serious problems where the WC3 does not fall in line with other standards and as such it results in some sections to have not clear guidance and requirements. As an example 29.10.2.1 referring to MARPOL requirements which is not applicable to vessels under certain GT levels which has highlighted a problem in the proposal. Please refer to the points highlighted from the Workboat Association too on this matter.</p>	<p>Noted with thanks. MARPOL is referenced for applicable vessels.</p>

Workboat Code Edition 3 Consultation Feedback

<p>Buoyant Collar</p>	<p>It might prove helpful to define a “buoyant collar” in section 2 definitions</p>	<p>Please see definition of “Boat fitted with a buoyant collar”.</p>
<p>“Cargo” means all items which are transported by the vessel except: fuel for the vessel, ballast (either solid or liquid), consumables to be used on board, permanent outfit and equipment of the vessel, ships stores and spare gear for the vessel, crew and their personal baggage, passengers and their personal baggage, industrial personnel and their equipment and personal baggage;</p>	<p>'Cargo' does 'permanent outfit and equipment of the vessel' include ROVs or UUVs or survey equipment which may be used as part of a particular mission configuration but not necessarily permanent?</p>	<p>Clarification will be written into code.</p>
<p>“Cockpit” means a semi-enclosed, recessed area that is lower than the surrounding decks which may retain water, however briefly.</p>	<p>By lower does it mean the floor or roof? I assume floor</p>	<p>This refers to the lower part of the watertight weather deck.</p>
<p>“Competent Person” means: .1 in respect of fire extinguisher servicing (section 16) has the same meaning as it does in BS 5306: Part 3; 2003 which is a person with the necessary training, experience, with access to the relevant tools, equipment and information,</p>	<p>Competent persons aren't appointed by CAs but may be recognised</p>	<p>Noted</p>

Workboat Code Edition 3 Consultation Feedback

<p>manuals and knowledge of any special procedures recommended by the manufacturer of the portable fire extinguisher, to carry out the relevant maintenance procedures;</p> <p>2 with respect to LOLER and PUWER Regulations (section 25) is intended to mean a person possessing the knowledge or experience necessary for the performance of the duties under the LOLER and PUWER Regulations;</p> <p>.3 with respect to section 12 of this Code means a person, appointed by the Certifying Authority, who by reason of relevant professional qualifications may produce stability information booklet and/or carry out assessment of the vessel's stability information.</p> <p>.4 with respect to all other sections of this Code means a person appointed by the Certifying Authority who has the necessary training and experience, or by reason of relevant professional qualifications, and with access to the relevant tools, equipment and information, is deemed</p>		
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Workboat Code Edition 3 Consultation Feedback

competent to undertake the specific task		
“Compliance examination” means an examination of the vessel, its machinery, fittings and equipment, by an authorised person, to ascertain that the vessel's structure, construction, fire protection, stability, machinery, fittings and equipment comply with the requirements of the Code. Part of the examination should be conducted when the vessel is out of the water. Part of the examination should be conducted when the vessel is in the water;	Propose adding the requirement for a sea trial to confirm vessel operational and directional control systems. This needs to be mandated as currently no sea trial is required.	Noted. This is not a change from the existing requirements. The MCA have no plans to change policy at this time.
“Control position” means a conning position which is manned whilst the vessel is underway;	Should be: Control Station (As per HSC Code)	Noted. Control position is the intended terminology.
“Critical equipment” means any equipment or system which, if it fails, would result in the unsafe operation of the vessel, and compromise the safety of other water users, and the safety of the marine environment;	“Critical equipment” means any equipment or system which, if it fails, could would result in the unsafe operation of the vessel, and compromise the safety of other water users, and the safety of the marine environment; "would" should be replaced with "could" or "may"	Noted. Changing “would”/“could” may give vastly different meaning to the overall definition. Will review and clarify as necessary.
	'Critical Equipment' - this definition does not adequately identify the immediacy of the unsafe outcome, the means of safeguard or the applicable modes of failure, for example is the failure of a hull valve critical, or does the failure of a fire detection system result in the vessel becoming unsafe.	Noted with thanks. It is not for the definitions to state prescriptive requirements, any applicable would be set out in the body of the Code.
Date of Build	A definition should be included for “date of build” as this is used in the declarations	Noted with thanks.
“Decked vessel” means a vessel with a continuous watertight weather deck	How does this work with a vessel where there is access to below the weather deck from within the deckhouse or no watertight deck within the deckhouse	Such vessels would be assessed against the definitions on a case by case basis

Workboat Code Edition 3 Consultation Feedback

<p>which extends from stem to stern and has positive freeboard throughout, in any condition of loading of the vessel. Where an appropriate ISO standard is used, the definition should be taken from those standards as applicable;</p>		
<p>“Emergency examination” means a similar examination to the Compliance examination to be undertaken after the vessel has been involved in an incident. The Certifying Authority may exercise discretion in conducting the emergency examinations while the vessel is out of the water depending on the nature of the incident;</p>	<p>In or out would be clearer</p>	<p>Noted. The intention is that the CA has the discretion to order that the vessel is assessed out of the water, “in” would be the usual case and it was felt that discretion is not needed in case of the norm.</p>
<p>“Engine space” and “engine box” means any space which contains internal combustion engine(s) or propulsion motor(s);</p>	<p>Is it not clear why the 4 instances of Engine space have been specified to differ to machinery space which now includes propulsion motors</p>	<p>“Engine space” is a specified term specifically for propulsion machinery and internal combustion engines. Machinery space is a wider terminology that allows for acceptance and integration of battery, hybrid technologies, as well as spaces that contain other non-ICE/propulsion machinery.</p>
<p>"Favourable weather" with respect to a small vessel means conditions existing throughout a voyage or excursion in which the effects either individually or in combination of swell, height of waves, strength of wind and visibility cause</p>	<p>This has historically been a difficult & subjective definition. It would be better to have defined limits of wave height/wind speed eg based on ISO design categories. This would require common guidance available to CA's; surely better than putting all responsibility on master. This was raised at a WG meeting but not answered</p>	<p>Noted with thanks. Any new definition will have to be carefully considered so as not to have any unintentional impact on vessels migrating from earlier codes. MCA to consider and review.</p>

Workboat Code Edition 3 Consultation Feedback

<p>no hazard to the safety of the vessel, including handling ability.</p>		
<p>“Freeboard” means the distance measured vertically downwards from the lowest point of the upper edge of the weather deck to the waterline in still water or, for an open boat, the distance measured vertically downwards from the lowest point of the gunwale to the waterline;</p>	<p>Tech WG suggestion of cross referencing to HoS not answered. The difference is often misunderstood. Likewise the definition of Height of Side should be cross referenced to Freeboard</p>	<p>Noted with thanks.</p>
<p>“FTP Code” means the International Code for Application of Fire Test Procedures (Resolution MSC.307(88))¹ including fire test procedures referred to in and relevant to the FTP Code, published by the International Maritime Organization;</p>	<p>'FTP Code' is this the 'as amended' version</p>	<p>Will insert 'as amended' for final version.</p>
<p>“GNSS” means global navigation satellite systems, including GLONAS, GPS and Galileo systems;</p>	<p>Editorial correct, GLONAS is GLONASS</p>	<p>Noted with thanks. Will amend for final version.</p>
<p>“Height of Side” with respect to an open boat means the distance between the waterline and the lowest point of the gunwale. The clear height should be measured to the top of the gunwale or capping or to the top of the</p>	<p>The same as freeboard? These should be cross referenced because the terms are used interchangeably and it should be clear to the user the useage</p>	<p>Noted with thanks.</p>
	<p>Better if this were to the lesser of lowest point of gunwale or bulkwark opening. This then allows open boat to have higher bulwarks without excessive reserves of buoyancy by placing open port(s) just above minimum fb height</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

wash strake if one is fitted above the capping;		
“Industrial Personnel” means all persons other than the crew or passengers or children of under one year of age which are transported or accommodated on board for the purpose of offshore industrial activities;	Pilots are carried as Passengers – why special status for offshore industries? Is this just to move outside passenger boat regulations?	Noted
“Intermediate Examination” means the same as an Annual Examination	Doesn’t an intermediate examination include an additional bottom examination or in water survey so it is not the same?	Whilst the examinations are different, the definition of annual examination as defined encompasses the definition of intermediate examination.
	Surely this isn't correct?	The definition is correct
“Length” means the overall length from the foreside of the foremost fixed permanent structure to the aft side of the aftermost fixed permanent structure of the vessel. With regard to inflatable boats, rigid inflatable boats, or boats fitted with a buoyant collar, length should be taken from the foremost part of tube or collar, to the aft most part of the tube or collar	Is it helpful to have a definition of length in here which is LOA whilst tonnage regulations define length as the loadline length?	The Code uses both “Length” as defined in this case and load-line length as defined below. It is necessary to retain both definitions.
“Lifting device” means a device used for lifting or lowering loads, and includes its attachments used for anchoring, fixing, supporting the device and connections between device and load;	'Lifting device' is this definition in line with IMO updates to SOLAS, and does it distinguish between fixed loads and temporary loads, i.e. is an anchor windlass a lifting device, or a mechanism for unfolding a mast, or a system for launch and recovery of ROVs or a halyard winch?	This definition as written includes all items capable of lifting and lowering loads. The items would currently fall under the definition. The definition does not distinguish between fixed or temporary loads, though the use in the body of the text may dictate.

Workboat Code Edition 3 Consultation Feedback

<p>"Load line length" in relation to a ship means the greater of the following distances: (a) 96% of the total length on a waterline at 85% of the least moulded depth measured from the top of the keel, or (b) the length from the fore-side of the stem to the axis of the rudder stock on that waterline.</p>	<p>In loadline regs this is referred to as length</p>	<p>Length is used in multiple contexts throughout the code, not just in terms of loadline length</p>
	<p>This definition should reference the new MGN 645. Requirements documented in MGN 645 relating to acceptable measurement practices should be followed. Include MGN 645 in the definition to avoid loadline cheating</p>	<p>Noted with thanks. MCA to add MGN 645 to MIN XXX as appropriate.</p>
<p>"Long international voyage" means any voyage where a vessel is more than 200 miles from a safe haven, or the length of the voyage from departure to arrival more than 600 miles;</p>	<p>this definition would be clearer if it were time based instead of distance based, given that some vessels are high speed and others slow speed service. This could be aligned with the 24hour MLC matter ; So "Long International Voyage" would apply to every international passage exceeding 24 hours berth to berth.</p>	<p>Noted. This definition has not changed.</p>
<p>"Machinery space" means any space which contains propelling machinery, propulsion motors, boilers, oil fuel units, steam, internal combustion engines, generators and liquid fuelled heating appliances. Spaces containing machinery of a unique or novel design may be subject to special consideration by the Administration;</p>	<p>Is a liquid fueled cooker a heating device? Does this make a galley a machinery space?</p>	<p>No. a liquid fueled heating appliance is intended to refer to items that heat spaces as a primary function, not devices that heat for the purpose of cooking. A galley would not be a machinery space in this case.</p>
	<p>Is it not clear why the 4 instances of Engine space have been specified to differ to machinery space which now includes propulsion motors</p>	
<p>"Making way" means a vessel which is moving through the water;</p>	<p>'Making way' the use of this term is to be confirmed, however does it include 'underway but not making way' and is that relevant?</p>	<p>Noted. Making Way and Underway are defined in COLREGS. Inclusion here is for ease of reference.</p>
	<p>It would be beneficial to explain whether this is only for vessel's progressing under their own power or if towed vessels are included.</p>	

Workboat Code Edition 3 Consultation Feedback

<p>“Motor vessel” means a power-driven vessel which is not a sailing vessel;</p>	<p>Do we need to define a motor vessel? Power-driven vessel would be in keeping with colregs</p>	<p>Yes, due to use in manning and certification annex of the Code and the distinction between motor vessels and steam powered vessels under STCW/MCA certification syllabuses.</p>
<p>“Open boat” means a vessel which within its length is: .1 not fitted with a watertight weather deck; or .2 is fitted with a watertight weather deck over part of its length; or .3 is fitted with a watertight weather deck over the whole of its length but the freeboard does not meet the minimum requirement (section 12).</p>	<p>This term is also used in the code to mean something else, eg where considering personnel safety, shelter, high speed operations etc. It is confusing & needs to be clear eg a completely different term where considering decks & FB</p>	<p>Noted. MCA to review and ensure clarity of definition.</p>
<p>"Pleasure vessel" has the same meaning as it has in the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 20xx (SI 20xx No. XXXX), as amended</p>	<p>But a definition is given in the workboat SI??</p>	<p>Noted – to align and reference workboat SI.</p>
	<p>"pleasure vessel" why has MCA not taken the opportunity to update this definition as per gaping holes that were highlighted in the Cheeki Rafiki case?</p>	<p>Noted with thanks. Pleasure Vessel definition is included in the Workboat SI, reference here is for ease. The 'pleasure vessel' definition is used much more widely than just these regulations. The MCA will conduct a review of the pleasure vessel definition in due course, but it was not appropriate to include that as part of this package of work.</p>
<p>Power source</p>	<p>Please also add definition of “Power source”.</p>	<p>Noted. MCA to consider.</p>
<p>“Protected Waters” means waters not categorised in Merchant Shipping (Categorisation of Waters) Regulations 1992 (SI 1992/2356), as amended, and MSN 1837(M), as amended, but the location</p>	<p>Where are these defined? In an MSN? Can MCA confirm where this list is published?</p>	<p>Protected Waters is not a definition that is used anywhere in the Code. This will be removed from the final version.</p>
	<p>Explicitly defined – is this on a case by case basis? It would be useful for the MCA to produce a list of already defined protected waters.</p>	

Workboat Code Edition 3 Consultation Feedback

<p>of which are explicitly defined and accepted as protected by the Administration, having regard for the safety of the small vessels which operate in those waters;</p>		
<p>"Renewal examination" means a similar examination to the Compliance examination. For vessels of a design with no through hull fittings below the water line, the Certifying Authority may exercise discretion by conducting the compliance and renewal examinations while the vessel is out of the water</p>	<p>We are aware that this has been in place since MGN280, however, how is the freeboard to be assessed if the vessel is only examined out of the water? Also it appears slightly backwards; if the vessel has no underwater fittings or penetrations, why is it the in water survey that is dispensed of and not the out of water element?</p>	<p>Noted with thanks. MCA to consider further.</p>
<p>"Rigid inflatable boat" means a vessel with inflatable tubes, attached to a solid hull. The tubes are inflated during normal craft operation;</p>	<p>Better definition of RIBs and collared vessel – particularly with reference to those that are best treated as conventional vessels with the tubes/collars acting more as fenders and offering minimal contribution to upright stability.</p>	<p>Noted with thanks.</p>
<p>"Safe haven" means a harbour or shelter of any kind which affords safe entry and protection from the force of weather;</p>	<p>Safe haven definition should make reference to mother craft?</p>	<p>Mother Vessels do not specifically provide a safe haven. The definition is correct as drafted and has not changed from the previous edition.</p>
<p>"Seafarer" means any person, including the Master, who is employed or engaged or works in any capacity on board a ship</p>	<p>Here we use ship but elsewhere it is vessel?</p>	<p>This definition is aligned to the UK's implementing legislation of the Maritime Labour Convention.</p>

Workboat Code Edition 3 Consultation Feedback

<p>on the business of the ship and whose normal place of work is on a ship;</p>		
<p>“Ships stores” means materials which are on board a ship for the upkeep, maintenance, safety, operation or navigation of the ship (except for fuel and compressed air used for the ship’s primary propulsion machinery or fixed auxiliary equipment) or for the safety or comfort of the ship’s passengers or crew. Materials intended for use in commercial operations by a ship are not considered as ships’ stores;</p>	<p>Is it ships, ship’s or ships’? It is written three ways in the same paragraph</p>	<p>All are grammatically applicable in this paragraph. The defined term is “Ships stores”.</p>
<p>“Single handed operation” is considered to be taking place when either: .1 there is only one person on board the vessel; or .2 there is a Master on board with passengers or industrial personnel, and there is no one else on board capable of assisting the Master in an emergency;</p>	<p>Single handed operation .2 needs to be a more defined ‘lack of 2nd person’ so that it is only in exceptional circumstances</p>	<p>28.2 of the code specifies the limitations of single-handed operations. The MCA does not recommend single-handed operations</p>
<p>"Small vessel" means a vessel of less than 24 metres in load line length, or in “Renewal examination” means a similar examination to the Compliance examination.</p>	<p>The term “Small Vessel” is open to confusion with the “Small Vessel Engineer” Engineer CoC, which is for vessels of a much greater size <3000GT/<9000kW</p>	<p>“Small Vessel” as defined within the context of this Code and SI.</p>

Workboat Code Edition 3 Consultation Feedback

<p>For vessels of a design with no through hull fittings below the water line, the Certifying Authority may exercise discretion by conducting the compliance and renewal examinations while the vessel is out of the water; "Rigid inflatable boat" means a vessel with inflatable tubes, attached to a solid hull. The tubes are inflated during normal craft operation; "Safe haven" means a harbour or shelter of any kind which affords safe entry and protection from the force of weather; the case of a vessel the keel of which was laid or which was at a similar stage of construction before 21st July 1968, less than 150 tons and in this definition – "tons" means gross tons, measured in accordance with the regulations for measuring tonnage in force on 20th July 1968;</p>		
<p>"Standards" means those recognised standards such as BS (British Standard), EN (European Standard accepted by the European Committee for Standardization, CEN), IEC (International Electrotechnical Commission) and ISO</p>	<p>Standards: ISO should surely be included (recognising that BS/EN is adopted ISO standard)</p>	<p>ISO is included in the definition.</p>

Workboat Code Edition 3 Consultation Feedback

<p>(International Organization for Standardization) and includes any standards which amend or replace them;</p>		
<p>“Special area” means a sea area where for recognized technical reasons in relation to its oceanographical and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by oil is required, as defined in MARPOL Annex I;</p>	<p>Should WBC3 be limiting definition of special areas to those only covered in MARPOL Annex 1? Other aspects of pollution refer to special areas, so the definition should not be tied to a specific pollutant (in this case oil)</p>	<p>Noted. However, special area within the Code is only used in relation to, and the context of, MARPOL. This is not intending to be a definition for creation of other Special Areas.</p>
<p>“Substantial enclosure” means an area of the vessel which is enclosed on all sides by solid divisions in line with a definition of an accommodation space and provides protection of persons on board;</p>	<p>This definition does not include the important wording defined in 5.9.3.3 "A substantial enclosure can be a permanently secured solid structure, or one that can be removed in harbor, provided when in place it is through bolted to the deck and adequately constructed to meet the designed vessel limitations. Portable canopies that are secured by lines or by fabric hook and loop fastening are not acceptable.". The point is that it can't be removed at will eg as soon as the operator leaves the dock and can then set to sea at night. Suggest removing this text from 5.9.3.3 and putting it in this Section 2 definition instead.</p>	<p>Disagree. The body of the text adequately describe possible versions of a substantial enclosure, but the definition itself is wide scoping to cover everything that can be considered a substantial enclosure, as written it does not exclude the text of 5.9.3.3.</p> <p>Noted with thanks. To consider where necessary.</p>
	<p>With regards to “substantial enclosure” the term “enclosed” could be defined to include level of water protection, height of sills etc.</p>	
<p>"To sea" and "at sea" means beyond the extent of Category D waters, or Category C waters if there</p>	<p>Does this mean that a workboat which does not operate beyond Category D waters or Category C waters where there are no sheltered Category D waters does not come under the proposed Workboat 3 code?</p>	<p>No. See 1.1 of foreword <i>“The Code applies to United Kingdom (UK) vessels wherever they may be”</i></p>

Workboat Code Edition 3 Consultation Feedback

<p>are no Category D waters, as defined in MSN 1837 (M) Amendment 2 – “Categorisation of Waters”, as amended;</p>		
<p>“Totally independent system” means a system which has 100% redundancy, and of which any part does not rely on another system;</p>	<p>'Totally independent system' is not necessarily one which has 100% redundancy, a more correct definition would be a system with no common components with the system it is duplicating</p> <p>Is 100% redundancy really in line with the general view/definition of totally independent system? For example in comparison with Class definition. Suggestion is to remove “100% redundancy”.</p>	<p>Noted.</p>
<p>“Towing” means the act of towage of one vessel or floating object by another vessel where the two are connected: .1 by a towline about which the towing vessel is free to manoeuvre such that there is a risk of girting, where if the towline is attached towards amidships, it could adopt an angle to the towing vessel and provide a capsizing moment. .2 side by side with the towing vessel firmly attached alongside the towed vessel or floating object, so as to be able to manoeuvre as if one vessel, .3 fore and aft with the bow of the towing vessel firmly attached to the stern of the towed vessel or floating object, so as to be able to</p>	<p>'Towing' girting is not a plain English term or one with sufficient maritime clarity and should be replaced with a more descriptive phrase. 'Towing' how is towing distinguished from 'tethered' i.e. ROV operations</p> <p>This is a repeat of wording included in Section 26. If this wording is to remain it should fit alphabetically before UKCA. Remove the duplication</p>	<p>Noted with thanks.</p> <p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

push, pull or manoeuvre as if one vessel,		
Under 24m:	Under 24m: it would be really useful if the tonnage of pre-21/7/1968 vessels could be measured by the simplified method. There is an awful lot of work necessary to measure tonnage by the old method just to determine whether a vessel can be coded as SCV.	Noted with thanks.
"Underway" has the same meaning as in Rule 3(i) of COLREGS;	Underway/making way. These definitions should be the same.	Noted with thanks. "Making Way" and "Underway" are defined by COLREGS.
'up to' is a meaningless definition unless restricted to integer quantities such as pax. 19.99999nm is still 'up to' 20m but is 20m for all practical purposes.	'up to' is a meaningless definition unless restricted to integer quantities such as pax. 19.99999nm is still 'up to' 20m but is 20m for all practical purposes.	Noted with thanks. The definition specifies "up to and including" and provides an example for clarity. This is correct as drafted.
"Watertight" means capable of preventing the passage of water in either direction;	Define the pressure eg up to ht of weather deck	Noted.
	"Watertight" could read as - means capable of preventing the passage of water in either direction when the head of water is equal to the height of the associated floodable space.	
"Weather deck" means the main deck which is exposed to the elements;	Within the definition for weather deck, the term " <u>exposed to the elements</u> " should be defined – this has caused confusion in the past when determining whether a vessel with a deck house is , or is not, an open boat. ie, if a non weathertight deck hatch exists within the deck house, and the deckhouse has only a wooden door and no sill, but the "exposed deck" is watertight - is the hatch "exposed to the elements" ?	Noted with thanks.

3: Application, Interpretation and Certification

Section of Code	Feedback Received	MCA Position
<p>3.1.1 This Code applies to workboats that operate to sea, and to all dedicated pilot boats, carrying cargo and/or not more than an aggregate 12 passengers and industrial personnel. It applies to United Kingdom (UK) vessels wherever they may be, and to non-United Kingdom vessels in UK waters or operating from UK ports.</p>	<p>This raises the question if this creates an issue for vessels in designated waters. It appears that the rules won't apply if not operating at sea. Herein lies a problem. The ports appear to be covered but areas such as The Solent, for example, are not at sea and no longer in port, so the rules do not apply with this wording. Clarification is sought from the MCA. Clarification is sought with regards 12 passengers and industrial personnel. Does this mean 12 passengers including industrial personnel or 12 passengers and a number of industrial personnel which presumably is dependent on the load limit for the craft?</p>	<p>The intention is that this Code applies to all workboats wherever they are, as covered by the second sentence of the paragraph.</p> <p>12 passengers include industry personnel.</p>
<p>3.1.3 New vessels shall comply with the applicable requirements set out in this Code. Existing vessels with a valid Workboat Certificate, issued under the previous versions of the Code named in section 1.11, may be treated as if they were compliant with this Code until the date of examination shown in Appendix 9 Saving and Transitional Arrangements for Existing Vessels, after which they shall comply with the requirements set out in this Code.</p>	<p>Typo: date of examination</p>	<p>Noted with thanks.</p>
	<p>What is the rationale behind this? Normally in international shipping the regulations in force at the time of keel lay remain applicable, until such a time that a major conversion is undertaken? We propose using the same approach as all other regulations which is the rules in force at time of keel lay apply unless the vessel undergoes a major conversion as defined in SOLAS.</p>	<p>Noted. MCA are considering the feedback received through this consultation with respect to application to existing vessels.</p>
	<p>Level playing field is maintained by Grandfathering MGN280 & Brown Code Workboats</p>	<p>Noted with thanks.</p>
	<p>We would assume the intention of this is to harmonise all codes, The practicality and cost of bringing our Brown code/MGN280 vessels to proposed WB3 standard is the single biggest threat to our companies existence in its 20+ years of operation. There would be significant structural modifications required to our vessels, as well as significant material costs. In addition to this the time frame of Summer 2023 leaves insufficient time to source and arrange suitable shipyards to complete the works. No time has been granted for our business to cost and project these significant costs into our budget. Many of our vessels are contracted on long term contracts to clients, we would have no choice but to terminate these contracts and accept the penalties accrued through doing this as well as loss of reputation through this action. We would assume this was not the intention of the proposed code, but have any of these problems that operators will face been seriously considered? Grandfathering existing vessels built and maintained to Brown code, MGN280 and Workboat Code Edition 2 vessels and apply WB3 to new</p>	<p>Noted. MCA are considering the feedback received through this consultation with respect to application to existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>build vessels with keels laid after implementation and vessels undergoing major conversion. This would be in line with standard practice in the marine industry.</p>	
	<p>Means that all our MGN280 Fleet (12 boats) will also need to comply with new rules, with transitional arrangements in Appendix 9. What happened to the principal of rules in place at date of keel laying? Can you confirm this is really the case. Level playing field is maintained by not upgrading older MGN280 boats potentially from 1998 to 2022 standards</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>3.1.4 For a vessel that has been previously certificated in accordance with the Codes of Practice (see section 1.4), but where valid certification has not been in place for not more than 5 years, certification may be re-issued provided it complies with the standards under which it was originally examined. Documentary evidence of the previous certification shall be presented and any modifications during the uncertified period shall be declared. An examination will be required, the level of which will be determined by the Certifying Authority, taking into account the condition of the vessel, and the period for which the vessel has not had valid certification.</p>	<p>This section contradicts 3.1.3 above?</p>	<p>Noted with thanks. The MCA will review and clarify as necessary.</p>
<p>3.2.1 The Code sets out the requirements for safety of a vessel and any persons on board. Operational activities (e.g. commercial diving) are not considered under the Code</p>	<p>The second sentence is misleading. As written it suggests that commercial dive boats etc. do not fall within the scope of the Code whereas the Code could apply to the operation of such vessels, just not to the activities undertaken by those on board the vessels. A better description might be: “This Code sets out requirements to ensure the safety of a vessel and its</p>	<p>Noted with thanks. MCA will review and clarify the text.</p>

Workboat Code Edition 3 Consultation Feedback

	occupants but does not specifically include activities undertaken from that vessel which may require additional specific safety requirements”.	
3.4 Equivalent Standards	We believe that an open list of equivalences should be maintained by the MCA. Dealing with equivalences on a case by case basis creates expense, time delays and risk of an unlevel playing field between CA's and boatbuilders.	Equivalencies are maintained and published between CAs.
3.5 Maintaining and Operating the Vessel	It should be made clear that at all times it is the operator who is responsible for ensuring that the vessel complies with the code. It should also be made clear that it is the operator who is responsible for ensuring that defects raised by examiners are dealt with the given timeframe. (At this time the CA place this responsibility on the examiner which is a dangerous situations which protects owners/operators and exposes the examiner, CA and MCA to legal risk). Item 3.5.1 touches on this but states only that the operator is responsible for ensuring that the vessel is operated, maintained and certified. It does not state that the owner is responsible for ensuring the condition and arrangements are suitable to allow for certification	Noted with thanks. MCA to consider the proposal and review text where required.
3.5.7 The vessel's Certifying Authority may examine, and the Administration may inspect, a certificated vessel at any time.	This suggests they can ONLY inspect a certified vessel, so if a vessel owner decides not to become coded there are no powers to act. This new code must legislate for inspecting ANY vessel suspected or deemed to be working commercially.	Noted. Would argue that the matter of enforcement in the event of an uncertificated vessel operating commercially lies with the administration for appropriate handling, these are separate powers under the MSA that do not extend within this code.
3.5.8 If for any reason the vessel does not continue to comply with any of these requirements, the vessel owner/operator shall notify the Certifying Authority immediately. See section 4.10.	Incorrect reference? Should this relate to S.4.11?	Noted. All references will be reviewed and amended as necessary in final draft.
3.7.4 A vessel shall continue with the Unique Identification Number assigned to it at initial certification for the lifetime of the vessel, regardless of any subsequent transfer of	Is MV still recognised as it is not listed in the table in 3.7.3 above?	Under the workboat code only WB, PB or PO vessels are listed as these all fall into scope of the code and SI. MV is included in the S& P Code.

Workboat Code Edition 3 Consultation Feedback

<p>Certifying Authority, unless it has: .1 been modified so that its length has changed; .2 changes use, i.e. from MV to WB. In such cases only the relevant part of the Unique Identification Number shall change.</p>		
<p>3.8.8 On transfer of a vessel, the present Certifying Authority shall provide information to the new Certifying Authority of the status of declarations, examinations and inspections; particularly with regard to any areas where the vessel may be deficient or a dispute exists. The extent of any examination required upon transfer, when the vessel is between examinations, in the examination regime in section 4.8. is to be decided by the new Certifying Authority.</p>	<p>We have experienced issues in the past where the losing CA has not been forthcoming with documentation for the new CA. This causes unacceptable delays in recertification under the new CA as they require this information in order to determine the level of examination required. Can a timeframe be applied for completion of the transition between CAs?</p>	<p>Noted. A timescale may be difficult as some vessels may take longer to transfer than others. CAs must not unduly delay the handing over of documentation.</p>
<p>3.8.10 For vessels of non-conventional ship form (including pontoon barges) working under specified restricted area categories of operation, any service restriction placed by the certification standard's reduction shall be noted on the Workboat Certificate.</p>	<p>Service restrictions used in assessing hull structure strength of any workboat should appear on the certificate</p>	<p>Noted.</p>
<p>3.9 Light Duty Workboat Certificates</p>	<p>It is unclear why the frequency of duties is relevant to determination as to whether a vessel may be considered a light duty workboat or not. The only factor which should be relevant is the type of duties being undertaken.</p>	<p>Disagree. Light Duty workboat is not based on task but intentionally based on how frequent a task occurs. If a vessel was routinely undertaking</p>

Workboat Code Edition 3 Consultation Feedback

		workboat duties without being certified as such this could not be considered light duty and would be an easier entry to certification via this route which is not the intention.
<p>3.9.2 A vessel shall not be issued with a Light Duty Workboat Certificate if it undertakes workboat duties as its primary operation or falls outside of the limitations set out in 3.9.4. In such cases a vessel is required to obtain a Workboat Certificate.</p>	<p>Why does frequency of duties matter? Only types of activities should be relevant</p>	<p>Disagree. Light Duty workboat is not based on task but intentionally based on how frequent a task occurs. If a vessel was routinely undertaking workboat duties without being certified as such this could not be considered light duty and would be an easier entry to certification via this route which is not the intention.</p>
<p>3.9.3 A vessel issued with a Light Duty Workboat Certificate shall meet the requirements of the Workboat Code.</p>	<p>Wording in WB2 was better & didn't imply that it had to meet structural requirements (eg plan appvl & build surveys): "..... These vessels however should meet the manning and training and other operational requirements of the Workboat Code."</p>	<p>Noted. MCA to consider and review as necessary.</p>
<p>3.9.4.3 A vessel issued with a Light Duty Workboat Certificate shall not:</p> <ul style="list-style-type: none"> .1 carry cargo greater than 1,000 kg; .2 be fitted with a lifting device; .3 carry out towing duties other than as detailed in sections 26.1.1.2; .4 carry out duties that impose severe local structural loadings e.g., static pushing operations; .5 carry dangerous goods. <p>These limitations apply to vessels certified under a Small Commercial Vessel Code other than the Workboat Code regardless of whether or not</p>	<p>At end add 'sections 26.1.1.2, and 26.1.1.3 if bow construction and fendering suitable'. There's no reason not to allow push towing here.</p> <p>This implies that a Light Duty Workboat can not be fitted with a Man Overboard Davit. Is this the intention?</p>	<p>Noted. MCA to consider and review.</p> <p>No, this is not the intention. MCA to review and clarify as necessary</p>

Workboat Code Edition 3 Consultation Feedback

<p>they hold a Stability Information Booklet.</p>		
<p>3.10.1 The Certifying Authority may issue a Certificate which permits a vessel to operate in one of the following areas: Area Category 6 - within 3 miles of land and not more than 3 miles radius from either the point of departure to sea or the seaward boundary of protected waters, in favourable weather and daylight; Area Category 5 - within 3 miles of land and not more than 3 miles radius from either the point of departure to sea or the seaward boundary of protected waters in favourable weather; Area Category 4 - Up to 20 miles from a safe haven, in favourable weather and in daylight; Area Category 3 - Up to 20 miles from a safe haven; Area Category 2 - Up to 60 miles from a safe haven; Area Category 1 - Up to 150 miles from a safe haven; Area Category 0 – Unrestricted service</p>	<p>Today, a category 3R (restricted) is used by some CA. If this will be continued the Cat 3r should be defined</p>	<p>Category 3, 5 Restricted remain – however these are more akin to endorsements to allow a vessel limited passage in these categories subject to limitation specified, not an area category of operation in its own right. Vessels cannot be certificated to Category 3[R] or Category 5[R] as a standalone area. Suggest add a paragraph that explains this to code?</p>
<p>3.10.2 The Area Categories of Operation may be aligned with the Recreational Craft Regulations (RCR) Design Categories, and wind force and significant wave</p>	<p>Table 3.10.2 introduces wave height element to area of operation which are significantly higher than the significant wave heights used in the LR Special Service Craft Operational Envelope. (See also 5.1.1). Does this table effect our certification to Cat 1 or 2 as our operational envelopes do not get up to 4m sig? Operational Envelope approach (common with HSC200) is maintained. The Table linking wave heights to sea area is removed or the Operational Envelope approach (common with HSC2000) for new vessels agrandfathering structure of existing vessels.</p>	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>height operating limitations, as outlined in table 3.10.2.</p>		
<p>Table 3.10.2</p>	<p>Maximum wind force and wave height ie up and inc beufort force 8 with sig wave (h1/3 meters). The limitations for a vessel on a voyage from A-B would be able to comply but: For the operation of our pilot boats (1 cat 2 and 1 cat 3) coded), this is likely to restrict our operations. Limiting conditions will depend on a number of factors: Wind direction coupled with speed, amount of time wind has been blowing and the fetch Ship being boarded, larger ships can create a batter lee, plus suitability of boarding arrangements</p>	<p>Noted.</p>
<p>3.10.3 Vessels operating in Area Category of Operation 3, 4, 5 or 6 may, depending on the nature of the vessel and its use, be restricted to less than the above specified limits. Such a restriction shall be recorded on the vessel's Certificate. See also 3.8.10</p>	<p>3.10.3 seems to preclude on 'Operation Envelope' approach from Cat1 and Cat 2 (&Cat 0)</p>	<p>Noted.</p>
<p>3.11.1 Where the owner/operator of a vessel which operates in protected waters and/or a restricted service (according to 3.10.3) considers that full application of the Code would be inappropriate because other safety provisions have been made, they may request the Certifying Authority submit an application to the Administration to consider certification of the vessel in compliance with alternative safety standards. See Appendix 1.</p>	<p>Appendix 1 is Cat 3R – do CAs now have to apply for this?</p> <p>Refers to Appendix 1 however Appendix 1 (as per the old code which is specific to protected waters) is not included in this Code. Also references in Annex 2 page 260 to Protected Waters suggest that the old Appendix 1 should be reinstated. Page 260 incorrectly refers to Appendix 4. There are quite a few vessels in operation, particularly in Scotland , which utilize the Protected Waters so this should not be ignored, especially because you intend this code to apply to existing vessels. Suggest reinstate Appendix 1 rather than exclude its use.</p>	<p>No, the requirements for this endorsement are unchanged from previous versions of the code. Note, Cat 3R is not a category of operation in its own right.</p> <p>Noted with thanks. MCA to reference check and revise references as appropriate.</p>

Workboat Code Edition 3 Consultation Feedback

3.12.1 All vessels of 25 GT and greater shall carry and complete an Official Log Book. See MIN XXX.	Does this relate to date of entry into force	This is a requirement of the MSA 1995 and unchanged from previous versions of the code.
	Can the MCA confirm whether this applies to Code vessels working on Categorised Waters?	This applies to all vessels operating under this Code of Practice.
3.13 Carriage of Equipment	What if the equipment is not available due to lack of equipment on the market after 2023? Why are we still continuing with MED when we have the opportunity to deregulate and have an IMO level of certification, especially on Workboats under 24m. this is an opportunity for a post Brexit benefit that we are not taking.	We are not continuing with MED, but note that some operators will still have MED approved equipment in service life that can carry over. At the point in time that these need to be replaced, they must be replaced with UKCA alternatives. Market supply is a global factor
3.13.1 Equipment placed on board a UK vessel that is approved under the terms of the Marine Equipment Directive (MED) may remain on board for the duration of its operational life. Equipment replaced after 1st January 2023 must be replaced with UK approved marine equipment in accordance with MSN 1874, as amended.	Has an assessment been carried out to ensure businesses were encouraged and have implemented change? Some suppliers approached don't seem to be aware of UKCA approval Risk of most operators trying to procure the same equipment at the same time, and potentially limited UKCA approved stock.	Noted with thanks. The acceptance of UKCA in place of MED is a result of post-Brexit ratification and not something driven by the implementation of this Code.
	This should only apply to equipment provided in connection with this code. However, any non code equipment carried on board which has a service interval must be serviced in accordance with manufacturer's recommendations or removed from the vessel	MCA to clarify and amend.
	Will the MCA guarantee that there are sufficient suppliers with UK approval when the regulations come into force, and what do we do if not? Maintain Equivalence of MED Equipment to UK Approval.	The MCA does not have powers to influence the supply chain of equipment and cannot guarantee sufficient supplies. In the event of a global supply issue, the MCA will work from a regulatory perspective to minimize disruption to operators.
	The majority of equipment on UK workboats has MED certified equipment. The availability of alternatives with UK Approval is very limited and unlikely to be sufficient for the industry at time of replacement. Are you approving equipment to MSN 1874, and can it be done on a case-by-case basis? Maintain Equivalence of MED Equipment to UK Approval. Maintain Equivalence of MED Equipment to UK Approval, exiting vessels are allowed to replace equipment like-for-like.	The MCA does not have powers to influence the supply chain of equipment and cannot guarantee sufficient supplies. In the event of a global supply issue, the MCA will work from a regulatory perspective to minimize disruption to operators.
	'Surely this refers to 'equipment placed onboard an existing UK vessel....' as the Code does not come into force for new vessels until after the	Yes, this requirement will only impact existing vessels migrating to Workboat Code 3, as new vessels

Workboat Code Edition 3 Consultation Feedback

	phase in date. Also does this refer only to UK flagged vessels or any vessel operating in UK waters under WBC certification?	will be required to be equipped with UKCA equipment by the time the Code enters into force. This will apply only to UK flagged vessels.
3.14.1 A risk assessment appropriate to the intended operation shall be carried out by the vessel owner/operator to ensure that any circumstances, local conditions or equipment not covered by the provisions of the Code are adequately considered and that all known risks are mitigated. This shall be presented to the Certifying Authority as part of the examinations prior to issuing or renewing of the Certificate. See also section 31.	Risk assessments are to be presented to the Certifying Authority. Although written into previous codes we and other CAs (as well as the MCA) have never noted this down. I would hope that this would still be the case	Noted. MCA to clarify the text as appropriate.
3.14.2 A new risk assessment required by 3.14.1 shall be conducted if a vessel's certificated area category of operation changes, the vessel is converted for a change in operational use or has an additional piece of equipment fitted. The risk assessment shall include the assessment of any previously accepted equivalent arrangements to ensure that they will continue to provide an equivalent level of safety in the new circumstance.	Does the Administration have suitable resource to return requests in a timely manner? An expected timeline should be included for the Administration to respond to applications of equivalence. A list of acceptable equivalences should be annexed or incorporated to each clause within the Code e.g. keel laid dates, recognition of compliance to previous Codes. Clause 5 & 6 of the SI for Exemptions and Equivalence. A clause for Exemption is not within the Code, Why? Also, Equivalence should be for the CA to assess on a case-by-case rather than the Administration given the greater experience of vessel Coding. The entire Code is difficult to interpret without reference to existing vessels, or knowledge of exemption and equivalence.	Noted with thanks. MCA to consider points raised for a response.
Footnote 10 Further guidance can be found in MGN 79 (M+F) "Safety Equipment and Pollution	MGN79 was withdrawn on 26th July 2022	Noted with thanks. Reference to be updated.

Workboat Code Edition 3 Consultation Feedback

Prevention Equipment Carried in Excess of Statutory Requirements".		
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4: Certification and Examinations

Section of Code	Feedback Received	MCA Position
4 Certification and Examinations	Does not seem to state that any significant change to the vessel, her fittings or structure requires Certifying Authority approval – it would be useful here.	A reference to this requirement is now made in 3.5.9.
4.1.2 The Certifying Authority: .1 shall appoint an authorised person to examine the vessel; and .2 shall be satisfied that the vessel has been designed and built to the appropriate standard as detailed in section 5; and .3 shall accurately document the age, type and history of the vessel; and .4 shall be satisfied that the vessel meets all the applicable requirements of the code; and .5 shall retain a copy of the SWB2 and issue the vessel owner/operator of a compliant vessel with the SWB2 and Certificate; or .6 may decline the application	We do not believe sub-sections 4.1.2.2, 4.1.2.4 and 4.1.2.6 sit comfortably in this section. This section sets out the CA's general obligations but the CA is not under a general obligation to "be satisfied" that the vessels has been designed etc. to the appropriate standard (sub-section 4.1.2.2) or meets the other requirements of the code (sub-section 4.1.2.4). We think what is means that the CA must "be satisfied" that these provisions are met in order to certify the vessel, in which case sub-sections 4.1.2.2, 4.1.2.4 would sit better in section 4.3.1. Sub-section 4.1.2.6 isn't an obligation at all, it's an option, yet it sits alongside a list of things that the CA "shall" do – it would be better in a free-standing section.	MCA to revise layout.
4.1.3 ??	Complete reversal of WB2? This needs amplifying to indicate the conditions under which the CA may grant approval. Under what conditions would this be allowed? Inflatable boat with cranes?	Noted. WB2 allowed provision for the SWB2 not to be retained on board if this was not practicable, however it did require that the certificate remain on board (but allowed dispensation from the requirement to display if not practicable). Following feedback with the Technical Working Group it was considered that a greater level

Workboat Code Edition 3 Consultation Feedback

		of flexibility was required as to where these documents are retained. Equally, text under Workboat Code 3 is also intending to regulate ROUVs where it is not necessarily beneficial to display or retain certification on board the vessel.
4.1.4 ??	The requirement for a permanent enclosed accommodation is an addition to the requirements of WB2. Hard to understand the safety case for this and it would exclude many existing simple workboat designs presented for approval	The text has been revised in line with the published interpretation on substantial enclosures
4.2.1.3 ??	CA used to have the authority to assess the suitability of design standard used. Unless we get a list of generally recognised standards for intended use than there needs to be a mechanism for getting quick response from MCA. What is the rationale behind this change?	The Administration has set out appropriate standards in MIN XXX that the CAs may refer to.
4.2.1.4 ??	How can you have an equivalent standard of a standard not specified?	All appropriate standards are listed in MIN XXX
4.2.2.3 ??	This seems to give monopoly of issuing a Coc to RO's. Some CA's are also capable of carrying out structural plan appvl & in-build surveys towards issue of a CoC. Suggest edit to the wording: "or Certifying Authority shall be acceptable, subject to the presentation of a valid certificate of construction"	This is not a change from previous versions of the Code.
	This almost suggests there would need to be a different area category certificate dependent on speed. Clearly not workable. Does it just mean the restrictions must be noted on the Certificate? The two do not correlate, we could not restrict the category based on wave height as they are defined by distance not Hs?	This is not a change from previous versions of the Code.
4.2.2.5 ??	All 3 options should be available as means of structural acceptance. This would mean that only RO's or a Notified Body can issue a hull construction certificate – even if a CA is able to do the in build surveys under sub para 3 – which is inaccurately labelled .2 This is not acceptable. CA's currently have the capability of "applying" Class Rules and completing Design Verification/Plan Approval and this should remain an option for the client and CA as this has a significant impact on cost. Notified Body documentation should only be acceptable if the NBs are subjected to the same technical audit as CA's (i.e. by MCA) to verify that they carry out structural design appvl & build controls to the required level. Notified Body documentation should only be acceptable if the NBs	Noted with thanks. There is no desire to reintroduce the concept of 5-yrs safe history in this Code.

Workboat Code Edition 3 Consultation Feedback

	<p>are subjected to the same technical audit as CA's (i.e. by MCA) to verify that they carry out structural design appvl & build controls to the required level. It would be good to be able to also apply this to existing vessels with a properly established 5 years safe history & supported by a structural survey, maybe limited to Cats 3-6. The removal of the 5 years safe history route in WB2 was because of it's misuse but has since been regarded as a mistake by much of the industry. Maybe needs a separate .4 which details how safe history must be assessed. Notified Body expertise lies with recreational craft & their involvement should therefore be limited to "simple" workboats i.e. those not requiring SIB's & not subject to onerous duty. For the Structural survey element It would be good to be able to apply this to existing vessels with a properly established 5 years safe history & supported by a structural survey, maybe limited to Cats 3-6. The removal of the 5 years safe history route in WB2 was because of it's misuse but has since been regarded as a mistake by much of the industry. Maybe needs a separate .4</p>	
<p>4.2.2.6 ??</p>	<p>should be 5.3.3?</p>	<p>See 5.3.4. this is unchanged from previous versions of the code</p>
<p>4.2.2.7 ??</p>	<p>HDPE is becoming more commonly accepted, subject to various standards identified by MECAL Chief Naval Architect. Surely it is time for MCA to recognise this? We are in fact using a standard suggested by MCA after we approached them for guidance. There are little or no published alternative standards out there. Class seem to use their own internal processes and standards for HDPE which are not published but appear to give them an advantage. I'd suggest leaving as is until there is a generally recognised and published standard for fusion welded HDPE</p> <p>This contradicts 5.3.3. How can a CA approve a bulkhead? Would expect to assess bulkhead strength as part of any new build design appraisal, but would be unreasonabe for attending surveyor on exisiting vessel to make anything other than a subjective assessment.</p> <p>Why "in excess"? This implies the Class rules are not sufficient as they have rules specifically for OESVs etc..."In excess of" wouldn't be applicable if using Class rules for OESVs (DnV/BV/LR) which take account of the additional loads. How much in excess....?</p> <p>CA has no control over or means of checking specified SWL of cranes which is entirely down to the crane manufactures. CA verification should be limited to the vessel structure only. This is a minefield with different</p>	<p>This was discussed at length in the Technical Working Group meetings with no consensus for accepting HDPE at this time; however, may be accepted on a case-by-case basis as per the existing requirements</p> <p>This is not a change from previous versions of the Code.</p> <p>The MCA do not recognize the wording or rule reference stated here. Requirements are unchanged from previous versions of the code.</p> <p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>manufacturers having different operational limits on their products. Majority of marine cranes we see on small vessel limited to harbour and protected water use & some limited by angle of heel, Not to mention the large number of truck based cranes that are still being fitted. Room for confusion here. 5.8.1 requires structure to independently certified for strength. 5.8.3 requires CA to verify which puts significant responsibility on CA and in many cases a very significant amount of complex analysis. Far better if CAs role is limited to verifying that an appropriate level of analysis has been carried out by a competent body and that the analysis is to a recognised standard and demonstrates that safety factors and maximum stress are acceptable. WB1 wording of foot note 15 of 4.2.1.4 was far better, but with actual wording of 4.2.1.4 improved to avoid any implication that CA should carrying out analysis in order to approve structure</p>	
	<p>The wording throughout the Code is inconsistent – Recognised organization in this para. Classification Society in the next para. UK Load-line Assigning Authorities. 5.2.1 allows structural design to 1st principals which would not have any reference to collision bulkhead position, so maybe needs more general guidance consistent with class & SOLAS . ie.e not < 5% of length or > 5%+3m from FP</p>	<p>Noted, will review and ensure consistency throughout</p>
	<p>This was the failing of 'BELLA', not identified by her CA or the Examiner. The recesses were not watertight and allowed unrestricted downflooding of the entire hull beneath. Raised portion of watertight construction makes sense but full width wheelhouses with weathertight doors in end bulkheads maybe need special consideration. If door can be opened at sea then maybe step ht limited to height of door sill.</p>	<p>Noted, this has been incorporated into the revised requirements.</p>
<p>4.3.1 The Certifying Authority may issue the Certificate11 if the following information and requirements are met: .1 the Certifying Authority is provided with a copy of the signed SWB2 as per 4.2.3; and .2 the Certifying Authority is provided with a copy of either the Stability Information Booklet or the required stability information; and</p>	<p>The Certifying Authority may issue the Certificate11 if the following information and requirements are met:</p> <ol style="list-style-type: none"> 1. the Certifying Authority is provided with and has approved a copy of the signed SWB2 as per 4.2.3; and 2. the Certifying Authority is provided with and has approved a copy of either the Stability Information Booklet or the required stability information; and 	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>.3 the Certifying Authority has received the required fee payments as appropriate.</p>		
<p>4.3.2 A Certificate or Certificate with a Pilot Boat Endorsement shall be valid for not more than five years from the date of examination of the vessel by the authorised person. The Certificate may be valid for a lesser period of time as determined by the Certifying Authority.</p>	<p>Where an in water and out of water inspection have been undertaken on different dates on an existing vessel that is new to Coding, which inspection forms the date stamp for the five year certificate? 4.3.3 makes reference to final in water survey for new builds built under full construction survey, but this would not be the case for an existing vessel coming into Code.</p>	<p>The date is set from the last completed examination. MCA to review wording and clarify.</p>
<p>4.3.4 The Certifying Authority shall annually issue an identification disc. The disc shall act as an indication to vessel users and inspectors that the named vessel has been examined and issued with a Certificate valid for the period of time stated on the disc. The disc shall be prominently displayed and visible from outside the vessel.</p>	<p>Is there scope to make the location for the disc to be displayed more specific; i.e. "Prominently displayed on the Port side and visible from outside the vessel", similar to the old requirement for a Ships Radio Licence? This would make it easier for Harbour Authorities to find at ad-hoc inspections.</p>	<p>Noted. MCA believe the text as drafted is sufficiently clear.</p>
<p>4.4.1.1 The vessel owner/operator shall arrange for an annual examination of a workboat to be carried out by an authorised person, on behalf of the Certifying Authority, within 3 months either side of the anniversary date of the compliance/renewal examination, at intervals not exceeding 15 months.</p>	<p>The limit of 15 months should be removed. The survey widow should be the anniversary date +/- 3 months. This would allow for easier survey planning. The current 15 month limit is more stringent that class and statutory surveys</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>4.4.1.3 On satisfactory completion of the examination, a copy of the SWB2, signed by the authorised person and vessel owner/operator, shall be forwarded to the Certifying Authority</p>	<p>Copy of SWB2 shall be forwarded annually. How you going to do that when it has to stay on the boat?</p>	<p>It is possible to take a copy of a SWB2 to forward or issue in duplicate providing the original is returned to the vessel.</p>
<p>4.4.2.3 Where the examination reveals that the vessel and its equipment has not been maintained and serviced in accordance with section 3.5, the vessel owner/operator shall not complete the SWB2 and shall report these defects immediately to the Certifying Authority for action as necessary</p>	<p>Does the requirement that the SWB2 cannot be completed if there are defects means every defect requires a re-inspection</p>	<p>Not in all cases. "Action as necessary" allows the CA to determine the best response, referring to the administration if required.</p>
<p>4.5.1.2 An intermediate examination of the vessel shall be conducted in two parts; in the water and out of the water.</p>	<p>This will potentially require two visits by the CA to conduct in and out of water surveys. This will lead to additional cost and vessel downtime for MGN 280 vessels. Has the MCA analysed the cost implication to operators that did not previously have to comply with this and what is the basis of retrospectively requiring MGN280 vessels to comply with this?</p>	<p>This was always a possibility under 27.4.2.4 and 27.4.2.5 for MGN 280 vessels. Additionally, there is a possibility for vessels of over 15 years old (which will cover MGN280) for the out of water element to be conducted in water at the intermediate examination if a hull condition examination report is provided.</p>
<p>4.5.2 In-water Intermediate Examinations</p>	<p>Title is misleading</p>	<p>Noted. MCA to consider.</p>
<p>4.5.2 ??</p>	<p>No recognition of RIB style vessels with hull built in GRP, Aluminium, to Class and/or with rigid tubes to which ISO 6185 clearly does not apply.</p>	<p>Noted. MCA to consider.</p>
	<p>This needs to be in place before publication of WB3 as otherwise no-one knows to what standard to refer</p>	<p>MIN XXX will be published ahead of the entry into force of WB3</p>
	<p>Use of RCD / RCR design categories for RIBs and Inflatables should be carefully considered. Noting that there is only reference to 'RCD Design</p>	<p>See 5.3.3 for acceptable modules of assessment.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>Category B' here, and no requirement for Modules of NB inspection, rather than the fuller requirements mentioned above. This would give some CAs the opportunity to accept a Module 1 or Module 1A self-certification RCD Certificate as evidence for design and structural approval with no other reference to CA approval of design calculations or in-build survey/inspection assessment. A point missed. Design Category B + C, F would be more appropriate with technical file provided</p>	
<p>4.5.2.2 The in-water examination shall be carried out: .1 by a certified diving company which holds a valid certificate issued by a Classification Society which is a United Kingdom Recognised Organisation. See MIN XXX; and .2 by certified diving operatives; and .3 when the authorised person overseeing and attending the survey has appropriate experience or specific training in conducting surveys to recognised Classification Society standards and scope.</p>	<p>This would appear to limit such surveys to only Class</p>	<p>This is correct as drafted.</p>
<p>4.6.5 Where a renewal examination is completed after the expiration of the existing Certificate, the new Certificate shall be valid for not more than five years from the expiration of the existing Certificate</p>	<p>What is the maximum timeframe after which the certificate has expired is the survey still considered a "Renewal" as opposed to "Compliance" examination?</p>	<p>The timeframes associated with examinations are set out in the Code.</p>
<p>4.7.1 Where a vessel owner/operator becomes aware that an unintentional incident affecting the safety of that vessel has</p>	<p>But an intentional incident is OK?</p>	<p>MCA to review wording.</p>

Workboat Code Edition 3 Consultation Feedback

<p>taken place, this shall be reported to the Certifying Authority at the first opportunity and in any event before the vessel undertakes any further voyage.</p>		
<p>4.7.4 For the purposes of this section, an “incident” includes: .1 any collision; .2 any grounding; .3 any fire; .4 any event involving: .1 the hull; .2 the keel and keel attachments; .3 the rudder; .4 any other fitting that is below the waterline; .5 the propulsion system; .6 the steerage equipment; .7 the machinery; or .8 any critical equipment.</p>	<p>There are many operations which require a workboat to intentionally go aground as part of their operation, so why is the term "Any Grounding" being applied to Code vessels rather than the same terminology used in the statutory reporting requirements set out in MGN564 which states "Unintended Temporary Grounding" shall be reported.</p>	<p>Noted with thanks. MCA to consider position.</p>
<p>4.8.2 Examination Regime for all Workboats and Workboats with a Pilot Boat Endorsement</p>	<p>There is a difference between workboats and pilot boats, where the owner/operator is permitted to conduct annual examinations on pilot boats but not workboats. Is there reason for this difference?</p>	<p>The MCA is content with the text as drafted.</p>
<p>4.8.3.2 Annual examinations may be conducted by the vessel owner/operator. Such self-surveys shall only be undertaken with the authorisation of the Certifying Authority, where it is impracticable to undertake examination by an authorised person.</p>	<p>This implies that the default is for CA to carry out annual examinations & self-surveys are only allowed in exceptional circumstances. This is more onerous than WB2 & has a cost implication What type of exceptional circumstances?</p>	<p>Noted. Exceptional circumstances would be at the discretion of the CA with advice from the administration where necessary.</p>

Workboat Code Edition 3 Consultation Feedback

<p>4.9.1.1 For inflatable boats and rigid inflatable boats the following shall be applied during the life of the Certificate in addition to the examination regime detailed in 4.8: .1 Annually (by the vessel owner/operator) – An airtightness test as follows: .1 Inflate each compartment of the boat individually to 120% of the safe working pressure;</p>	<p>This would be impossible where a pressure relief valve is fitted</p>	<p>Noted. MCA to consider, though this is no different to the position of WB2.</p>
	<p>It is most common for the valves of tubes to relieve at a pre-set pressure, therefore it is not possible to overpressure to 120%. Should this be covered in the code?</p>	<p>Noted. MCA to consider, though this is no different to the position of WB2</p>
	<p>The requirement is to inflate each tube compartment to 120% of its safe working pressure. On most of our Ribs, the tubes are fitted with pressure relief valves which make this requirement impossible. We would propose reduce the target to 100% to avoid permanent damage</p>	<p>See above.</p>
<p>4.13.4 No additional or subsequent interim certificates may be issued until after the next renewal examination.</p>	<p>This is double working for the CA – previously the AP could endorse the old cert/SCV2</p>	<p>Noted.</p>
<p>4.14.1 This Code also applies to non-UK vessels operating from UK ports whilst in UK waters. Where Certificates are issued to such vessels, it shall be clearly stated on the Certificate that “this Certificate is applicable within UK territorial waters only”.</p>	<p>Jersey is considered by the code to be non UK and our cert must be endorsed: “this Certificate is applicable within UK territorial waters only”. This may affect our ability to trade in other European Locations as we will have no Certificate for outside UK Territorial waters. Why are Red-Ensign Flag vessels treated differently to UK vessels? The endorsement “this Certificate is applicable within UK territorial waters only” should not be required on the certificate of UK Overseas Territory Vessels. The endorsement “this Certificate is applicable within UK territorial waters only” should not be required on the certificate of UK Overseas Territory Vessels</p>	<p>The position has not changed from WB2. Other administrations are under no obligation to recognise UK issued workboat certificates irrespective of this statement.</p>
<p>4.15.1 This Code does not apply to non-UK vessels while they are not operating from UK ports or in UK waters. Such vessels shall not be issued with a Certificate</p>	<p>Why would this code apply to a foreign vessel operating in foreign waters?</p>	<p>This statement is intended to clarify that whilst these vessels are required to meet the requirements of the Code of Practice whilst they are operating as such – this requirement ceases as soon as they return to operation in foreign waters.</p>

5: Construction and Structural Strength

Section of Code	Feedback Received	MCA Position
5 Construction and Structural Strength	The wording of the introductory paragraph appears to be repeated in section 5.1.1 and therefore redundant.	Noted. This section is intended to provide quick overview of this section, it is therefore likely to be repeated within the section.
	Will class certified drawings be acceptable for proof of acceptable standards in construction and subsequent classification of the vessel. Particularly with vessel already constructed and are being brought into the code at some point	If a vessel has been classed and drawings accepted by the UK Loadline Assigning Authority, then the vessel construction may be accepted under 5.3.1
	Old section 4.2.1.4 represented the views of industry in 2018 and followed learning from various accidents including Carol Ann and a passenger vessel on the Thames where a person was fatally injured in the snap back zone. Please reinstate this.	This is now covered in 5.8.2 – 5.8.4 of WBC3.
5.1.1 The design and construction of the hull structure shall provide strength for the safe operation of the vessel, at its service draught and maximum service speed, to withstand the sea and weather conditions likely to be encountered in the intended area category of operation.	See also 3.10.2 - there is no mechanism here for Operational Envelope and implies with table 3.10.2 that for Cat 1 HS can be 'over 4m' and vessel must withstand this at service speed. Operational Envelope approach (common with HSC200) is maintained	Noted
5.1.2 A vessel which operates in area category of operation 0, 1, or 2 shall be fitted with a watertight weather deck over the length of the vessel and shall have a permanent accommodation space.	'(General) What is intended to be meant by a 'watertight weather deck' this exceeds the SOLAS and Load Line requirements which require a 'weathertight weather deck' - do all the fittings have to be watertight, why not just say 'a weather deck'	See definitions.
5.1.4 A vessel may be further restricted to area category of operation 4 and 6 only if not fitted with a substantial enclosure, however compliance with the guidance	'Why is the requirement for a substantial enclosure included here, it is covered within Ch.21	It is necessary to include this to appropriately set requirements. Substantial enclosures in section 21 relate to accommodation requirements as opposed to vessel restrictions (if any).

Workboat Code Edition 3 Consultation Feedback

<p>in 5.9.2.6 and 5.9.3.4 may allow operation in area category of operation 3 or 5.</p>		
<p>5.1.5 An open boat, inflatable boat, rigid inflatable boat or boat with buoyant collar may be permitted to carry cargo in excess of 1000 kilogrammes (kg), be fitted with a lifting device or be engaged in towing operations, subject to approval of the Certifying Authority.</p>	<p>This needs amplifying to indicate the conditions under which the CA may grant approval. Inflatable boat – really?</p>	<p>This wording has not changed from the previous iteration of the code. Wording is kept deliberately open so as not to stifle innovation.</p>
<p>5.1.7 A vessel which is fitted with a watertight weather deck over the length of the vessel, has a permanent and enclosed accommodation space and a steering position for the vessel within the enclosed space, but does not meet the freeboard requirements of section 13.1, shall possess adequate reserves of buoyancy (>10%) above the weather deck and may be considered for the operations defined in section 5.1.5 above, provided the following conditions are satisfied: .1 Freeboard to the gunwale edge shall meet that required by section 13.1.1. Freeboard to the weather deck shall be positive in all loading conditions; and</p>	<p>Is reference correct?</p> <p>'Again, why include a mandated requirement for a permanent enclosure, is this about strength or crew protection which is addressed in Ch.21</p>	<p>All references will be checked prior to publication of the Code</p> <p>It is necessary to include this to appropriately set requirements. Substantial enclosures in section 21 relate to accommodation requirements as opposed to vessel restrictions (if any).</p>

Workboat Code Edition 3 Consultation Feedback

<p>.2 The recess bounded by the reserve buoyancy and gunwales shall meet the standard for quick-draining cockpits for Category A vessels, within ISO 11812 – ‘Small Craft – Watertight Cockpits and Quick- draining Cockpits’, or equivalent; and .3 The vessel shall comply with the relevant intact stability criteria (see section 12).</p>		
<p>Figure 5.1.8</p>	<p>Whilst the diagram in Figure 5.1.8 is useful, does it not imply that in order to qualify under 5.1.7, the vessel shall be a multihull?</p>	<p>Noted. However, the example is intended to be illustrative only.</p>
<p>5.2.1 All vessels in area category of operation 0, 1 or 2 shall be designed and built in accordance with the hull construction standards of a Recognised Organisation or equivalent standard or to first principles.</p>	<p>This methodology should be adopted for existing craft of all categories and to multiple sections. Is the equivalent standard to RO included in the MSN drafted, or is it held behind closed doors in a locked box?</p>	<p>Noted with thanks. All applicable standard references to be included in the accompanying MIN.</p>
<p>Footnote 13 ISO 12215-5 should be used with caution where the vessel’s hull or superstructure is fabricated of fibre reinforced plastic, or where the vessel is subject to impact loading from contact with fixed structures such as offshore wind farm turbine towers, or the vessel is a multihull, until such time that it is updated with respect to commercial vessels.</p>	<p>ISO 12215-5:2019 includes Annex J (normative) Commercial craft and workboats — Additional requirements</p>	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>5.3.1 The hull of a vessel which has been surveyed and certificated by an UK Load Line Assigning Authority shall be acceptable, subject to the presentation of a valid certificate of construction to the Certifying Authority.</p>	<p>This seems to give monopoly of issuing a Coc to RO's. Some CA's are also capable of carrying out structural plan appvl & in-built surveys towards issue of a CoC. Suggest edit to the wording: "or Certifying Authority shall be acceptable, subject to the presentation of a valid certificate of construction"</p>	<p>Noted.</p>
	<p>It is our experience that the presentation of a structural approval certificate is blocking some vessels which it should not. For example, a 50 year old wooden under 15m fishing vessel, which is currently approved by MCA for fishing by annual survey, but the construction records are long lost. In this case, the MCA has, in the past, certified that the construction is adequate, as evidenced by the vessel's continuing acceptance as an MCA survey fishing vessel. We feel this should be evidence of structural approval. Another example would be a larger steel vessel, currently accepted by BV or other class, but is old enough for the records from construction to be lost. We feel that the current acceptance by class is evidence of historic structural approval. Section 5.3.4 allows for the vessel to be measured and new drawings to be produced and approved but this is prohibitively expensive, or even impossible for cases such as the aforementioned wooden fishing vessel or a GRP vessel. Suggest an option for adoption into the code for a vessel without a construction certificate but currently accepted by the MCA as fishing or other vessel type.</p>	<p>Noted. MCA to consider.</p>
<p>5.3.2 Where a certificate of construction as issued under either 5.2.1 or 5.2.2 has a wind or wave height restriction or limitation, then the area category of operation for the vessel shall be limited to those wave heights or wind restrictions as defined within 3.10.3.</p>	<p>This clashes with existing Class operational envelopes. Can we assume this will not affect existing Coded vessels accepted under 5.3.5? Accept existing Coded vessels accepted under 5.3.5.</p>	<p>If a vessel has been classed and drawings accepted by the UK Loadline Assigning Authority, then the vessel construction may be accepted under 5.3.1, or as an existing vessel, 5.3.5.</p>
<p>5.3.3 A vessel which has not been built under the survey of an UK Load Line Assigning Authority will be considered to</p>	<p>Does this option allow module B?</p>	<p>Module B is not accepted in isolation and should be paired with one of the other modules as set out in 5.3.3</p>
	<p>We would suggest the removal of the ability to use modules B + C as they allow for self declaration of build quality assurance.</p>	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>be of adequate strength after a conformity examination by an authorised person and if it has a certificate of construction issued: .1 in accordance with the hull certification standards for small vessels, recognised by one of the UK Load Line Assigning Authorities; or .2 in accordance with the hull certification standards for small craft as provided in MIN XXX and as verified by a Notified Body in compliance with RCR Module B (EU type-examination) together with either Modules C, D or F, Module G (conformity based on unit verification) or Module H (conformity based on full quality assurance). A Post Construction Assessment as defined in the RCR carried out by a Notified Body may also be accepted.</p>	<p>It may be helpful to clarify within the code whether the authorised person is expected to complete “in build” inspections of parts of the craft that would be inaccessible on the completed craft. This is particularly relevant for RIBs and some HDPE craft. It may be helpful to define what an acceptable certificate of construction is? Will a builders RCD/RCR declaration of conformity suffice, or should the certificate of construction originate from and be signed by a Notified Body? As a practitioner in the RCD/RCR I have always considered that the MCA places too much confidence in the RCD/CE marking process, and anything that requires a builder’s self-declaration. Type approval modules leave a lot of possibilities for unintended consequences (“Big Yellow”).</p>	<p>Noted, the MCA will review the requirements of this section</p>
<p>.2 in accordance with the hull certification standards for small craft as provided in MIN XXX with verification of structural strength and build by a Load Line Assigning Authority, Certifying Authority or Notified Body. A post construction assessment can be accepted subject to 5.3.3.2, supported by a structural survey</p>	<p>'What is a 'conformity examination' defined as and what it conforming to. 'This is confusing design approval with build standards, we have seen conflicting approaches to this with some CAs not undertaking formal design approval and minimal build supervision</p>	<p>This is set out in the Recreational Craft Regulations</p>
<p>5.3.3</p>	<p>Notified Body documentation should only be acceptable if the NBs are subjected to the same technical audit as CA's (i.e. by MCA) to</p>	<p>Noted, the MCA will review the requirements of this section</p>

Workboat Code Edition 3 Consultation Feedback

<p>A vessel which has not been built under the survey of an UK Load Line Assigning Authority will be considered to be of adequate strength after a conformity examination by an authorised person and if it has a certificate of construction issued: .2 in accordance with the hull certification standards for small craft as provided in MIN XXX and as verified by a Notified Body in compliance with RCR Module B (EU type-examination) together with either Modules C, D or F, Module G (conformity based on unit verification) or Module H (conformity based on full quality assurance). A Post Construction Assessment as defined in the RCR carried out by a Notified Body may also be accepted.</p>	<p>verify that they carry out structural design appvl & build controls to the required level. Notified Body expertise lies with recreational craft & their involvement should therefore be limited to "simple" workboats i.e. those not requiring SIB's & not subject to onerous duty</p>	
<p>5.3.3 A vessel which has not been built under the survey of an UK Load Line Assigning Authority will be considered to be of adequate strength after a conformity examination by an authorised person and if it has a certificate of construction issued: .2 in accordance with the hull certification standards for small craft as provided in MIN XXX with verification of structural strength and build</p>	<p>Wrongly shown as 5.3.2.2 It would be good to be able to also apply this to existing vessels with a properly established 5 years safe history & supported by a structural survey, maybe limited to Cats 3-6. The removal of the 5 years safe history route in WB2 was because of it's misuse but has since been regarded as a mistake by much of the industry. Maybe needs a separate .4 which details how safe history must be assessed</p>	<p>Noted with thanks. There is no desire to reintroduce the concept of 5-yrs safe history in this Code.</p>

Workboat Code Edition 3 Consultation Feedback

<p>by a Load Line Assigning Authority, Certifying Authority or Notified Body. A post construction assessment can be accepted subject to 5.3.3.2, supported by a structural survey</p>		
<p>5.3.5 A vessel with an existing certificate issued under one of the Codes of Practice as per 1.11 at the date of coming into force of the Code, or in possession of a valid Load Line Certificate or Load Line Exemption Certificate appropriate to the sea and weather conditions for the vessel's intended area category of operation shall continue to be considered of adequate strength for its existing area category of operation.</p>	<p>It is not clear whether this applies to section 5.3 only or whether the intention is to apply the text to the entire document (which would be the more logical approach)</p>	<p>Here this applies to construction; however, this will be reviewed throughout the code for retrospective application.</p>
<p>Footnote 14 UK Load Line Assigning Authorities, in addition to the MCA, are American Bureau of Shipping, Bureau Veritas, DNV GL, Lloyd's Register, Nippon Kaiji Kyokai and Registro Italiano Navale</p>	<p>Now just DNV</p>	<p>Noted with thanks</p>
<p>5.4 Construction Materials</p>	<p>The MCA are in possession of agreed standards for HDPE vessels (no inboard engines, no cranes on deck etc) that could be formally published here to make it clear what is required to builders and operators</p>	<p>This was discussed at length in the Technical Working Group meetings with no consensus for accepting HDPE at this time; however, may be accepted on a case-by-case basis as per the existing requirements</p>
<p>5.4.1 A vessel's hull and superstructure may be</p>	<p>No fibre reinforced plastics such as PVC need to be notified to administration?</p>	<p>The requirement is correct as written.</p>

Workboat Code Edition 3 Consultation Feedback

<p>constructed of wood, fibre reinforced plastic (FRP), aluminium alloy, steel or combinations of such materials.</p>		
<p>5.5.1 Weather Deck</p>	<p>Given the discrepancies identified by the identification of watertight weatherdecks we would support a greater definition or use of examples to assist CA's with consistent interpretation.</p>	<p>Noted with thanks.</p>
<p>5.5.2.3 If a recess is provided with a locker which gives direct access to the interior of the hull, the vessel shall no longer be considered a vessel with a watertight weather deck (See 5.1.3). Any such locker shall be fitted with weathertight cover(s) and in addition, the cover(s) to the locker shall be permanently attached to the vessel's structure and fitted with efficient locking devices to secure the cover(s) in the closed position.</p>	<p>Does this mean that a vessel with a locker in a recess has to be considered as an open boat? Is the inside of a sealed locker, or the engine space the interior of the hull? Does compliance with the second part mean that the deck may still be considered as watertight? If this is the intention, then the phraseology is ambiguous</p> <p>This introduces a very much more stringent requirement than WB" – essentially you can't have a locker in a recess</p>	<p>Such vessels would be assessed against the definitions on a case-by-case basis</p> <p>Noted. MCA to review and consider.</p>
<p>5.6.1 The strength of a watertight bulkhead shall be adequate for the intended purpose and shall be approved by the Certifying Authority.</p>	<p>How does the MCA expect the CA to approve the strength watertight bulkhead? I suggest that we can review this but we would not want the liability to "approve" it</p>	<p>Noted. The approval is intended to be on the 'adequate for intended purpose' as it is intended that the strength of the bulkhead would form part of the structural approvals of the vessel.</p>
<p>5.6.4 For vessels greater than 15 m waterline length and operating in area category of operation 0, 1, or 2, a watertight collision bulkhead shall be fitted. The collision bulkhead shall be positioned in accordance with</p>	<p>It would be unreasonable to expect existing vessels (>15m) to fit a collision bulkhead given that existing vessels have been operating for years without such feature. To include a bulkhead would require extensive and costly works which on some vessels would be unachievable given location of crane pedestals and anchor lockers</p>	<p>This wording is the same as WBC2. MCA will review in respect of transitional arrangements for existing vessels following feedback received through this consultation.</p>

Workboat Code Edition 3 Consultation Feedback

<p>the requirements of the Recognised Organisation or the equivalent standard as used for the design of the vessel's structure.</p>		
<p>5.7 Offshore Energy Service Vessels</p>	<p>This isnt appropriate wording if the Class Society are already strengthening the structure to compensate of the operations of OESV's. The wording needs to be caveated to not strengthen the rules in all cases! This wording should be cross references against 25.5. Given the wording in 25.5 this wording is not necessary especially as there is no definition of OESV which would specify that OESV's are involved in push up operations and therefore that is the need to strengthen the structure. Remove this section due to innacuracy</p>	<p>Noted with thanks. MCA to consider and review.</p>
	<p>This isnt possible for existing vessels (Brown Code or MGN 280) however would have been implicit for WB Code Edition 2 and 2014 WBC vessels due to the wording in section 25.9. Remove the requirement to transition for MGN 280 and Brown Code in Appx 9.</p>	<p>Noted. This is not a change from the requirements of WB2 which already requires existing vessels to meet updated standards for more onerous modes of operation.</p>
<p>5.7.1 The hull and attached structures of Offshore Energy Service Vessels shall be designed and constructed to withstand imposed static and dynamic loads. The structure shall be robust with scantlings in excess of those typically required from a recognised Classification Society.</p>	<p>How will the MCA appraise and determine if an Offshore Energy Service Vessels vessels scantlings are in excess of those typically required from a Classification Society, for somebody wishing to construct an Offshore Energy Service Vessels how do they determine 'in excess'?</p> <p>Why scantlings in excess of? Why not in accordance with? "In excess of" is not a clear definition of compliance with a specific limit or capacity</p> <p>'This seems like a superfluous and vague requirement, construction standards should all take account of static and dynamic loads and scantlings approved taking into account the service of the vessel. How is 'robust with scantlings in excess...' supposed to be measured or demonstrated</p>	<p>Noted. The MCA will review and clarify the requirements as appropriate.</p>
<p>5.8.1 Where a vessel is intended to be engaged in towing or is fitted with a lifting device, then the structure of the vessel and any associated fittings used in the</p>	<p>This needs rewriting to consider those vessels designed for towing such as harbour tugs. The construction of which is to class standard for towing and pushing</p>	<p>This requirement is intended to ensure that in all cases, the towing equipment of a vessel is assessed, whether as part of its installation or at build. In cases of specifically designed vessels this remains the case albeit at likely a different stage of the vessels construction.</p>

Workboat Code Edition 3 Consultation Feedback

<p>activity of towing or lifting shall be independently verified for strength and suitability for the intended use. See also Sections 25 and 26 for additional requirements for towing and/or lifting devices.</p>		
<p>5.8.3 The structure of the vessel and the equipment fitted to the vessel's structure shall be verified by the Certifying Authority as being of suitable strength to withstand the loads that are likely to be imposed when operating at the maximum capacity of any lifting device. See also Section 25.</p>	<p>The footnote from WBC2 should be reinstated to clarify this point: 15 Certifying Authorities should verify that the owner has employed a competent person to prepare structural analysis and drawings. Owners or owners consultant to provide drawings and documents and proof of analysis to a recognised standard (class), safety factors used, maximum permissible combined stress, actual calculated stress. Certifying Authority should check that those plans and calculations are representative of the ship and are reasonable. Responsibility for accuracy to remain with consultant</p>	<p>Noted. The MCA will review and clarify the requirements as appropriate.</p>
<p>5.9.2 Boats with a Buoyant Collar and Rigid Inflatable Boats in Area Category of Operation 2 or 3</p>	<p>Damen 2610 vessels such as Njord Alpha comply with MGN280 by means of an intake valve closable from the weather deck. However, they do not meet the new requirement of 5.9.2. Older vessels are grandfathered.</p>	<p>Noted with thanks.</p>
<p>5.9.2.1 A boat with a buoyant collar or a rigid inflatable boat which is intended to operate as an independent vessel in area category of operation 2 or 3 (and is not a tender operating from a vessel) shall be of a design and construction which would meet the requirements of Chapter III of the 1974 SOLAS Convention, as amended, and the parts of the Annex to IMO Resolution MSC.48(66) – “International</p>	<p>ISO 6185 excludes boats with a solid collar so this reference does not work</p>	<p>Noted.</p>
	<p>It would be better to reference the standards MIN in this clause rather than directly.</p>	<p>Noted with thanks.</p>
	<p>vessels operating in Category 2 or 3 waters will need to be designed and constructed to meet the requirements of ISO 1225 and ISO 6185. We have many vessels built over the previous 20 years and just investigating which ISO standards they will all fall under (as there have been numerous standards under each version) will be very time consuming and costly. A large number of our vessels built in the 1990s and 2000s could not be modified to comply with these standards as the refurbishment costs would be greater than the vessel's value. We would propose grandfathering these vessels and permitting them continue operating under their current Codes as otherwise we would not be able to continue operating them.</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

<p>Life-Saving Appliance Code”, as amended, and MSC.81(70) – “Testing and Evaluation of Life-Saving Appliances”, as amended – which are appropriate to the type of boat and subject to the variations which are given in the Code. Alternatively, a boat with a buoyant collar or a rigid inflatable boat which is intended to operate as an independent vessel in area category of operation 2 or 3 (and is not a tender operating from a vessel) shall be of a design and construction which would meet the requirements of ISO 12215 and ISO 6185.</p>	<p>It may be worth considering that the MCA and British Marine have previously advised not to complete the performance test aspect of ISO 6185 because of the possibility of injury to personnel while completing these tests (driving at full speed in waves), therefore few if any UK built RIBs fully comply with ISO 6185. However most UK RIB manufacturers still indicate full compliance to ISO 6185-3 or 6185-4.</p>	<p>Noted with thanks.</p>
<p>5.9.2.2 A boat with a buoyant collar or a rigid inflatable boat which is intended to operate as an independent vessel in area category of operation 3 may be accepted if built to RCD Design Category B.</p>	<p>Unclear what the intention is for vessels built before RCD categories introduced. Should the carve-out for exiting vessels (5.3.5) apply here too?</p>	<p>Such vessels would be assessed on a case by case basis</p>
<p>5.9.3.1 A boat with a buoyant collar, an inflatable boat or a rigid inflatable boat which is intended to operate as an independent vessel in area category of operation 4, 5 or 6 shall be designed and built to a recognised standard, as detailed in the MIN XXX, approved by the</p>	<p>What is the intention for vessels currently coded that were built prior “a recognised standard”</p>	<p>Such vessels would be assessed on a case by case basis</p>

Workboat Code Edition 3 Consultation Feedback

<p>Administration for their intended use.</p>		
<p>5.9.3.3 A boat with a buoyant collar or a rigid inflatable boat may only be considered for area category of operation 5 (night time operations), if fitted with a substantial enclosure for the protection of persons on board, subject to approval by the Certifying Authority. A substantial enclosure can be a permanently secured solid structure, or one that can be removed in harbour, provided when in place it is through bolted to the deck and adequately constructed to meet the designed vessel limitations. Portable canopies that are secured by lines or by fabric hook and loop fastening are not acceptable.</p>	<p>Does this relate to date of entry into force?</p>	<p>Yes, this is applicable from the date of entry into force.</p>

6: Weathertight Integrity

Section of Code	Feedback Received	MCA Position
<p>6 Weathertight Integrity</p>	<p>This should be better defined here or in Sect 2 wrt strength of glazing/frames</p>	<p>There is a definition in Section 2 for "Weathertight"</p>
	<p>Minimum light transmission should be defined.</p>	<p>There is no mention of minimum light transmission within the Code.</p>
	<p>Existing MGN280 vessels may have hoses in fire mains</p>	<p>Noted.</p>
	<p>Suggest add a 6.4.4.4 requiring min 400mm between fuel vent pipe & any other vent leading to vessel interior</p>	<p>Noted with thanks.</p>
	<p>How do you assess glass against hull materials wrt strength. This needs clarity. This has been extended to include Cats 2 and 3 (previously >60 miles) and means assessing the strength of windows in existing craft otherwise blanks have to be added</p>	<p>The requirements are set out in the applicable standards, referenced in MIN XXX.</p>
<p>6.1.1 A vessel shall be designed and constructed in a manner which will prevent the ingress of water, i.e. weathertight. For strength and watertightness of accessways and windows the requirements of ISO 12216 are considered acceptable. See MIN XXX.</p>	<p>It is suggested that section 6.1.1 should read "watertight" rather than "weathertight". This would remove the existing lack of understanding when considering vessels which have a watertight weatherdecks outside of the deck house, but this is not continuous inside the deckhouse</p>	<p>Noted with thanks. MCA to review.</p>
<p>6.2.1.2 An accessway which is used for escape purposes shall be capable of being opened, closed and where necessary, unlocked, from both sides.</p>	<p>This is an uplift in requirements from MGN 280 and WB2 which states "A doorway located above the weather deck which gives access to spaces below should be provided with a weathertight door". The wording as-is implies that all doorways, irrelevant of whether they lead below the weatherdeck, need to be weathertight. With the omission of "leads below" in the Code, it also contradicts the statement in the DMA</p>	<p>Noted.</p>
<p>6.2.2.3 Sliding weathertight doors, where fitted, shall be provided with suitable safety provision to avoid injury to personnel by closure of the door.</p>	<p>'By this I conclude you mean 'powered' sliding doors as an extension of the sliding watertight doors requirement.</p>	<p>Applicable to all sliding doors.</p>

Workboat Code Edition 3 Consultation Feedback

<p>6.2.2.5 A weathertight coaming may be portable, provided it can be permanently secured to the structure of the vessel and can be locked in position whilst at sea. A portable coaming shall be marked, "Not to be opened at sea".</p>	<p>Better wording would be "not to be removed at sea" as portable coamings aren't really opened</p>	<p>Noted with thanks. MCA to amend.</p>
<p>6.3 Skylights, Windows and Portlights</p>	<p>Within the introduction to this section it is stated that skylights, portlights and windows are collectively referred to as windows, however in section 6.3.10 there is a specific reference to a portlight. It is unclear as to the purpose of this. Furthermore, it is noted that the current code allowance for the administration to approve larger windows has been removed. It is suggested that this is undesirable.</p>	<p>This specific requirement is relating only to portlight dimensions, it is necessary to therefore make this distinction from the general requirements affected skylights, portlights and windows in the rest of section 6.3</p>
<p>6.3.2 All windows fitted below the weather deck shall be of watertight construction.</p>	<p>This should be better defined here & in Sect 2 wrt strength of glazing/frames</p>	<p>Watertight is defined in Section 2. There is a danger of making the text too prescriptive which could limit the range of options to achieve compliance. Users of the Code should cross reference the definition of watertight when considering this requirement.</p>
<p>6.3.4 A window which is provided as a means of escape shall be capable of being opened and closed from both sides.</p>	<p>This clause should be reserved for new constructions. Existing escape windows meeting alternative escape standards and previous Codes should be retained. Does a window with this opening configuration exist? And if so, it poses serious ship security implications. Replacing all Class approved escape windows which only open from the inside.</p>	<p>Noted.</p>
	<p>The majority of vessels in service that we are aware of use escape windows openable from only inside. We are not aware of a supplier of an escape window openable from both sides. Windows are often welded into the bulkhead with surrounding structure to suit and therefore fleet replacement would seem to be a significant and expensive job.</p>	<p>Noted. MCA to consider.</p>
<p>6.3.7 For vessels operating in area category of operation 0, 1, 2 or 3, unless the glazing material and its method of</p>	<p>How do you assess glass against hull materials wrt strength. This needs clarity</p>	<p>The requirements are set out in the applicable standards, referenced in MIN XXX.</p>
	<p>Reads as if this is every window above the weather deck. I would presume this does not include Bridge windows. Clarification needed</p>	<p>This does refer to every window above the weatherdeck.</p>

Workboat Code Edition 3 Consultation Feedback

fixing in the frame is equivalent in strength to that required for the structure in which it is fitted, a portable blank shall be provided which can be secured in place in event of breakage of the glazing.	This is an unsuitable requirement for small vessels. How can a small 9m Cabin Rib carry window blanks for all windows?	This requirement was in place for WB2. WBC3 lessens the impact by restricting its application to 0,1,2,3 only.
	'equivalent strength' is qualified in WBC2 by stating 'with regard to design pressure' after it, this is important otherwise it can be difficult to understand on what basis equivalence is being claimed	Noted.
6.3.9 Where portable blanks are required, the number of blanks shall be sufficient for at least half of the number of such windows of each different size in the vessel. A blank shall be of suitable material and strength to the approval of the Certifying Authority	Reads as if this is every window above the weather deck. I would presume this does not include Bridge windows. Clarification needed	Disagree – this is read following 6.3.8 which specifically talks about windows below the weatherdeck.
6.3.10 A portlight shall not exceed 250 mm diameter or equivalent area	Why specifically refer to portlights here when the intro says they are referred to as windows?	This specific requirement is relating only to portlight dimensions, it is necessary to therefore make this distinction from the general requirements affected skylights, portlights and windows in the rest of section 6.3
6.3.12 Windows used for navigational purposes shall not have their visibility impaired by polarised or tinted glass.	Minimum light transmission should be defined. There must be precedents in other sectors. REG have accepted tints if a flybridge has the required navigation equipment, mainly because of push-back from luxury boat builders operating in Med & Caribbean. WB2 also accepts portable screens but I have never come across this in practice	Noted. This specifically rules out polarized on tinted glass for all navigation windows, as written it states that all forms would be an impairment.
6.4.1.2 Materials with a melting point below 1000°C shall not be used for fire mains, hydrants, valves or cocks. Fittings which incorporate components with a melting point below 1000°C may be	This clause was introduced to Workboat Code 2 for new construction. What provisions or acceptance is in place for aluminium craft constructed under Brown Code? Large financial impact to replace existing systems.	The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.
	Is lagging a suitable alternative ?	Not possible to answer without specific example.

Workboat Code Edition 3 Consultation Feedback

<p>accepted, provided they have passed a fire test in accordance with ISO 10497.</p>		
<p>6.4.2.1 Any opening for inlets and discharges below the weather deck shall be provided with a watertight means of closure and if fitted below the waterline, the means of closure shall be either remotely operated or readily accessible in an emergency. Discharge lines shall also have an automatic non-return valve.</p>	<p>Toilet discharges should be excluded</p>	<p>Thank you for your feedback.</p>
<p>Footnote 19 Flexible pipes, hoses and hose assemblies – which are flexible hoses with end fittings attached – shall be in as short lengths as practicable, but shall not, in general, exceed 1.5 m in length, and only be used where necessary to accommodate relative movement between fixed piping and machinery parts. Where a flexible section of piping is provided, connections shall be of a screw type or equivalent approved type. Flexible pipes and end attachments shall be of approved fire-resisting materials.</p>	<p>Equivalent approved type? Unless the equivalent approved types are listed, how does anyone know what they are? The phrase “equivalent approved type” is ambiguous unless it describes to what the other types have to be approved to</p>	<p>The CA will have an awareness of what equivalent types have been approved and should be able to advise an owner accordingly if they wish to deviate from a standard fitment type.</p>
<p>6.4.4 Air Pipes</p>	<p>Suggest add a 6.4.4.4 requiring min 400mm between fuel vent pipe & any other vent leading to vessel interior</p>	<p>Noted with thanks.</p>

7: Water Freeing Arrangements

Section of Code	Feedback Received	MCA Position
7 Water Freeing Arrangements	Category 2 & 3 now excluded from this option. Agree with dropping category 2 but many Cat 3 boat have relied on this solution.	Noted with thanks. MCA to consider.
7.1.3 A vessel which is intended to operate in area category of operation 4, 5 or 6, shall be provided with freeing ports required by section 7.1.2 or may be provided with a minimum of two ports fitted (one port and one starboard), which may be in the transom, each having a clear area of at least 225 cm ² (0.0225 m ²). Ports may only be fitted in the transom of vessels which, with the vessel trimmed as necessary to represent a normal operating condition and regardless of loading condition, will ensure the deck can be effectively drained.	By removing the flexibility of allowing Category 2 and 3 vessels to have freeing ports in the transom, the revised provisions of 7.1.3 are likely to have a significant impact on some older proven designs of previously Coded vessels such as Lochins, which are still in use as workboats and Pilot boats nationwide. Can the MCA please set out the rationale for removing this provision for Category 2 & 3 vessels?	Noted with thanks. MCA to consider.
7.2 Requirements for Rigid Inflatable Boats, Inflatable Boats or Boats with a Buoyant Collar	There is no get out clause for RIBs previously coded under WBC2 or brown code. Brown code added in an opt out of 6.6 for CAs to deal with this and WBC2 just referenced in 6.1 that it was N/A for these type vessels. This has a large cost and time implication. Is this now going to be required for these vessels? have compliance to 6185 as an alternative and reference in the MIN, this has specific tests for self bailing etc.	The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels. Noted with thanks.
7.2.3 A rigid inflatable boat, an inflatable boat or a boat with a buoyant collar shall be provided with a minimum of	This appears to be extreme, given that 2 x Ø2cm drains would be more than adequate on most small/medium RIBs. Also, where should the freeing port be fitted, would the top of the transom cut-out suffice. Finally, RIBs tend to flood when going astern, a large freeing port would seem impractical	Noted with thanks.

Workboat Code Edition 3 Consultation Feedback

<p>one freeing port or drain fitted in the transom, with a clear area of at least 225 cm² (0.0225 m²) (minimum 9.55 cm diameter), or other means of clearing water.</p>		
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8: Machinery, Propulsion and Fuel Systems

Section of Code	Feedback Received	MCA Position
8 Machinery, Propulsion and Fuel Systems	A definition would be useful as portable tank can be made permanent just by fixing to vessel; a loophole? Will likely cause inconsistent application	This is consistent with previous versions of the Code.
	So mild steel tanks (including OB tanks) are no longer acceptable for Diesel fuel? If it said constructed with or sufficient protective coatings applied.	The material requirements for tanks are referenced in MIN XXX and do not preclude the use of steel. The requirements have not changed from previous versions of the code.
	The way this is written, the MCA appear now to be allowing the use of 'worm drive' hose clamps (Jubilee Clips), which were previously disallowed. This would appear to be a new requirement. ISO7840 hoses are not usually lifed or marked with life commencement date, so compliance with this requirement will be difficult to impossible to ensure. Better to have 'Regular inspection for fitness for purpose should be undertaken' or similar wording.	Will clarify the wording in 8.11.3.3
	What about type approved systems such as press fit, which is Class approved for fuel systems etc?	The text does not explicitly rule this out but any proposals for use of equipment or materials outside of the stated requirement would be subject to equivalence request procedures with the administration via the Certifying Authority.
	Designers and boat builders need to be aware of this new restriction on fuel tank spaces being banned from spaces containing a heating appliance. A number of current vessels would become non-compliant on this Regulation. Most vessels have heating appliances such as water heaters fitted within the tank space including heaters to prevent condensation. So this could be an issue.	Noted with thanks. MCA to consider.
	There are a number of boats that will not meet this, what is the rationale behind this? There are many existing craft with aluminium fuel tanks in machinery spaces - the option to protect the tank against fire has been removed	Noted with thanks. MCA to consider.
	Whereas the paragraphs above and below allow for alternative systems to a kill-cord, this paragraph, as written mandates the fitting of a kill-cord. So the whole 8.9 Section is illogical. The	Noted with thanks. Amend 8.9.2 for clarity.

Workboat Code Edition 3 Consultation Feedback

	wording implies that a cabin RIB must have a kill chord even if no risk of HOB	
	How will they provide it to the Administration. This would seem to be unworkable.	Further reference required. It is not clear what the respondent is asking
	What is this thinking of here, hydraulic?	Further reference required. It is not clear what the respondent is asking
	it would be useful if it was stated what this was about (Air pollution / IMO Standards and EIAPPs, etc.), by putting a sub-heading in, rather than cross-referring to a remote section of the Code.	Further reference required. It is not clear what the respondent is asking. All cross references will be hyperlinked to aid referencing between sections of the code
8.1.1 A vessel fitted with a petrol, diesel, hybrid or lithium-ion battery powered propulsion system shall be provided with a propulsion system suitable for marine use and with sufficient fuel capacity or charge for its intended area category of operation.	The wording relating battery power / diesel etc should also relate to the carriage for a particular journey eg a vessel may be cat 2 and technically be able to go that far but on a particular day only needs to go a few miles to sea and doesn't need to refuel / recharge to make this journey to allow it to theoretically get out to 60 miles. It needs a risk assessment to monitor state of charge / available diesel compared to the planned journey throughout a voyage in order to ascertain that it can return to shore under its own power.	Noted – however is this not captured by the “intended area category of operation” as opposed to “area category of operation the vessel is certificated too”.
8.1.3 Where a vessel is fitted with multiple engine spaces these shall be totally independent systems and shall include separate fuel, control and electrical systems.	'Why mandate 'totally independent systems' for multiple engine spaces, this is driving a level of capability and resilience that it not well defined and onerous, original wording 'separate fuel systems and separate electrical and control systems' is preferred.	This is as per the published interpretation of totally independent systems and is unchanged from previous versions of the code
	This sounds odd – twin hull with totally independent electrical systems makes it sound like the port generator cannot power anything in the starboard hull. “Totally independent” sounds like the two systems are completely isolated, whereas it is believed that the goal should be enhanced redundancy	This is as per the published interpretation of totally independent systems and is unchanged from previous versions of the code
8.1.4 A vessel intending to operate using low flash point fuels (other than petrol or diesel) may be considered on a case-by-case basis, subject to approval by the	Can MCA please quantify what is meant by "Control Systems", as it is highly unlikely that the smaller class of multihull workboats currently Coded under MGN280 and utilising fly-by-wire technology for waterjet controls, or electronic engine controls, will have totally independent systems.	This is as per the published interpretation of totally independent systems and will be dealt with in the transitional arrangements for existing vessels

Workboat Code Edition 3 Consultation Feedback

<p>Administration. A risk assessment shall be provided by the vessel owner/operator and shall as a minimum consider the safe storage and use of fuel on board, fuel transportation, carriage, storage ashore, and refuelling operations.</p>		
<p>8.6 Petrol Propulsion Systems</p>	<p>This is too limiting to vessels under 8m and under 75kw and needs to include those over 8m and over 75kw, this is particularly important for commercial ribs etc where they can no longer fit larger diesel outboards due to Tier 3 compliance issues. This section needs to be expanded to allow a better certification path for these vessels.</p>	<p>Noted. This is not a change from the existing requirements.</p>
<p>8.6.3.1 Fuel shall be supplied to an engine(s) from: .1 a permanently installed fuel tank(s) which shall not be integral to the hull's structure; or .2 where a vessel is of less than 8 m length or has a total power rating of less than 75kW it may be supplied by a non-permanently installed fuel tank with a maximum capacity of 55 litres which shall be fitted with a handle; or .3 where a vessel is of less than 8 m length or has a total power rating of less than 75kW and has two outboard engines fitted it may be supplied by two non-permanently installed fuel tanks each with a maximum capacity of 27 litres; or</p>	<p>A definition would be useful as portable tank can be made permanent just by fixing to vessel; a loophole?</p>	<p>Rather than defining portable tanks which could introduce unintended consequences by virtue of prescriptive language – we could include a clause which states that purposefully created portable tanks can not be considered permanent tanks even when fixed?</p>
	<p>It is recommended that the Horsepower is included as most outboards are rated in HP and not KW.</p>	<p>Noted. Can include both units.</p>

Workboat Code Edition 3 Consultation Feedback

<p>.4 where an inflatable boat is less than 8 m in length and has a total power rating of less than 15 kW it may be supplied by a separate fuel tank with a maximum capacity of 27 litres. A non-permanently installed tank/s must be fitted with the standard quick connection to the outboard engine without the risk of any spillage.</p>		
<p>8.8.1 Where a vessel's engine is started by means other than mechanical, air, hand or electric with independent batteries, the starting mechanism shall be subject to approval of the Certifying Authority.</p>	<p>What are you thinking of here, hydraulic?</p>	<p>This is an open scoped requirement to capture items not listed, including hydraulic.</p>
<p>8.8.2 Where the sole means of starting an engine is by battery; a back-up battery and charging facility shall be available. Both batteries shall be connected to the starter motor via a 'change over switch'. The batteries shall not discharge in parallel and shall be linked by an emergency link isolator or other means of cross-connecting to allow the starting of an engine with a flat battery.</p>	<p>What does that mean? Of course they will discharge in parallel if linked for starting</p>	<p>This requirement states that an isolator is included such that the batteries can be linked in parallel if required (e.g for starting with a flat battery) but in normal cases, the isolator will prevent the batteries discharging in parallel.</p>
<p>8.9.1 An inflatable boat, rigid inflatable boat, boat fitted with a buoyant collar, open boat or any vessel where there is a</p>	<p>The wording implies that a cabin RIB must have a kill chord even if no risk of HOB</p>	<p>Correct.</p>

Workboat Code Edition 3 Consultation Feedback

<p>risk of the helmsperson falling overboard, shall be fitted with a kill cord which shall be securely attached to the helmsperson and used at all times whilst the engine is running and in gear.</p>		
<p>8.9.2 An inflatable boat, rigid inflatable boat, boat fitted with a buoyant collar, open boat or any vessel where there is a risk of helmsperson falling overboard: .1 shall have a spare kill cord on board; or .2 shall have a kill system which is capable of override; or .3 may have a sprung loaded throttle to return to idle in lieu of meeting the requirements of 8.8.1.</p>	<p>Should be 8.9.1. Can MCA confirm why a sprung loaded throttle would be accepted as an alternative to a kill cord? This would only bring the throttle back, but still allow the vessel to continue ahead; a kill cord stops all propulsion.</p>	<p>The spring-loaded throttle must be capable of returning throttle to idle – will clarify this means neutral. This is not a change from previous versions of the code</p>
<p>8.11.3 Short lengths of flexible fuel pipes may be permitted where necessary to allow for movements and vibration between fixed fuel pipes and fuel tanks or fuel consumers Flexible fuel pipes shall be: .1 fire resistant, metal reinforced Standards in MIN XXX); and or protected from fire (see applicable .2 suitable for the carriage of the fuel; and .3 secured by either metal hose clamps or permanently attached end fittings such as</p>	<p>What alternative must we do if manufacturer provides no guidance on this?</p>	<p>Check ISO standard for renewal requirements</p>
	<p>See footnote 19 – fuel pipes here are allowed metal hose clamps. Why can these hose clamps not be included as an option in Footnote 19? An indication that specific metal hose clamps are an “equivalent approved type” would solve this</p>	<p>Noted with thanks. MCA to consider.</p>

Workboat Code Edition 3 Consultation Feedback

<p>swaged sleeve or sleeve and threaded insert. Every pipe connection shall have a means of preventing slippage and shall not provide a path for fuel leakage; and .4 renewed according to the manufacturer's instructions. The date of fitting and date for renewal shall be recorded on the SWB2.</p>		
<p>8.11.4 High pressure fuel pipe(s) and associated fittings on a machinery system(s) shall be designed and installed to reduce the risk of oil mist fires.</p>	<p>Can MCA confirm the intent of this change and what constitutes a "high pressure fuel pipe" ? Many engines currently installed in older Coded vessels will not have common rail fuel systems but instead have a single fuel injection pump serving multiple injectors, and in most cases the pipes will not be double sleeved.</p>	<p>This is not a change from previous versions of the code.</p>
<p>8.11.7 A vent pipe(s) shall: .1 lead to the open atmosphere; and .2 terminate in a position level with or higher than the fuel filling mouth; and .3 be protected against water ingress; and .4 be protected from flame ingress; and .5 be protect against any other identified hazards.</p>	<p>Add 8.11.7.6 - and located to be at least 400mm from any ventilation opening to interior of the vessel Is this relevant for vessels using diesel? WBC2 had an out for these vessels: 7.4.10.2 where there is a risk for flame ingress.</p>	<p>Noted with thanks. MCA to consider. Yes, fuel filling and ventilation requirements are still applicable. 7.4.10.2 of WB2 is not an exemption from the requirements and this is covered in .4 & .5 of WB3</p>
<p>8.12.2 All fuel tanks shall be constructed of a fuel and corrosion resistant material</p>	<p>Steel is not a corrosion resistant material in the marine environment. Is it the intention to forbid steel vessels from having structural tanks? This statement needs clarification in this regard. Perhaps you mean that the tank shall be constructed of a material that doesn't corrode in contact with the tank contents? When considering structural tanks against the hull, where shell plating forms a boundary, there should be corrosion protection (cathodic or otherwise) on the shell plate.</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>8.12.3 A fuel tank shall be protected against the effect of fire in the machinery space. Where a machinery space boundary is fitted, the fuel tank(s) shall be of the same fire-resistant standard as the machinery space boundary.</p>	<p>'What is meant by this requirement, does the Fuel tank have to be separately insulated, only when it is common with the machinery space, or elsewhere??</p>	<p>This requirement is intended to prevent the contents of the tank fueling a machinery space fire through poor materials or otherwise. In all cases where the fuel tank is at risk of fueling a machinery space fire through proximity, some mitigations should be made.</p>
<p>8.12.4 A rigid aluminium fuel tank(s) shall not be fitted within a machinery space(s) or form part of the machinery space boundary.</p>	<p>Similarly to my comment on section 8.3.3, we are aware of many vessels with this arrangement currently in service and to modify for compliance would involve significant structural work and, usually reduction in fuel capacity and therefore capability. We can work around this in a new design, but it is not a common requirement internationally so will restrict owners to vessels specifically designed for this rule.</p> <p>I have the impression that there are existing WFSV's that have been built in aluminium with a fuel tank abutting the forward end of the engine room. Is it an issue if that bulkhead is fire insulated to an appropriate standard?</p> <p>This would cause issues for vessel designs where the fuel tank aft bulkhead is also the forward bulkhead of the ER. With no grandfather clause in Appendix 9, existing vessels with fuel tanks forming part of the ER boundary would need a cofferdam retrofitted. We do not believe that the impact of this change has been properly assessed as the monetary impact for the work to retrofit cofferdams onto vessels with this arrangement are likely to be prohibitive</p> <p>In the 20+ years we have been operating we have had no incidents where having the fuel tanks in the engine rooms has caused or contributed to any safety related incidents. As longstanding stakeholders in the workboat industry we are not aware of any circumstances within the industry where the practice of having fuel tanks in engine rooms has caused safety related questions or problems. We are not aware of any concerns raised by CA's when inspecting our vessels. The only means of complying with this requirement, would be to remove the tanks from the engine rooms. To do this we will have to lengthen the vessel and add a dedicated fuel space. This will affect dozens of our vessels. These vessels are contracted to</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>customers and we would be unable to supply alternative vessels which will lead to loss of contracts, penalties and reputational damage. Modifications of this magnitude are not financially viable, we may as well build new vessels and having lost a significant portion overnight when the new code is implemented we will lose a significant portion of our revenue and will be in no position to replace these lost vessels. If we survived, there will be no further expansion of our business while we recover. There would also be significant job loss as a result of this requirement as this will effect a significant portion of our fleet, we would probably need to make in the region of 100 redundancies. What is the basis or assessment of this requirement and have the MCA considered the cost to the industry? Grandfather this requirement, apply to new build vessels with keels laid after implementation of the code and at major conversions.</p>	
	<p>Many UK workboats feature Structural Aluminium fuel tanks which share a bulkhead with the engine room. There is not a practical way of meeting this requirement. Would our in-built tanks be considered as a rigid aluminium tank and therefore not allowed to form part of the boundary? Unnecessary rule, as a minimum older vessels should be grandfathered, as it is close to impossible to implement (large scale welding in an old fuel tank).</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>8.12.5 A rigid plastic fuel tank shall not contribute to any additional fire risks, be fitted in the machinery space and shall not form part of a machinery space boundaries.</p>	<p>'How will a plastic fuel not contribute to any additional fire risks, what is envisaged as additional fire risks not associated with a plastic container full of fuel?</p> <p>If 'plastic' also refers to glass reinforced plastic (GRP), we would need to modify the two 7,500 litre integral tanks in our vessels at a cost of approximately £30,000 per vessel (x7 vessels). Removing the deck (100mm foam core) to do the work would cause significant structural challenges and possibly weaken the monolithic structure</p>	<p>A rigid plastic tank should not be used if it is in a position to melt following a machinery space fire etc which could then fuel the fire further.</p> <p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>8.12.6 A fuel ventilation pipe(s) from a fuel tank intended to be filled on board transfer pumps or a pressurised system shall have a diameter of 1.25 times the diameter of the filling pipe</p>	<p>Will fire insulation be acceptable where heating appliances are fitted in areas with fuel tanks? Grandfather this requirement, apply to new build vessels with keels laid after implementation of the code and at major conversions.</p>	

Workboat Code Edition 3 Consultation Feedback

<p>8.12.7 Spaces containing a fuel tank shall be ventilated. Where a petrol tank(s) is fitted, it shall meet the ventilation requirements of ISO 11105. See MIN XXX.</p>	<p>It's not clear whether this needs to be forced or natural ventilation. Modifying our older vessels to comply would be very costly as fuel tanks are moulded underneath the deck with no accessibility. It would not be economical to retrofit these vessels to comply.</p>	<p>Ventilation type not specified which would dictate that either is appropriate. The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>8.12.9 A petrol tank(s) must not be filled or decanted whilst the vessel is at sea.</p>	<p>Is this the right section for this?</p>	<p>This is correct as drafted.</p>
	<p>This seems to directly contradict 8.12.9 which states a petrol tank shall not be filled at sea. Why else would spare fuel be carried - in case of contamination and having to clear the filters and then use good fuel. This may result in a number of vessels having fuel problems or running out of fuel and rendered unable to use their spare supplies. Does this mean a vessel operator will have to call for assistance on each such occurrence?</p>	<p>Noted. Clarification will be provided.</p>
<p>8.12.2 All fuel tanks shall be constructed of a fuel and corrosion resistant material.</p>	<p>What equivalence is in place for existing vessels with clean bare steel internal finishes? This has been accepted throughout every Code. For future steel construction, should it be assumed fuel tanks should now be fabricated from stainless steel, or should a material barrier/coating be included preventing corrosion? ISO references are given, but without purchasing each standard the owner/operator cannot assess an existing vessel. Best Case: Exemption for existing vessels. Worst Case: Every tank is removed and replaced with a stainless steel tank.</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>8.12.4 A rigid aluminium fuel tank(s) shall not be fitted within a machinery space(s) or form part of the machinery space boundary.</p>	<p>This is a reconstructed paragraph from WBC2 for new constructions. Many existing craft built including those built to Class rules on the Brown Code form these boundaries. What provision of equivalence is in place? Should owner/operators be prepared for extensive remodelling of existing craft? "Rigid" isn't within the definitions. Aluminium day tanks are now outlawed. Cost impact to existing vessel owners</p>	
<p>8.12.6 A fuel tank(s) shall not be fitted in an area containing a heating appliance(s).</p>	<p>"area" is not defined in the definition section. The "area" or perimeter should be advised. Does a steel fuel tank forming a bulkhead boundary apply? Spaces where a heating appliance is likely to be installed will be in a machinery spare, in proximity of a fuel supply e.g. day tanks. Is it seen acceptable to have a fuel pipe with a bolted flange above a heating appliance? Does evidence exist to justify</p>	<p>Noted. MCA to clarify the requirements.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>this clause? Relocation of oil fired heating systems which for years have not posed any risk.</p>	
<p>8.13.2 Spare petrol shall be: .1 carried in a maximum of two 5 litre portable containers; and .2 stowed securely on the weather deck where they can readily be jettisoned and where any spillage drains directly overboard; and .3 in an approved and clearly marked containers which are ventilated.</p>	<p>'Is 5l as usefully practical limit, what is the point of carrying spare if this is all you can carry,</p>	<p>Noted. MCA will review the limitations</p>
<p>8.13.3 Where it is impracticable to meet the petrol stowage requirements of 8.12.2.2 a vessel shall be permitted to carry a maximum of one 5 litre container of petrol stowed in a deck locker which meets the requirements of 15.4.2.</p>	<p>Incorrect reference - 8.12.2.2 does not exist</p>	<p>Noted.</p>
<p>8.14.1 Pipes carrying flammable liquids or gases shall not pass through accommodation spaces. Where this is unavoidable it may be permitted on a case by case basis subject to approval of the Certifying Authority provided that the following are met: .1 pipes shall be constructed of seamless steel, and shall be as short as possible; and</p>	<p>Due to the size of many workboats routing of pipework is often and inevitably through the accommodation spaces. As with our comment above regarding the fuel tanks, this would require significant modification to the vessels, if at all possible. As catamarans, each hull is a mirror of the opposite side. The compartments are connected longitudinally, but not inter connected athwartships. To run any pipework from aft to fwd inevitably means the pipework will pass through any space longitudinally in each hull. Have the MCA considered these design limitations and considered alternative standards? In the history of our company, this has never introduced any additional risk or accident. Remove this additional requirement. Due to the size of vessels it can in many cases not be avoided.</p>	<p>This requirement does not blanket refuse pipes to pass through accommodation spaces, but rather mandates that they are reviewed case by case in situations where this is unavoidable.</p>

Workboat Code Edition 3 Consultation Feedback

<p>2 pipes shall not have joints. Where this is unavoidable due to the design of the system:</p> <ul style="list-style-type: none">.1 for pipes over 25 mm OD joints shall be fully welded sleeves;.2 for pipes under 25 mm OD joints shall be made of steel compression fittings approved for the intended service and the number of compression couplings shall be kept to a minimum;and.3 pipes which may be subject to a pressure head shall be provided with either a means of isolation from the tank(s) producing the pressure head or means of stopping supply pumps. The means of isolation or pump stops shall be easily accessible from locations both within and outside the accommodation space;and.4 pumps, piping and associated equipment located below a false floor or deck shall be separated from the accommodation space by a vapour-proof enclosure or cofferdam. The		
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Workboat Code Edition 3 Consultation Feedback

<p>enclosure or cofferdam shall be suitably ventilated and drained with leakage indication, fitted to the drain, capable of providing an audible alarm. Where mechanical ventilation is used Extrated22 fans shall be installed; and .5 Hydrocarbon (HC) gas/vapour detection shall be fitted within the vapour-proof enclosure or cofferdam; and .6 Pipes located behind linings may be permitted provided they are fitted within a vapour-proof enclosure; and .7 Pipe systems shall be tested at 1.5 times the working pressure or 3.5 bar whichever is the greater, subject to the satisfaction of the Certifying Authority; and .8 Where pipes pass through bulkheads, decks or deckheads these penetrations shall be sealed with an approved bulkhead gland and shall be insulated in accordance with the required bulkhead division or class.</p>		
<p>8.15.1 A vessel owner/operator shall meet the requirements for the protection of all persons on board from the risks related to exposure to noise at work as</p>	<p>Does this relate to date of entry into force? Can an explicit/suitable transition period be implemented so that unintended impacts on production, costs and supply chains are averted? At first renewal examination, or three years after date of entry into force, whichever is later.</p>	<p>This is an existing requirement under WBC2.</p>

Workboat Code Edition 3 Consultation Feedback

detailed in the Merchant Shipping and Fishing Vessels (Control of Noise at Work) Regulations 2007. See MIN XXX.		
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9: Electrical Installations

Section of Code	Feedback Received	MCA Position
<p>9 Electrical Installations</p>	<p>In small workboats where the radio power supply or navigation lights and navigation equipment is provided by a system backed up by the ship's system battery, this should be considered sufficient 'independence' of power supply: A completely separate power source (in addition to the ship's systems battery should not be needed.</p>	<p>Noted with thanks. This is not a change from previous versions of the code. It is essential that comms and lighting systems have emergency power available</p>
<p>9.1.3 All exposed non-current carrying conductive parts of both fixed and portable electrical equipment which are liable under fault conditions to become live (including similar parts inside non-metallic enclosures) are to be connected to earth unless the equipment is: .1 supplied at a voltage not exceeding 50 V direct current or 50 V root mean square between conductors, achieved without the use of autotransformers, or; .2 supplied at a voltage not exceeding 250 V by safety isolating transformers supplying only one consuming device, or; .3 constructed in accordance with the principle of double insulation (Class II) as per IEC 61440 or equivalent insulation intended to prevent the appearance of dangerous voltages on its accessible parts due to a fault in the basic insulation.</p>	<p>.2 & .3 should also require insulation monitoring or earth leakage protection</p>	<p>The MCA note your comment with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>9.2.2 For lighting distribution in accommodation and working spaces, the lighting shall be distributed on different final circuits to maintain a level of lighting in case of failure of a single distribution circuit.</p>	<p>Can MCA confirm how will this be applied to older vessels and in smaller spaces where there may only be two lights?</p>	<p>Noted with thanks. MCA to consider implication to existing vessels.</p>
<p>9.3.1.5 A battery disconnect switch shall be provided to simultaneously isolate all nonearthened poles</p>	<p>What is the basis for this requirement? Grandfather this requirement, apply to new build vessels with keels laid after implementation of the code and at major conversions.</p>	<p>This is not a change from previous versions of the code.</p>
<p>9.3.2.3 Where there is a possibility of dangerous gases occurring within the battery stowage space, the space shall be ventilated. Where ventilated, air shall be supplied at a level below the top of the batteries, and shall be exhausted from the highest point of the space directly to the open air. The system shall be designed in a way that dangerous gases may not re-enter the battery stowage space.</p>	<p>It should be considered that all battery spaces have such a possibility, eg under fault charging conditions Is this in all modes of operation? Lead-acid batts can emit H2 when charging. Li-ion batts don't emit gas unless they are malfunctioning</p>	<p>Noted. Yes, this is in all intended modes of operation.</p>
<p>9.7.1.1 Where a vessel's general lighting is provided by a centralised electrical system, an alternative source of lighting shall be provided by either an emergency power supply or an independent light source.</p>	<p>Can be by dedicated torches located at exits on small vessels?</p>	<p>This would meet the criteria of an independent light source, if it is guaranteed that the torches were of sufficient number, brightness and duration of power</p>
<p>9.7.2 Emergency Radio</p>	<p>Emergency power 3 hours in event of main failure to radios</p>	<p>This is correct</p>

Workboat Code Edition 3 Consultation Feedback

<p>9.7.2.1 Emergency power supplies to fixed radio equipment shall be designed and installed to supply the equipment for a minimum of 3 hours in the event of failure of the main electrical supply.</p>	<p>Please confirm if a secondary supply is required? Grandfather this requirement, apply to new build vessels with keels laid after implementation of the code and at major conversions.</p>	<p>This is not a change from previous versions of the code.</p>
<p>9.7.3.1 Emergency power supplies shall be readily available to supply navigation lights and navigation equipment for a minimum of 3 hours.</p>	<p>Emergency power supplies – this is completely impractical for small Cabin Ribs. There is no space to install and retrofit such equipment on our MGN280 and Brown Code vessels</p>	<p>Noted with thanks. MCA to consider implication to existing vessels.</p>

10: Steering, Rudder, and Propulsion Systems

Section of Code	Feedback Received	MCA Position
<p>10.4.1 The design, construction and fittings of the propulsion system shall be to an appropriate standard and to the approval of the Certifying Authority.</p>	<p>'This is a very vague requirement, particularly when taken in combination with the definition which includes everything covered in the previous chapter, there is no value in this requirement which should be improved and probably limited to just equip[ment after the prime mover output shaft - i.e. shaft, bearings, brackets, prop, waterjet</p>	<p>The standards referenced in MIN XXX set out the required standards.</p>

Workboat Code Edition 3 Consultation Feedback

11: Bilge Pumping

Section of Code	Feedback Received	MCA Position
<p>11 Bilge Pumping</p>	<p>Portable pumps no longer an option - even for emergency backup?</p>	<p>Portable pumps have not been excluded from the code</p>
	<p>In general this should be bought in line or accepted as an alternative to follow ISO 15083, this is generally easier to follow and has set capacities per pump which is easier for builders to understand with the more general way of modern bilge pumping installation on vessels.</p>	<p>Noted, MCA to consider including this as an alternate acceptable standard.</p>
	<p>This is repetition of 11.2.1.2 and is illogical, because reading it literally means that duplicate bilge pumps must be carried. Section 11.2.1.1 disables Section 11.2.1.1, then this Section refers back to Section 11.2.1.1.</p>	<p>It is not clear what the respondent is asking. The code is correct as drafted.</p>
	<p>This is an excessive requirement for vessels with multiple small compartments where the consequences of flooding in a space is not significant wrt stability, FB, presence of vulnerable safety related systems/equipment. A clause with similar wording to 11.1.7 would be useful</p>	<p>11.1.7 covers this requirement</p>
	<p>This wording doesn't work for a centralised bilge system where an engine driven pump is not "situated in each separate space". This is open to mis-interpretation. Where electrical bilge pumps are powered by the ship's battery supplied system, the vessel should not have to require two (or more) separate battery supply / distribution systems one for each bilge pump. Two (or more) separate supplies from the switch to pump should be sufficient and acceptable. The MCA's intentions require clarification.</p>	<p>It is not clear what the respondent is asking. The code is correct as drafted.</p>
	<p>This needs revision. Many RIBs and open boats use a special drain sump for the suction for a cockpit bilge pump suction. It would not be sensible to disallow these by mis-interpretation of this Regulation.</p>	<p>The code does not disallow this feature</p>
<p>11.1.2 A bilge suction line shall be fitted with an efficient strum box to protect from obstruction.</p>	<p>The wording has changed from WB2. Previously requirement allowed for discretion, 'if necessary'. This would require major modification for some vessels. What is the basis for this requirement, considering many vessels have been operating safely without a strum box, which was considered not necessary for many years? Grandfather this requirement, apply to new build vessels with keels laid after implementation of the code and at major conversions.</p>	<p>Noted with thanks. MCA to consider implication to existing vessels.</p>
<p>11.2.1.1 A vessel shall have at least one hand bilge pump and one engine driven or independently powered bilge pump, which shall be</p>	<p>Would welcome clarity or interpretation of this clause from surveyors for practical purposes.</p>	<p>Noted</p>
	<p>'How independent do the power sources have to be? Separate generators/batteries, or just separate sub-circuits on the same board, or different sides of the board?</p>	<p>The requirement is for separate power sources</p>

Workboat Code Edition 3 Consultation Feedback

<p>situated in each separate space. If two powered pumps are provided, they shall be powered by independent sources. All pumped spaces shall be capable of being drained after the failure of one pump.</p>		
<p>11.2.3.2 Open boats, rigid inflatable boats, inflatable boats and boats fitted with a buoyant collar of 6 metres in length and over, shall carry a hand bailer, or a bucket of minimum capacity of 10 litres, in addition to the bilge pumping requirements in section 11.2.1.1.</p>	<p>Is this an extension to 11.2.1.1? Does the linkage provide a challenge for operations? Should the clause 11.2.3.2 read "6 metres in length and under" rather than "over" for boats fitted with a buoyant collar?</p>	<p>11.2.1.1 provides the general requirements, 11.2.3.2 adds any additional requirements based on vessel type and area of operation. 11.2.3.2 is correct in applying additional requirements for vessels over 6m. 11.2.1.2 states the requirements for vessels under 6m.</p>
	<p>If bilge pumps are not there for damage control and ribs have inherent buoyancy meaning if the hull does have ingress of water its instant removal isn't a necessity. This section should be removed or compliance to the ISO 6185 series inc self-bailing cockpits and drainage bung should be accepted. The addition of bilge pumps will mean access to the bilge pump/s will need to be introduced increasing the likely hood of the ingress of water.</p>	<p>Noted</p>
<p>11.3.1 A bilge alarm shall be fitted: .1 in any watertight compartment containing propulsion machinery; and .2 in any other compartment where there is a risk of accumulation of bilge water, or where the ingress of water may not be readily seen.</p>	<p>This is an excessive requirement for vessels with multiple small compartments where the consequences of flooding in a space is not significant wrt stability, FB, presence of vulnerable safety related systems/equipment. A clause with similar wording to 11.1.7 would be useful</p>	<p>11.1.7 covers this requirement</p>

Workboat Code Edition 3 Consultation Feedback

12: Stability

Section of Code	Feedback Received	MCA Position
12 Stability	Given the proposed changes to anchors, weights of personnel, then nearly all vessels will require new stability book despite having operated in many cases for years without issue	The MCA note your comment with thanks
	It is stated within section 12.1.1.1.2 that "For the purposes of this Code...where a person weighs less than 82.5 kg, additional weight shall be carried so the total weight of person and weight is a minimum of 82.5 kg". The intention that this refers to the stability assessment is clear, however as written it could be implied that at all times whilst operating POB require to be at least 82.5kg. It is suggested that this should be clarified. It is also noted that within Section 12 there is reference to CA's conducting full stability assessments. It is suggested that in such cases the role of the CA should be to witness, review and approve to avoid any conflict of interest issues.	The MCA note your comment with thanks
	It is widely beleived that the current SIB requirements for under 24m are not fit for purpose . There are not many Masters with knowledge and understanding of the vessels SIB, and if they can't or won't take the time to digest the book it not worth the paper its written on. A simpler more straight forward user friendly stability manual or App backed up with stability file for the Naval Architects and certifiers would be a far better contribution to vessel safety .	The MCA is developing a Stability Information Booklet template for Workboats
	Some flexibility on form a and content required. WE rarely get a SIB submission that follows the model SIB to the letter & the model SIB difficult to achieve within a reasonable number of pages. The key requirement is missing here in that the SIB should be of a form and content that allows the Master to reasonably establish the vessel's stability over the possible range of operational conditions.	
	There is no requirement for independant verification of bollard pull, so often owner /designer declared figures are used.	The MCA note your comment with thanks
	500mm minimum f.b. impractical and unachievable for many small boats many of which will not have 500mm upright f.b. So the safer bow or stern lift has stricter min. fb criteria than over side lifting. Half upright freeboard at side should be more than adequate. This impractical & unnecessary for smaller vessels, particularly those with continuous watertight deck, stepped or recessed.	The MCA note your comment with thanks
	The variable radius condition excludes a lot of small knuckle boom cranes which quite obviously have pose no risk to vessel stability in some case less so than a fixed radius davit. It woudl be far better if this restriction was lifted and the the 1% / 200kg in 12B.4.5.2 changed out for an maximum rated lift moment based on vessel displacement.	The MCA note your comment with thanks and amendments may be made where appropriate

Workboat Code Edition 3 Consultation Feedback

	<p>This impractical & unnecessary for smaller vessels, particularly those with continuous watertight deck, stepped or recessed.</p>	<p>The MCA note your comment with thanks</p>
	<p>Not sure of the relevance of this if vessel carries more than 1000kg it is required to have a SIB which would normally include maximum VCG data</p>	<p>The MCA note your comment with thanks</p>
	<p>Not sure how this can be complied with in practice. Max load condition either dictates assigned freeboard or vis versa. Doesn't matter how you apply it in the SIB the 5% margin become an available un assigned quantity of deadw, so in practice if master loads to FB mark then he will be using the 5% margin to increase cargo. Maybe better is this referred to the maximum cargo as recorded on vessel certificate and WB2</p>	<p>The MCA note your comment with thanks</p>
	<p>This requirement has been present in the previous revisions of the code and it seems to have been universally mis-applied since it tends indicates a 2 tier approval of any form of towing. 1. greater than 2 times displacement, full SIB with towing conditions included. 2. less than 2 x displacement. tow only permitted if compliant with this standard. Where we have a complex vessel with SIB that does not require towing > 2 x displacement. Should the book contain a section demonstrating compliance with this requirement. (could be based on inclining experiment results)? Also needs a clearer definition of displacement: Load displacement? Lightship? Operational displacement when towing? Just a note if towing is allowed we stress under what conditions – otherwise it isn't on the certificate. Most owners/operators have been working on the assumption that tows of <2x displacement don't fall under the definition of towing and so permissible under standard certificate wording. Do we need to specify towing displacement limit on certificate?</p>	<p>This is now clarified in 12A.4, 12B.5 and Section 26</p>
	<p>Also open boat provided it is not fitted with inflatable tube.</p>	<p>It is not clear what the respondent is asking. The code is correct as drafted.</p>
	<p>Conflict with 5.1.7 which allows vessels with non compliant fb decks to be treated as open boats. In heeled condition?</p>	<p>Do not believe there is any conflict and the requirements are correct as set out in the relevant sections</p>
	<p>It would be useful for owners if the heel test result allows loading to the max capacity of the loading of the vessel wrt heel angle/freeboard. In practice, this can be difficult to do with any degree of precision so it should be possible to</p>	<p>It is not clear what the respondent is asking. The code is correct as drafted and is not a</p>

Workboat Code Edition 3 Consultation Feedback

	extrapolate the results, this on the basis that the load moment/heel angle/min FB is substantially linear at these small angles	change from previous versions of the code
	Significantly different is not a definable term. The difference should be specified. Can we not use 2% of lightship and LCG 1%. As per MA above there should at least be guidance on significant difference. This leaves the door open for inconsistency of application across CAs and potential significant commercial advantage to owners. No it is not the responsibility of CA to carry out the full stability analysis - only to instruct the owner to have a full analysis carried out by a competent person, for submission and approval by the CA.	Noted. MCA to clarify the requirements.
	So all vessels that operate in temperate regions (or warmer) will now, from introduction of WB3, require to have comment on certificate and in SIB that they must not operate in icing conditions.	That is correct.
12.1.1.1 For the purposes of this Code: .1 a person shall weigh a minimum of 82.5 kg; .2 where a person weighs less than 82.5 kg, additional weight shall be carried so the total weight of person and weight is a minimum of 82.5 kg; .3 where a weight is used in lieu of a person, this shall weigh a minimum of 82.5 kg	Do we have to ensure that stability conditions have to be re-calculated & re-approved for the vessels effected SIB's? Existing Approved Stability Books should be accepted without modification.	Noted with thanks. MCA to consider implication to existing vessels.
	Carried for the purposes of the stability tests/calculations? As currently written this suggests that a boat operating with a 70kg pob would need to carry additional weight whilst operating/to compensate. Does this mean recalculating/reapproving SIB and new heel tests on existing MGN280 vessels where 75Kg was used	This sets out the requirement for testing, not mandating the carriage of additional weight whilst operating. Will clarify wording.
12.1.1.2 The following vessels are required to be provided with a Stability Information Booklet which is approved by the Certifying Authority (see section 12B): .1 vessels operating in area category of operation 0 or 1; .2 vessels carrying 16 or more persons; .3 vessels carrying cargo exceeding 1,000 kg or where the cargo element may create a free	The stability books use 75kg as a person weight and the new requirement is 82.5kg, this may necessitate a revision of the book. Does the change in this mean that stability conditions have to be re-calculated & Re-approved? How about Inclining experiment? Existing Approved Stability Books should be accepted without modification.	Noted with thanks. MCA to consider implication to existing vessels.
	After 26.1.1.2 add 'and 26.1.1.3'.	These are different requirements and not appropriate to include reference to both here.
	'This is odd wording and implies that additional weights may need to be carried at all times however the intent is only for the purposes of conducting a stability demonstration - this should be clearer	This sets out the requirement for testing, not mandating the carriage of additional weight whilst operating. Will clarify wording.

Workboat Code Edition 3 Consultation Feedback

<p>surface effect which may affect stability of the vessel; .4 vessels fitted with a lifting device(s) including vessels engaged in dredging activities (see 12B.4); .5 vessels towing where the displacement of the towed vessel or floating object is greater than twice the displacement of the towing vessel, except as provided for by 26.1.1.2. See section 12B.5 and 26; or .6 seagoing pilot boats (see section 27). For guidance on the content and structure of a Stability Information Booklet and the stability assessment see MIN XXX.</p>	<p>Adjusting the person weight to 82.5kg means all our SIBs need rewriting and recalculating at significant cost in professional fees and taking our vessels out of service.</p>	<p>Noted with thanks. MCA to consider implication to existing vessels.</p>
<p>12.1.1.4 A vessel operating in area(s) where there is a risk of icing shall either be provided with a Stability Information Booklet including conditions with icing allowances approved by the Certifying Authority, or avoid operating in this area(s) in winter (1 November to 30 April inclusive for northern areas, 15 April to 15 October for southern areas). A vessel which is not approved to operate in area(s) where there is a risk of icing shall have this noted in its approved Stability Information Booklet and Certificate.</p>	<p>Which standard of icing stability is required to be used? There is quite a difference between the 'half icing' for UK under 24m fishing vessels (15kg/sq.m on exposed decks) and the BV rule (30kg/sq.m on exposed decks). Not only is there a difference in weight requirement, there are different areas of effect. <u>Suggest using the same standards as UK fishing vessels.</u></p>	<p>The MCA note your comment with thanks</p>
<p>12.1.1.5</p>	<p>The CA would not undertake the lightship check. It would be better to not that the CA may require or request a lightship or freeboard check in order to review</p>	<p>Noted. MCA to clarify the requirements.</p>

Workboat Code Edition 3 Consultation Feedback

<p>Where a vessel has been modified from the condition that was subject to the previous stability assessment, the vessel owner/operator shall inform the Certifying Authority who may undertake a lightship or freeboard check. If the lightship or freeboard is significantly different, then the Certifying Authority shall conduct a full stability analysis.</p>	<p>the analysis. We would not conduct a full stability analysis as this would be a conflict of interest but we would review it.</p>	
	<p>Can MCA quantify what constitutes a "significantly different" with regards lightship and freeboard changes. MSN 1823 makes reference to lightship deviations over 2% of displacement; will a similar arrangement be applied under this Code?</p>	
	<p>It would be helpful if there was guidance as to what the MCA considers the parameters to be significantly different. It would be helpful if there was clear advice on when a Lightship Survey is required? And what variance from the original condition warrants a new Stability Information Booklet? And what variance from the original Stability Information Booklet warrants a fresh inclining test/experiment?</p>	
	<p>Shall conduct or shall require to be conducted?</p>	
<p>12A2.1 A vessel shall be tested in the fully loaded condition(s) 25 which shall correspond to the assigned freeboard. Testing shall ascertain the resulting angle of heel and position of the waterline when the maximum number of persons the vessel is certificated to carry are assembled along one side of the vessel (the helmsman may be assumed to be at the helm).</p>	<p>It would be useful for owners if the heel test result allows loading to the max capacity of loading of the vessel wrt heel angle/freeboard. In practice, this can be difficult to do with any degree of precision so it should be possible to extrapolate the results, this on the basis that the load moment/heel angle/min FB is substantially linear at these small angles</p>	<p>It is not clear what the respondent is asking. The code is correct as drafted and is not a change from previous versions of the code</p>
<p>12A2.3 In addition, for decked vessels the freeboard to deck shall not be less than 75 mm at any point.</p>	<p>In heeled condition?</p>	<p>In any condition.</p>
<p>12A.2.5 Vessels complying with any option of section 5.3 of ISO 12217 Part 1 (see MIN XXX) may as an alternative, after verification of the stability assessment by the Certifying Authority, be assigned an area category of operation in accordance with the following Table 12A.2.5:</p>	<p>How is compliance to ISO 12217 to be evidenced?</p>	<p>The standard details what compliance documentation is required, typically this would be a document of compliance.</p>

Workboat Code Edition 3 Consultation Feedback

<p>12A.3 Stability and Survivability of Open Boats, Inflatable Boats, Rigid Inflatable Boats or Boats with a Buoyant Collar</p>	<p>Vessels meeting the ISO 6185 series (the applicable std for the size/power) and signed off by an approved body should be accepted.</p>	<p>All appropriate standards will be included in MIN XXX and the acceptable modules of assessment are included in the code.</p>
<p>12A3.3.2 The damage test(s) shall be carried out: .1 with forward buoyancy where appropriate); compartment deflated (both sides .2 with the entire buoyancy compartment from the centre line at the stem to the transom on one side deflated.</p>	<p>12A.3.3.2/3 is about damage to tubes but the section also applies to non-tubed open boats so this part needs to be re-worded</p>	<p>The MCA note your comment with thanks</p>
<p>12A3.3.3 The tests will be successful if, for each of the conditions of simulated damage above, the maximum number of persons the vessel is certificated to carry are supported within vessel, and the requirements of 12A.3.2.3 are met.</p>	<p>12A.3.3.2/3 is about damage to tubes but the section also applies to non-tubed open boats so this part needs to be re-worded</p>	<p>The MCA note your comment with thanks</p>
<p>12A.3.3.4 A boat fitted with a buoyant collar is not required to undertake the test in 12A.3.3.2.</p>	<p>It might prove helpful to define a “buoyant collar” in section 2 definitions</p>	<p>“Boat fitted with a buoyant collar” means a vessel of similar form to a rigid inflatable boat, where the inflatable tubes are replaced by solid, or hollow, buoyant sections.</p>
<p>12A.3.4.1 The swamp test shall be carried out by fully swamping the vessel and meeting the following carriage requirements:</p>	<p>How in practise would a swamp test ensure a vessel has a reserve buoyancy of 10%? All known weights would then have to be calculated and then additional weight added. Why is an additional 10% being added to RIBs and vessels with a buoyant collar?</p>	<p>This is not a change from the existing requirements of the code.</p>

Workboat Code Edition 3 Consultation Feedback

<p>.1 all the vessel's equipment; and .2 a full fuel tank; and .3 a mass equivalent to its engine; and .4 cargo; and .5 activity related equipment; and .6 the maximum number of persons the vessel is certificated to carry. During the swamp test the vessel shall have a reserve buoyancy of 10%.</p>		
<p>12A4 Stability of Vessels Engaged in Towing where the displacement of the towed object is less than or equal to twice the displacement of the towing vessel</p>	<p>'A cross reference to the towing section Ch.26 would be useful here as it doesn't make a lot of sense in isolation, particularly 12A.4.1</p>	<p>The MCA note your comment with thanks</p>
<p>12A4.1 The danger to safety of deck edge immersion makes an open boat (other than those assessed in accordance with section 5.1.5) unsuitable for towing other vessels or floating objects other than side by side. Open boats may only tow vessels more than twice their displacement side by side in harbour areas and in area categories of operation 5 and 6, in favourable weather.</p>	<p>See comment at 5.1.5: This needs amplifying to indicate the conditions under which the CA may grant approval for such operations for open boats After 'side by side' in both sentences add 'or by pushing', same argument as above, no reason to disallow.</p>	<p>Noted with thanks This limitation is intentional, section 26 refers.</p>
<p>12A.4.2 The stability of a vessel engaged in towing where the displacement of the towed object is less than twice the displacement of the towing vessel shall be considered satisfactory where the following conditions are met:</p>	<p>MGN280 & Brown Code had no particular extra provisions for "simple" vessels engaged in light towing. These extra requirements appeared in WB2 but I don't recall any discussion on this within that TWG. So is it really necessary to introduce these extra requirements for simple, light displacement workboats? Has a particular danger been identified in practice? Of course other aspects of towing safety still apply</p>	<p>These requirements have been added to increase overall safety of towing in the sector.</p>

Workboat Code Edition 3 Consultation Feedback

<p>.1 in the normal working condition, the freeboard is such that the deck edge is not immersed at an angle of less than 10°; and .2 the heel test shall have the following result:... .3 the heel test shall be carried out in small increments in both directions. The average resultant heel angle shall be noted for the average heeling moment wd.</p>		
<p>12B Vessels required to be issued with an approved Stability Information Booklet</p>	<p>No mention of incline requiring to be witnessed by someone approved by the Certifying Authority, this is only mentioned for vessels towing in 12B.5.2</p>	<p>This is correct and not a change from previous versions of the code</p>
	<p>Would be beneficial to get surveyors feedback/input/interpretation to this. Opportunity for stability book section to become obsolete if a suitable solution to deliver greater utility from the stability book can be provided.</p>	<p>Noted</p>
<p>12B.3 Intact Stability</p>	<p>No mention of water tubes being allowed</p>	<p>It is not clear what the respondent is asking. This is not a change from previous versions of the code</p>
	<p>How does this cover RIBs?</p>	<p>RIBs would follow the requirements set out in 12A.3.</p>
<p>12B.4.3.3 A vessel fitted with a lifting device(s) operating at its maximum load and heeling moments shall demonstrate to the satisfaction of the Certifying Authority, by practical test or calculation(s), compliance with one of the following: .1 the angle of heel of the vessel shall not exceed 7° or an angle of heel which results in a minimum freeboard to deck edge of 250 mm anywhere on the periphery of</p>	<p>Min FB 500mm. This is impractical & unnecessary for smaller vessels, & not achievable for those with continuous watertight deck, stepped or recessed.</p>	<p>This is not a change from previous versions of the code and the limitation on freeboard is a safety issue</p>

Workboat Code Edition 3 Consultation Feedback

<p>the vessel, whichever is the lesser angle; or</p> <p>.2 where the angle of heel is greater than 7° but does not exceed 10° the following criteria shall be met:</p> <p>.1 the range of stability from the angle of equilibrium to downflooding or angle of vanishing stability, whichever is the lesser, is equal to or greater than 20°; and</p> <p>.2 the area under the righting lever curve (GZ curve), up to 40° from the angle of equilibrium or the downflooding angle, if this is less than 40°, is equal to or greater than 0.1 metre-radians;</p> <p>.3 the minimum freeboard to deck edge at side, measured at Aft perpendicular (A.P.) and Forward perpendicular (F.P.) throughout the lifting operations shall not be less than half the assigned freeboard to deck edge at side amidships. For vessels with less than 1000 mm assigned freeboard to deck edge amidships the freeboard at A.P. or F.P. at deck edge shall not be less than 500 mm; and</p> <p>.4 the freeboard to deck edge anywhere on the periphery of the vessel is at least 250 mm; or</p> <p>.5 a vessel which is unable to comply with the requirements of section 12B.4.2 or if fitted with a lifting system which incorporates either counterbalance weight(s) or counter ballasting may be</p>		
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Workboat Code Edition 3 Consultation Feedback

<p>permitted on a case-by-case basis. Where the Certifying Authority considers the vessel to have adequate residual stability application for special consideration shall be submitted to the Administration.</p>		
<p>12B.3.4 Curves of static stability (GZ curves) shall be produced for: .1 Loaded departure, 100% consumables; .2 Loaded arrival, 10% consumables; .3 Anticipated service conditions; .4 Conditions involving lifting appliances (where appropriate).</p>	<p>There is an ambiguity, or scope for different interpretations. 12B.3.4 requires GZ curves for anticipated service conditions and conditions involving lifting appliances 12B.3.8 defines the criteria that loaded conditions shall meet And Section 12B.4 sets out lifting criteria. It is not made clear whether vessels should always meet the criteria as outlined in 12B.3.8 concurrently as the requirements in 12B.3.8 If the Code does not require compliance to 12B.3.4 during lifting operations, then perhaps the code should provide guidance as to the sea state where it is acceptable to operate a lifting device?</p>	<p>The MCA note your comment with thanks. This requirement is unchanged from Workboat Code Edition 2.</p>
<p>12B4.6.5 A vessel fitted with a stern or bow gantry or a lifting device located on the centre line shall meet the following criteria: .1 A lifting device or 'A-frame' shall operate at its maximum vertical moment; and .2 the range of stability from the angle of equilibrium to downflooding or angle of vanishing stability, whichever is the lesser, is equal to or greater than 15°; and .3 the residual area under GZ, up to 40° or the downflooding angle, if this is less than 40°, is equal to or greater than 0.10 metreradians; and .4 GM shall be greater than or equal to 0.05 m; and .5 the minimum freeboard to deck edge at bow, side or transom,</p>	<p>wrt centre line lifting appliances/gantries. This impractical & unnecessary for smaller vessels, particularly those with continuous watertight deck, stepped or recessed.</p>	<p>The MCA note your comment with thanks. This requirement is unchanged from Workboat Code Edition 2.</p>

Workboat Code Edition 3 Consultation Feedback

<p>measured at A.P. and F.P. throughout the lifting operations shall not be less than half the assigned freeboard to deck edge at side amidships or at the transom. For vessels with less than 1000 mm assigned freeboard to deck edge amidships the freeboard at A.P. or F.P. at deck edge shall not be less than 500 mm; and .6 the freeboard to deck edge anywhere on the periphery of the vessel is at least 250 mm.</p>		
<p>12B.6.6 Where the Certifying Authority has a concern(s) with regards to a vessel's stability they may request a full assessment in place of a form and content check in 12B.6.5.4. (see Appendix 3).</p>	<p>I would challenge the authors of WB3 to explain when a Form and Content assessment is enough and how this can be completed without checking against the criteria of Appendix 3</p>	<p>The MCA note your comment with thanks. This requirement is unchanged from Workboat Code Edition 2.</p>
<p>12B.6.9 The Master of the vessel shall have a knowledge and understanding of the content of the vessel's Stability Information Booklet and shall ensure that the vessel is operated within the limiting conditions stated in the Stability Information Booklet.</p>	<p>Post PV Estuary Leader grounding on Dec 2021. How is this tested within the licencing of a pilot boat?</p>	<p>The responsibility for licencing Pilot Boat Masters sits with the Harbour Authorities</p>
<p>12B.5 Stability of Vessels Engaged in Towing where the displacement of the towed vessel or floating object is more than twice the displacement of the towing vessel</p>	<p>In section 12B.5.3 and 12B.5.4, we would comment that in the interests of harmonization with international and class requirements, we would expect that the preference is for IMO towing rules to be the preferred standard (12B.5.4), and the criteria mentioned in 12B.5.3 to be a secondary allowance for older or unusual vessels for which the IMO criteria is not achievable. Or to remove the 12B.5.3 criteria and replace with something along the lines of vessels older than the IMO rule can meet any IACS towing regulation from the time the vessel was constructed.</p>	<p>This is not a change from previous versions of the code. There is inherent difficulty in applying IMO requirements to non-convention vessels covered under this code</p>

Workboat Code Edition 3 Consultation Feedback

<p>12B.5.2 It is the responsibility of a vessel owner/operator to ensure that an inclining test(s) and calculation(s) of the lightship particulars are: .1 undertaken by a competent person(s), and .2 with an independent witness, approved by the Certifying Authority, who can attest that the conditions and the manner in which the test(s) are conducted are satisfactory.</p>	<p>In section 12B.5.2 the rule states that the inclining of a towing vessel should be undertaken by a competent person and an independent witness approved by the certifying authority. We are aware that the current situation within SCMS is that for vessels that are categories 2-6 inclusive, it is not required for there to be a witness at the inclining. Unsure if other certifying authorities have similar guidance. Is it the intention to make towing vessels a special case, or to require witnesses at all inclinings?</p>	<p>This is not a change from previous versions of the code. There requirements for independent witnessing remains.</p>
<p>12B.5.3 The stability of a vessel engaged in towing where the displacement of the towed vessel or floating object is more than twice the displacement of the towing vessel shall be considered satisfactory where the heeling lever does not exceed 0.5 times the maximum GZ for the critical loading condition. The height of the hawser shall be measured at: .1 where a fixed gog is always used the height of the hawser shall be measured at the fixed gog or side rails if higher; and .2 where a fixed gog is not always used the height of the hawser shall be measured at the top of the winch drum (with no towline deployed) or the side rails if higher. Where the maximum GZ occurs at a greater than 30° angle of heel, the value of GZ at 30° of heel shall be substituted.</p>	<p>'What is a 'fixed gog' this should be clarified in plain English as it is not a common nautical term</p>	<p>This is not a change from previous versions of the code. It is commonly understood by those who operate vessels that tow in this manner.</p>

13: Freeboard and Freeboard Marking

Section of Code	Feedback Received	MCA Position
<p>13 Freeboard and Freeboard Marking</p>	<p>This Section (or the previous Section) do not state the requirements for Freeboard marking of a vessel carrying less than 1,000 kg of cargo. Looks like an MCA editorial omission.</p>	<p>Covered under Section 13.1</p>
	<p>This ties up with the earlier MCA recognition that a number of successful RIBs have no transom.</p>	<p>Noted with thanks.</p>
	<p>A subtle change to the wording . It appears that a FW mark is now permitted. Not uncommon for vessel to load in FW before proceeding to sea. a FW mark would be benifical in this situation. Previously these vessel could never load to their maximum cargo without submerging the FB mark (unless the 5% margin had been applied in the SIB)</p>	
	<p>Still remains a great deal of confusion and inconsistency applying of corrections, by designers, & CAs. Should noting be corrected to applying. Consistency necessary across CAs to avoid commercial advantage and avoid issues on transfer. Rare to see winter allowance let along North Atlantic winter applied. Issue with code application since ILLC is based on geographical & seasonal limited but code on distance from safe haven. A boat coded for Cat 3 and operating in the channel can still passage to Shetland at any time of the year and cross into winter north Atlantic zone. Should Shetland based boats be disadvantaged due to geographical location. Given the ILLC is intended for ocean going convention ships some degree of pragmatism and compromise for cat 6,5,4,3 & maybe 2 should be possible and corrections waived at the discretion of the CA subject to conditions in the certificate. eg bow ht waived for car 6-4 favorable weather, protected waters, < 24hrs Winter & WNA waived for cat 3 < 24hrs For Cat 0, 1 & 2 if WNA correction has not been applied then certificate should be conditional on vessel ont operating in that zone within the designated winter season.</p>	
<p>13.1.1 The minimum freeboard requirements shall be met by either:</p>	<p>.1 Perhaps WB3 needs to provide guidance to CAs as to the checks that need to be made with regard to the declaration of conformity ... which modules ... self declared modules ... the competencies of the persons preparing the DOCs?</p>	

Workboat Code Edition 3 Consultation Feedback

<p>.1 complying with ISO 12217. A declaration of conformity must be provided to the Certifying Authority for validation prior to issuing of the Certificate; or .2 complying with the requirements of Table 13.1.2 as appropriate; or .3 complying with the requirements of the Merchant Shipping (Load Line) Regulations 1998 (SI 1998 No. 2241), as amended.</p>	<p>.3 By introducing this WB3 offers a very soft option, since Load Line Regulations tends towards very low freeboards for small vessels, which without TOTAL access to the calculations and drawings are impractical for the CA to check and verify. This may prove difficult in managing in the context of vessels which carry 1000 kg or less of cargo, bearing in mind that most nominated surveyors are not qualified naval architects. It is also worth considering that if a vessel cannot meet</p>	
<p>13.1.2 The freeboard for a vessel shall be calculated with the vessel in sea water, upright, in its normal trim and fully loaded with weights to compensate for both cargo and non-cargo deadweight items as certificated to be carried (each person taken as 82.5kg).</p>	<p>In section 13.1.2 the freeboard of different hull types of non stability book vessel is dictated. We understand this is not different information to that in WB code edition 2. It appears odd to us that the rule for a sheared deck requires much more freeboard than for a stepped deck of the same length, almost to the same extent as for open boats. We can envisage deck profiles which exploit this rule. Regarding the presentation of 13.1.2, the table is much clearer than the verbose statement from WB code edition 2.</p>	<p>Noted.</p>
<p>13.2.1 The minimum freeboard requirements shall be meet by complying with the Merchant Shipping (Load Line) Regulations 1998 (SI 1998 No. 2241), as amended.</p>	<p>'Typo 'meet' should read 'met'</p>	<p>Amended with thanks</p>
<p>13.3.1 A vessel which carry cargo or a combination of passengers, industrial personnel and cargo for which the cargo element exceeds 1000 kg, and which are not rigid inflatable boats, inflatable boats or boats fitted</p>	<p>Load Line Regulations tends towards very low freeboards for small vessels, which without TOTAL access to the calculations and drawings are impractical for the CA to check and verify. I have seen Stability Information Booklets submitted where vessels have failed the criteria of 13.1, but added a 1000kg of cargo as a load condition to pass lower freeboard requirements of the Load Line Regulations. This seems to be counter intuitive. I appreciate that this is nothing new, but IMO a better approach is in setting a</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>with a buoyant collar shall be marked with a freeboard mark in accordance with the Merchant Shipping (Load Line) Regulations 1998 (SI 1998 No. 2241), as amended, and have a scale of draught marks marked clearly at the bow and stern, on both sides of the vessel. The longitudinal position of the draught marks, relative to the longitudinal datum for the hydrostatic data, shall be recorded in the Stability Information Booklet, where provided.</p>	<p>lower limit based on the 13.1.2 values, i.e. should not be less than the freeboard calculated using 13.1.2</p>	
<p>13.3.4 A vessel shall not operate in a condition which will result in its freeboard marks being totally submerged when it is at rest and upright in calm sea water.</p>	<p>This implies that the horizontal bar could be submerged as long as part of circle remains visible</p>	<p>Noted.</p>
<p>13.4 Rigid Inflatable Boats, Inflatable Boats and Boats Fitted with a Buoyant Collar</p>	<p>Again this should be aligned with the ISO 6185 series, this includes tests for quick draining etc. What is the rational behind setting the min freeboard of the tubes if the vessel fully complies with 6185 series which includes level floatation when swamped and also quick draining cockpits. Compliance with 6185 and certified by an approved body should be accepted.</p>	
<p>13.4.3 Where the vessel is certified to carry more than 1000 kg of cargo it shall: .1 meet the minimum freeboard requirements for a vessel with a continuous watertight weather deck in accordance with section</p>	<p>End comments after .3 - How can the maximum permissible weight be recorded on the SWB2 and on the Certificate since the weight will depend on if the fuel tanks are full and other loading factors. Just having a maximum weight would be dangerous. The certificate should instead refer back to the approved stability book. I do not understand why an SWB2 document would need to refer to the maximum weight as this may not be known until the SIB is approved and even though it should refer back to the approved SIB as this may change or be dependent on other factors.</p>	<p>This is not a change from existing requirements.</p>

Workboat Code Edition 3 Consultation Feedback

<p>5.5.1.1, which is not stepped, recessed or raised (see Table 13.1.1; and .2 have a freeboard assigned in accordance with the Merchant Shipping (Load Line) Regulations 1998 (SI 1998 No. 2241) as amended; and .3 have a scale of draught marks marked clearly at the bow and stern. The minimum freeboards shall be recoded on the SWB2 and the maximum permissible weight shall be recorded on both the SWB2 on the Certificate for the vessel.</p>		
<p>3.15.1 A formal review of the Code shall be conducted in line with Regulation 26 of the 2023 Regulations. The Code requirements will be reviewed by an Industry Working Group, comprising representatives from the organisations listed in section 1 and any other members as deemed appropriate.</p>	<p>Will the review be published to the public domain?</p>	<p>The review will be published in accordance with the 2023 Regulations.</p>

14: Life Saving Appliances

Section of Code	Feedback Received	MCA Position
<p>14 Life Saving Appliances</p>	<p>The requirement to carry 100% gas-inflatable re-arming kits will need to be explained to clients operating vessels in A. rea Category. New</p>	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>requirement to carry PLBs will have to be explained to clients operating in Area Category 2 and further to sea. Does this mean 'Buoyant or Hand Held" as for other Areas?</p>	
	<p>Section 14 – Just a note that ISO 9650 part 1 and 2 have now been combined and the scope increased to allow capacity up to 16 people. This means part E of the table Table 14.2.5.1 is incorrect.</p>	<p>Noted with thanks. MCA to check and update.</p>
	<p>MGN 609 states any Class IX tug under 500 gt must apply for exemption for carriage of rescue boat, surely any tug operating under the workboat cat 0-3 or 4 should also do the same other wise it can be a race to the bottom</p>	<p>MGN 609 provides an exemption for CLASS IX vessels of <500GT in categorized waters only, or in specific circumstances (port towage operation outside of categorized waters & transit voyages outside of categorized waters so long as the vessel is not conducting operations involving towing, passengers... Vessels operating in Cat 0-4 would not be eligible for this exemption.</p>
	<p>LSA eqpt should be the same as Class IX tug below 500 gt as per MSN 1676 as amended (unless operating in Cat C waters or less only, other wise this is a race to the bottom</p>	<p>Covered by life-raft carriage being applicable to all vessels.</p>
	<p>all clas IX tugs are required to carry buoyant devices, however there is no referecne for this in the workboat code, surely there should be. vessels engaged in towing operations and working under the workboat code do NOT have to carry a (Bouyancy device), however under MSN 1676 amend 1 tugs and as per (4) Every tug and tender shall carry, in addition to the equipment required by paragraphs (2) and (3), buoyant apparatus sufficient to support the total number of persons on board</p>	

Workboat Code Edition 3 Consultation Feedback

	<p>It would better to require a separate drills log, applicable to all vessels & which must be retained on board for examination by CA surveyor at all surveys. Many under 24m not registered and therefore have not been measured for tonnage. Not possible for crew or surveyor to accurately ascertain a certain tonnage. Lack of understanding of what GT is and very common to have GT mixed up with max. displacement.</p>	<p>Noted with thanks.</p>
	<p>This Sentence re-introduces annual servicing which implies 'at a manufacturer's facility', which is not necessarily in accordance with the manufacturer's instructions. Annual checks (servicing) can be readily undertaken by crew capable of reading and following the manufacturer's instructions, without expensive return to service stations (which invariably means carrying a duplicate set of life jackets to cover the extended period when they are away).</p>	<p>This is not a change from the existing requirements of the code.</p>
	<p>These requirements are new for Category 2 areas of operation, and will need briefing / explaining to operators. What is the rationale behind this?</p>	<p>The requirements were elevated for Category 2 to improve safety for persons on board.</p>
	<p>Surely this should be approval of the Certifying Authority or all alternative release mechanisms will have to be referred to the MCA which is impractical,</p>	<p>CAs are able to approve most release mechanisms, the approval of alternative arrangements remains with the Administration as is currently the requirement</p>
	<p>Surely lifebuoys are required to be fitted with retro-reflective tape, or am I missing something? This implies that all lifebuoys in these areas shall be fitted with lights. This is contrary to the requirements stated elsewhere and common sense (it takes three hands to launch a lifebuoy that has both a light and a line. This contradicts the LSA table by removing the important need for a lifebuoy without attachments. It should be drogue only for the free lightweight lifebuoy. A free floating lifebuoy with floating line attached is a hazard for the recovering vessel</p>	<p>14.1.1 refers to IMO Resolution A.658(16) which requires retroreflective marking.</p>

Workboat Code Edition 3 Consultation Feedback

	MED approval is being phased out- should this be amended?	Yes, MED references to be amended.
	What is the logic of this test? There is a significant cost involved with launching rafts.... All drills should be carried out & logged more frequently by owner eg when new crew are engaged. Drill log should be retained on board for examination by the CA surveyor at all surveys	Noted with thanks.
	No, they should be retained on board for examination by CA surveyor at all surveys	Noted
	Note: 'Wheelmarked' (i.e. EU approved) equipment cannot be fitted after Jan 1st 2023. This Note requires clarification in line with MCA information elsewhere on UK approvals.	MED references to be amended.
14.1.1 The following life-saving appliances shall be marked in accordance with the guidelines in IMO Resolution A.658 (16), as amended: .1 liferafts; and .2 lifebuoys; and .3 lifejackets; and .4 Thermal protective aids (TPA).	Not sure how TPAs would be marked with the vessel name	IMO Resolution A.658(16) sets out guidelines for the use and fitting of retro-reflective materials on life-saving appliances
14.1.2 The minimum required life-saving appliances are given in Table 14.1.2 below.	Each company issues individual PPE to those going on vessels. Having spray hoods on board in addition is surplus to requirement for the sector. Appreciate may not be the case for other sectors but salmon farmers all exceed requirements on this. There could also be a supply chain challenges with orders for new kit taking 12 months to arrive. Principle of better safety gear as standard is totally agreed with but companies exceed the stated requirements but may not meet the requirements.	Noted. The code sets out the minimum standards. Where equipment is carried that is in excess, but not meeting the specific requirements, this should be discussed with the Certifying Authority in the first instance and submit an appropriate equivalence request.

Workboat Code Edition 3 Consultation Feedback

	<p>Is this correct or a mistake? In same table its states Parachute flares are not required in Category 4 and 6 but are required in Category 5. This seems not to make sense.</p>	<p>Cat 4 and Cat 6 are daylight only. It is not considered necessary to use parachute flares in daylight in these categories of operation.</p>
Table 14.1.2	<p>Observation, Note: 27, 32 & 33 not present.</p>	<p>Noted. MCA to amend.</p>
	<p>The table appears to indicate that a vessel operating in Cat 5 with <16 Pob requires a lifebuoy with a light, a lifebuoy with a line and a lifebuoy with no attachments making a total of three to be carried; however Row 1 of the table indicates that only two need be carried in total</p>	<p>Row 11 sets out the minimum number of lifebuoys to be carried. Subsequent rows detail the requirements those lifebuoys are required to meet.</p>
	<p>This should be left up to the operator by basis of a risk assessment. It is not currently required for class IX vessels</p>	<p>Code requirements set a higher standard than those required for Class IX vessels.</p>
	<p>TPAs provided for all crew, or at least 2 if immersion suits carried. Suggest no TPAs required if vessel carried immersion suits. TPAs also provided in the liferaft. TPAs not required class IX vessel</p>	<p>TPAs are for injured persons only in case of carriage of immersion suits who may not be physically able.</p>
	<p>EIPRB - 2 for vessels operating area 0. Don't believe 2 EPIRBs are necessary, not required for a class IX vessel</p>	<p>Noted.</p>
	<p>PLBs vessels operating area 0-2 for 100% of the crew. This should be left up to the operator by basis of a risk assessment. It is not currently required for class IX vessels</p>	
	<p>See 14.1.2. Some companies provide life jackets with spray hoods as standard. Every colleague/crew which board a vessel are issued with individual PPE. Each salmon farming company has its bespoke lifejacket procedures. There is potential that this clause could have unintentional/disproportionate consequence on the sector which could lead to a supply chain delay.</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

	'For consistency of terminology Personnel Emergency Radio Devices, should read Personnel Locator Beacons, also should 'Yes' read '100%'	Noted. MCA to amend.
	2x EPIRBs for Area 0 vessels? Only 1x portable VHF? Probably 2x for 0-3	Noted, though this is not a change from the existing requirements
	The Code proposes to hold 100% quantity of rearming kits on board. The current requirement is 0% so this is a big increase. How can we store 15-18 rearming kits on a small Cabin Rib?	Rearming kits are small in size.
14.2 Liferafts	It is noted that there is now a requirement for liferaft certificate of servicing to be submitted to the CA. It is unclear why this has been deemed necessary. We would suggest that the status quo of this being checked by the authorised person is appropriate and avoids unnecessary further paperwork and administration for the CA's	Noted. MCA to consider.
14.2.1.1 All liferafts shall be serviced at a service station approved by the manufacturer, and in accordance with the manufacturer's recommended service schedule. The only exception are valise liferafts which shall be serviced at a maximum of annual intervals. For all liferafts, certification of servicing must be submitted to the Certifying Authority at the compliance or renewal examination.	No, they should be retained on board for examination by CA surveyor at all surveys	Noted. Propose both.
	Liferaft certs should also be presented to the CA at Annual Examination	
	I do not see why we as the CA would want to store these documents. It is up to the surveyor to review and accept. We cannot then double check these documents as it will create additional workload. Office administrators are not experts in these documents and as such I feel it unfair to burden the CAs to hold this additional documentation	
14.2.2.1 Liferafts shall: .1 be stowed on or above the weather deck as appropriate to vessel's design and intended operation, to prevent loss of the	This is pointless for RIBs	Some sections of the Code may not be applicable to all vessels. In cases where a life raft is not carried – this section would not apply.

Workboat Code Edition 3 Consultation Feedback

<p>raft in a sea way , such that they float free⁴⁴, inflate and break free automatically, with the exception of valise liferafts which shall be stored in dedicated locker readily accessible from the weather deck; and .2 be safely accessible by the crew in all weather conditions; and .3 be capable of being moved from its stowed position and stowed state to being launched in the water in the shortest practicable time; and .4 have launching instructions displayed; and .5 clear any projections and belting when launched; and .6 if fitted with a float free arrangement, be secured through an approved and compatible HRU (see 14.2.3).</p>		
<p>14.2.2.3 Vessel owners/operators shall demonstrate physical deployment of liferafts: .1 at compliance or renewal examinations, and .2 where any changes are made to the liferaft type/capacity, and .3 where modifications are made to the liferaft stowage arrangements or location. During the test the Certifying Authority need only witness</p>	<p>Wording should be In line with demonstrating an abandonment drill? Very unlikely to be hired a life raft again if we are to physically deploy</p> <p>How will this be demonstrated on gravity launch rafts?</p> <p>All drills should be carried out & logged more frequently by owner eg when new crew are engaged. Drill log should be retained on board for examination by the CA surveyor at all surveys</p>	<p>There is no requirement to actually deploy – final sentence refers to test procedures.</p> <p>Noted. Will review text and clarify as appropriate.</p> <p>14.11.2 Means of recovery of persons and physical deployment of each liferaft from water drills shall be</p>

Workboat Code Edition 3 Consultation Feedback

<p>the raft being moved to the side of the vessel, adjacent to any guard wires e.g. getting to a suitable launch site.</p>		<p>regularly carried out and recorded, see MGN 544.</p>
	<p>Is this still required if it is a float free arrangement?</p>	<p>Section 14.2.2 also applies to liferafts with a float free arrangement</p>
<p>14.12.3 Float Free Arrangements for Liferafts</p>	<p>Only SART as in radar SART or AIS-SART?</p>	<p>14.12.2 refers. This may be either.</p>
<p>14.2.3.1 Re-useable HRUs shall be serviced annually in accordance with the manufacturer's recommendations. Certification of servicing shall be submitted to the Certifying Authority at the compliance or renewal examination. Manufacturer's requirements, in respect of servicing and working life, shall be followed for disposable HRUs.</p>	<p>No, they should be retained on board for examination by CA surveyor at all surveys</p>	<p>Noted. Propose both.</p>
<p>14.2.5.1 The minimum liferaft requirements based on area category of operation in which the vessel is operating are indicated in Table 14.2.5.1.</p>	<p>Liferaft SOLAS B pack required for areas 2-3 BUT NOT in area 4 which is the same area as 3 but just daytime.</p>	<p>Noted.</p>
<p>Table 14.2.5.1</p>	<p>Is it worth adding a portable waterproof VHF radio to the equipment list, to ensure that one is provided for each liferaft (see 17.4.8)</p>	<p>The MCA note your comment with thanks</p>
<p>14.3 Lifebuoys</p>	<p>Can MCA confirm whether horse shoe lifebuoys will still be accepted on light duty workboats under this Code?</p>	<p>Provided the requirements of 14.3.1 are met then horse shoe lifebuoys would be accepted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>14.3.1 Lifebuoys shall: .1 not be of an inflatable type; and .2 be marked with two means of vessel's identification (including vessel's name); and .3 be fitted with lights for vessels operating in area categories of operation 0, 1, 2, 3 and 5; and .4 if of a light-weight type, be fitted with either a buoyant line or a drogue</p>	<p>This contradicts the LSA table by removing the important need for a lifebuoy without attachments. It should be drogue only for the free lightweight lifebuoy. A free floating lifebuoy with floating line attached is a hazard for the recovering vessel</p>	<p>Noted.</p>
<p>14.4 Lifejackets</p>	<p>Lifejackets for class 0-2 must have spray hoods and self arming kits. not required for class IX vessels industry has been pushing hard for crotch straps and the amount of incident whereby crotch straps have not</p>	
<p>14.4.3 A suitable lifejacket shall be provided for each person on board (including a suitable lifejacket provided for each person on board under 32kg). If the lifejackets are of an inflatable type, an additional 2 lifejackets shall also be provided.</p>	<p>This is a change from the historical 10% or 2, whichever is the greater</p>	<p>Yes, this is a minor change. There would need to be 21 or more persons on board a workboat for 10% to be greater than 2</p>
	<p>For info: to check clause numbering</p>	<p>Amended, with thanks</p>
	<p>Sector issues individual PPE to all seagoing personnel including visitors. Some clauses may have inadvertent implications where sector standard position exceeds the Code requirements but those conditions may not align with the code.</p>	<p>The MCA note your comment with thanks</p>
<p>14.4.5 Vessels operating in Area Categories of Operation 0, 1, or 2, shall carry an appropriate rearming kit for each lifejacket on board.</p>	<p>Sector issues individual PPE to all colleagues. Some clauses may have inadvertent implications where sector standard position exceeds the Code requirements but those conditions may not align with the code. e.g. inspectors/FHI colleagues boarding vessels. Is unrealistic as this requirement will lead to all operators working in cat 0-2 needing crew to have certification in rearming life jackets. Operators will be forced into rationalizing make of lifejackets across</p>	<p>Noted with thanks. Rearming kits are simple to use.</p>

Workboat Code Edition 3 Consultation Feedback

	fleets and multiple course for rearming. Potentially carrying additional spare jackets is more suitable to the industry	
	In addition to carrying spare jackets, re arming kits are also required? Please confirm if crew need to do a manufacturer servicing course to be competent to re-arm? And if so what is the purpose of carrying spares as well? Delete this additional requirement due to already carrying spare life jackets.	Manufacturers provide detailed instructions on rearming. The Code does not require course attendance.
14.4.6 Vessels operating in Area Categories of Operation 0,1 or 2 shall carry an appropriate spray hood for each lifejacket on board. Vessels operating in Area Categories of Operation 3, 4, 5 or 6 may carry an appropriate spray hood for each lifejacket on board.	Is there sufficient evidence of abandoning ship in the workboat industry with persons in the water making this additional requirement viable? Unnecessary additional costs	Noted. This is a safety measure for vessels operating further from a safe haven.
	Every Lifejacket requires a sprayhood. Is this necessary? Remove Requirement	
	What is the basis for this requirement please?	
14.4.8 Inflatable jackets shall be serviced in accordance with the manufacturer's recommendations within a maximum of one month either side of the compliance, renewal and intermediate examinations. In intervening years inflatable lifejackets shall be serviced at a maximum of annual intervals in accordance with the manufacturer's recommendations	Inflatable lifejackets shall be serviced within one month – is this practical because of the Leadtime of servicing? All vessels will require 2 sets	Servicing requirements are not new to Code. This allows a 3 month window in which a lifejacket can be serviced which is the same provision of WBC2.
	On a practical level this can be quite difficult for all parties to achieve	Noted with thanks.
14.4.9 Certification of servicing shall be submitted to the Certifying	No, should be retained on board for examination by CA surveyor at all surveys	Noted. Propose both.

Workboat Code Edition 3 Consultation Feedback

<p>Authority at the compliance or renewal examination.</p>		
<p>14.4.10 Not more than two different types of lifejacket are permitted on any vessel. Any two lifejackets of '32 kg or more' or any two lifejackets of 'under 32 kg' respectively, may be regarded as being of the same type provided that there are no differences between the donning instructions.</p>	<p>Each colleague/crew member is issued with a personal lifejacket. These will usually be uniform across each company although updates/renewals may lead to differences. Also, when inspectors/surveyors/vets/HSE/FHI/MCA come from outside they may have different styles of life jackets which may lead to technical non-conformity with more than two types of lifejacket. This could lead to unnecessary impact on the supply chain and ongoing challenges.</p> <p>Does this mean two types of inflatable/working life jackets or all the lifejackets onboard?? Regularly the "board of trade" jackets are solid state jackets kept in for emergencies supplemented with "working" inflatable jackets</p> <p>This could be challenging to apply. What is a type? Is this brand? Model? Etc.</p> <p>What is meant by two different types of lifejacket? This leads to confusion as can be read as different manufacturers – needs clarification</p>	<p>Noted with thanks. The intention of this requirement is that passengers and a rotating crew that may not be familiar with lifejacket types are using one of two types maximum as opposed to, for example, 12 different types.</p> <p>Intended to apply to all jackets.</p>
<p>14.5.1 For vessels operating in Area Categories of Operation 0, 1, 2, 3, 4 or 5, a TPA shall be provided for each person on board.</p>	<p>Suggest Cat 5 and 6 be included in 14.5.2 rather than Cat 5 being in 14.5.1</p>	<p>Noted, with thanks</p>
<p>14.5.4 TPAs should be stowed in the grab bag.</p>	<p>A minimum amount of TPA's are already included within SOLAS A & B kits. It would make more sense to alter the carriage requirements of SOLAS kits to provide 1 TPA per person, and the craft to carry a minimum for persons recovered from the water.</p>	<p>14.5.1 For vessels operating in Area Categories of Operation 0, 1, 2, 3, 4 or 5, a TPA shall be provided for each person on board. 14.5.2 Vessels operating in Area Category of Operation 6 shall</p>

Workboat Code Edition 3 Consultation Feedback

		<p>have TPAs provided for all persons on board where:</p> <p>.1 the sea surface temperature is 10 degrees centigrade or less, or</p> <p>.2 has open reversible liferaft(s).</p>
14.6 General Alarm	<p>The conditions for a general alarm are from WBC2 for new constructions.</p> <p>Should owner/operators be prepared to accept the system installation cost for existing Brown Code vessels? in particular CAT 2 vessels with likely 2 crew. Unnecessary cost to owner.</p>	<p>This requirement is the same as Workboat Code Edition 2.</p>
14.6.1 A vessel shall have a general alarm where it: .1 is operating in area categories of operation 0, 1 or 2; and .2 is carrying 16 or more persons on board; or .3 has total installed power (propulsion and electrical generation) greater than 750 kW.	<p>Can we continue to use legacy methods for General Alarm or does this change of wording require a standalone dedicated alarm system. Cost implication retro fitting legacy vessels not fitted with a dedicated General Alarm. IF a stand alone General Alarm system is required could the MCA please comment on why a tried and tested method is no longer acceptable? Include definition previously used to include alternatives, as quoted in our comment.</p>	
14.7.1 An efficient means to enable the recovery of persons (whether conscious or unconscious) from the water shall be physically demonstrated to the satisfaction of the Certifying Authority at each compliance and renewal examinations. See MIN XXX.	<p>Drills should be carried out & logged more frequently by owner eg when new crew are engaged. Drill log should be retained on board for examination by the CA surveyor at all surveys</p> <p>Hence the paragraph - Rescue retrieval equipment shall be provided as follows: Transom steps and/or ladder or equivalent side ladder or scrambling net; This is deemed unacceptable.</p>	<p>14.11.2 Means of recovery of persons and physical deployment of each liferaft from water drills shall be regularly carried out and recorded, see MGN 544.</p> <p>This is not a change from the existing requirements. Certifying Authorities should be satisfied</p>

Workboat Code Edition 3 Consultation Feedback

	<p>It is not consistent with WB2 or fit for purpose for a dedicated pilot boat. The Singapore Express Pilot fatality (2018), highlights issues of not having a mechanical means to recover a conscious casualty from the water, let alone unconscious. In order to comply fully with 14.7. A dedicated Pilot Boat should have a mechanical retrieval system that is capable of being operated by one person to recover an unconscious casualty. The recovery system should be tested to prove recovery of an unconscious casualty from the water within the representative conditions at the transfer position.</p>	<p>the recovery means provided are efficient and fit for purpose.</p>
	<p>Clarity on whether this is vessel specific or if demonstrated in text or on video results in 'demonstrating'. Drills are regularly carried out for MOB with videos in place for some companies.</p>	<p>Physically demonstrated means this will need to be very specific, and repeated at each compliance and renewal examination</p>
	<p>Clarification required to what evidence will be required to meet the Certifying Authority's satisfaction would provide greater clarity.</p>	<p>That efficient means of safe recovery a conscious or unconscious person from the water can be demonstrated</p>
<p>14.8.2 For open boats, inflatable boats, rigid inflatable boats and boats with a buoyant collar a vessel's training manual may be stowed in an alternative location on board the vessel to prevent damage due to exposure.</p>	<p>For small open boats and RIBs they may just not be practicable. In any case for such vessels when is it going to be used?</p>	<p>Noted.</p>
<p>14.9.3 Vessels operating on bare-boat charter shall be provided with the instruction manual.</p>	<p>Or the manual shall be provided to the charterers and made accessible to the crew</p>	<p>The MCA note your comment with thanks, and will amend the Code where appropriate</p>

Workboat Code Edition 3 Consultation Feedback

<p>14.11.1 On board training including practice fire and abandon ship drills shall be regularly carried out by the crew. For vessels over 25 GT this shall be recorded in the Official Log Book in accordance with the requirements of SI 1999/2722 (see also MGN 71).</p>	<p>It would better to require a separate drills log, applicable to all vessels & which must be retained on board for examination by CA surveyor at all surveys</p>	<p>14.11.1 refers.</p>
<p>14.11.2 Means of recovery of persons and physical deployment of each liferaft from water drills shall be regularly carried out and recorded, see MGN 544</p>	<p>Paragraph should be tidied up. Still gives the impression of equipment physically being deployed.</p>	<p>Noted</p>
	<p>Not sure of the intention "deployment of each raft from water</p>	<p>This is not a change from the existing requirements</p>
<p>14.12.1 Vessels certified to operate in area category of operation 0, 1, 2, 3 or 5 shall be provided with either: .1 a waterproof and electric signalling lamp; and .2 a searchlight; or .3 a portable daylight signalling lamp with searchlight capability.</p>	<p>This is a requirement for Cat 2 waters? Transition: is this a requirement for all existing boats or those new to the fleet? Retrofitting or amending vessels could be impacted from supply chain issues if not provided suitable transition.</p>	<p>This requirement is the same as Workboat Code Edition 2.</p>
<p>Footnote 50 MOB drills shall be carried out in a range of daylight, low light e.g. dusk and weather conditions, which shall be noted in the Official Log Book and reviewed to the satisfaction of the Certifying Authority</p>	<p>How should this be noted for vessels <25GT</p>	<p>Noted. The requirement for over 25 GT to record in the Official Log Book, vessels less than 25GT may record these drills elsewhere.</p>
<p>14.12.2 Vessels operating outside the areas covered by dedicated</p>	<p>Adding EPIRB with AISSART does not make sense. It would be more logically to say a single EPIRB with AIS could meet this requirement in lieu of a separate EPIRB</p>	<p>14.12.2 provide options on which combinations of</p>

Workboat Code Edition 3 Consultation Feedback

<p>Search and Rescue (SAR) assets shall carry one of the following in addition to the EPIRB:</p> <ul style="list-style-type: none"> .1 a Radar SART (see MIN XXX); or .2 an AIS-SART (see MIN XXX); or .3 an EPIRB-AIS beacon. 	<p>EPIRB-AIS in addition to an EPIRB. Second generation EPIRBs have AIS built in as of 1/07/2022 (MSC.471(101))</p>	<p>equipment may be carried.</p> <p>Noted, with thanks</p>
<p>14.12.3 Vessels certified to operate in area categories of operation 0, 1 or 2 shall carry a Search and Rescue Transponder (SART).</p>	<p>Does evidence exist in the Workboat industry to support the requirement for CAT2 vessels to carry a SART? The list of “grab” items has increased for vessels with likely 2 crew. Potential for difficulties.</p>	<p>This requirement is the same as Workboat Code Edition 2.</p>
<p>14.12.4 A second SART shall also be carried unless:</p> <ul style="list-style-type: none"> .1 a vessel operates in areas covered by dedicated Search and Rescue (SAR) assets; and .2 the EPIRB provided has a 121.5 MHz locator beacon and is of the non-float free type for placing in a liferaft. 	<p>Do not understand the rationale. In SOLAS vessels the adding of a second SART is based on tonnage, not area of operation. Two SART operating together will interfere with each other. don't see the need for duplication of SARTs regardless of the ammount of EPIRBs required. No second SART required for class IX vessels</p> <p>What is used at the interpretation of an area covered by dedicated SAR assests,how do you quantify this?</p>	<p>Noted with thanks.</p> <p>Search and Rescue (SAR) areas have been defined by the IMO, under the SAR Convention</p>

Workboat Code Edition 3 Consultation Feedback

15: Fire Safety

Section of Code	Feedback Received	MCA Position
<p>15 Fire Safety</p>	<p>The whole section 14.3.1 & 14.3.2 on the rules that apply where thermal or acoustic insulation is fitted has been ignored and should be reinstated.</p> <p>FFE eqpt for a tug operating under workboat class 0-3 to meet requirements as a class IX tug below 500 gt. The fire fighting equipment carried under the regulations in para and 2.2.3 should meet the standards set out in MSN 1665 (as amended)</p> <p>no reference to MGN 609 rescue boat exemption for vessel engaged in towing operations, vessels operating coded for operating out side of Cat c waters should apply for this exemption. MGN 609 states any Clas IX tug under 500 gt must apply for exemption for carriage of rescue boat, surely any tug operating under the workboat cat 0-2 or 4 should also do the same other wise it can be a race to the bottom,</p>	<p>This is covered in: 15.1.3.1.1 Insulation shall be fitted inside the machinery space and shall be of a non-combustible material(s) which meets the applicable requirements of the Table 15.1.3.2.1.</p> <p>MGN 609 provides an exemption for CLASS IX vessels of <500GT in categorized waters only, or in specific circumstances (port towage operation outside of categorized waters & transit voyages outside of categorized waters so long as the vessel is not conducting operations involving towing, passengers... Vessels operating in Cat 0-4 would not be eligible for this exemption.</p>
<p>15.1.1.6 In the machinery space windows shall only be fitted as an observation port meeting the following requirements: .1 fitted only in an internal boundary bulkhead or door; and .2 be non-opening; and .3 have a maximum diameter of 150 mm or equivalent rectangular area; and .4 fitted in a steel frame or other equivalent material; and .5 fitted with a permanently attached fire retardant cover with securing arrangements; and</p>	<p>So by now not listing portlights and skylights are these now allowed for?</p>	<p>For the purpose of this Code, skylights, portlights and windows are collectively referred to as windows (see Section 6.3 of Workboat Code Edition 3)</p>

Workboat Code Edition 3 Consultation Feedback

<p>.6 constructed of fire rated toughened safety glass, rated A-0 in accordance with the FTP Code.</p>		
<p>15.1.2 Oily Wastes</p>	<p>The new wording appears to disallow IOPP equipment to be treated on board. The wording might want to be rethought or at least a link made to Section 30.7.</p>	<p>Noted with thanks.</p>
<p>15.1.2.2 The machinery space(s) shall be kept clean and clear of any oily waste, and all oily residues shall be collected and retained on board (e.g. in a dedicated stowage tank) for discharge to on shore collection facilities.</p>	<p>Most Workboats don't currently have a dedicated oily water storage tank, and collect oily water in used oil drums for discharge ashore. Does collection in used drums for discharge ashore meet this requirement? Dedicated tank should not be required, method for collecting / storing oily waste to be <u>procedurised</u> as alternative.</p>	<p>Noted. Yes, this would meet the requirement as written providing the oil drum is used specifically for the purpose of oil residue collection and not for any other reason at that time.</p>
	<p>This is completely impractical for our Cabin Ribs and Catamarans which have already been designed and built. There is no space to install and retrofit such equipment.</p>	<p>Covered under 30.8.2.</p>
<p>15.1.3 Insulation</p>	<p>Needs to define "all vessels", presumably 15.1.3.1 and additionally for vessels of 15.1.3.2</p>	<p>Noted. Believe this is sufficiently well defined in the definitions and as applicable in this section.</p>
<p>15.1.3.1.1 Insulation shall be fitted inside the machinery space and shall be of a non-combustible material(s) which meets the applicable requirements of the Table 15.1.3.2.1.</p>	<p>Exemptions should be made for existing vessels. The enormous task and cost associated to reroute pipework, cable trays, AC, DC cabinet etc. far outweighs this requirement for existing craft. High cost</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>Not in WB2. Shouldn't this be "where insulation is fitted...". Insulation does not need to be fitted in all cases to all vessels and the wording should be changed to reflect that "where insulation is fitted".</p>	<p>Noted with thanks. MCA to consider.</p>
	<p>'Don't you mean insulation shall be non-combustible and fitted in accordance with the requirements of Table 15.1.3.2.1. - Otherwise it mandates a requirement for insulation where one may not exist. This states that all machinery spaces shall be fitted with insulation, and not just where required to comply under 15.1.3.2.1. Can MCA confirm whether this is the intention?</p>	<p>Noted with thanks. MCA to clarify.</p>
<p>15.1.3.1.2 Non-solvent based intumescent materials may be used where the</p>	<p>'WBC2 contains very clear reasons for not allowing intumescent onboard vessels, why are these suddenly acceptable, what has changed to make them safe?</p>	<p>Caveated with meeting the requirements of A or B class insulation.</p>

Workboat Code Edition 3 Consultation Feedback

<p>insulation performance meets or exceeds the requirements for 'A' or 'B' Class Insulation.</p>		
<p>15.1.3.1.5 A vessel constructed of steel with machinery space boundaries contiguous with accommodation space(s), stores or other areas identified to increase risk of fire acceleration shall be insulated as per the requirements of 15.1.3.1.1 – 15.1.3.1.4.</p>	<p>Is the deckhead considered a boundary? Boundary or Boundaries are not within the Definition section. As above for 15.1.3.1.1 – To do the same for a steel bulkhead vessel brings the same complications. High cost</p>	<p>Noted. MCA to clarify.</p>
<p>15.1.3.1.6 A vessel constructed of aluminium shall be assessed regarding additional insulation requirements (in accordance with 15.1.3.1.1 – 15.1.3.1.4) where high heat items pass through hull, decks or bulkheads.</p>	<p>This should be reserved for new constructed craft. Is there sufficient evidence to support the change on existing vessels? Additional cost</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>Table 1.3.2.1</p>	<p>Note G – Why is the code including educational reference information, it is big enough if you start trying to include an explanation of the principals of stability, structure, fire etc. it will become even more unwieldy for your small vessel operator</p>	<p>This text is the same as Workboat Code Edition 2.</p>
<p>15.1.3.2 Vessels Carrying 16 or More Persons or in Area Category of Operation 0 or 1, or when the total installed Power Exceeds 750 kW per machinery space</p>	<p>The associated table only references B Class Divisions which is misleading for vessels carrying DG where there are requirements for A class boundaries. There should be a note added to this effect</p>	<p>Noted with thanks.</p>
<p>15.1.3.2.1 A vessel shall comply with machinery space insulation requirements specific to the</p>	<p>Which external surfaces are required to be insulated? Insulation need a minimum specification / defining. Standard practice and testing for fire insulation always considers fire insulation on the side where fire risk is highest, e.g. on the inside of the engine room. It is not possible to insulate Exterior (weather) faces.</p>	<p>Table 15.1.3.2.1 sets out these requirements.</p>

Workboat Code Edition 3 Consultation Feedback

<p>vessel construction material listed in Table 15.1.3.2.1.</p>	<p>External Surface of Engine Room Boundary and needs better defining. (External Surface implies outside surface of the engine room, which in most workboats is the vessel's shell). Insulation need a minimum specification / defining. Does this mean that the fwd face of an engine room bulkhead needs insulated? What are the requiremnts for that insulation? Table needs re-drafting to demonstrate intent of change. Exterior (weather) faces should not be required to be insulated.</p>	<p>Noted with thanks. MCA to clarify.</p>
<p>Table 15.1.3.2.1</p>	<p>'This requirement appears to be an orphan, do you mean only vessels with 16pax or Cat 0 or Cat 1, or >750kW need to comply with the table, this contradicts the statement in 15.1.3.1.1</p>	<p>The MCA note your comment with thanks, and will amend the Code where appropriate</p>
<p>Table 15.1.3.2.1</p>	<p>1st column heading "A" – what does this mean? Column "Aluminium" – why is insulation required on both sides?</p>	<p>Vessels carrying dangerous goods should meet the fire protection requirements set out in 29.7</p>
<p>Table 15.1.3.2.1</p>	<p>The Table only references B Class Divisions which is misleading for vessels carrying DG where there are requirements for A class boundaries. There should be a note added to this effect. The associated table only references B Class Divisions which is misleading for vessels carrying DG where there are requirements for A class boundaries. There should be a note added to this effect</p>	<p>Noted, will review and clarify as appropriate.</p>
<p>Table 15.1.3.2.1</p>	<p>Generally this table is a mess. The column for steel, lower box (external surfaces) the wording infers that the coating must be fitted rather than if a coating is fitted it must be class 1 surface spread. This needs rewording. The Aluminium column the 300 mm below is for insulation in the machinery compartment not for the external surfaces of the machinery space. The wording in the lower box should be moved. One of the problems with the wording in WB Code 2 was that builders / naval architects started to use the requirements for intumescent materials for thermal insulation as only being applicable to FRP vessels and would still use them for aluminium vessels. This was an inadvertant loophole which is emphasised here in the new table. Intumescent paints should be banned across the board for all vessel hull construction materials. Point 5 under FRP should have an "or" at the end. All insulation fitted whatever hull material, if fitted, should be fitted to the 300mm below and the table deos not suggest this so it needs updating to reflect this. The ability to not test FRP insulation</p>	<p>Noted, will review and clarify as appropriate.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>for a particular layup and select an approved A-15 or A-60 material has been taken away. Please reinstate wording in 14.2.3.8.1. Note G in the WB Code 2 applied to FRP but note G is only against Wooden vessels now. This needs to be rewritten. Learning should be made and reflected in policy to prevent against fires such as on the ECC Topaz. An FRP vessel with ply bulkheads / core was not sufficiently protected in way of an heating exhaust outlet. Comments in 15.1.3.1.6 should be applied to FRP and wooden boats too. The wording in old WB Code Edition 2 14.2.2.4 was better.</p>	
	<p>But intumescent paints and coatings that are being used are either special GRP finishes (like Scott-Bader Crystic Fireguard, for GRP) or water-based coatings like the Envirograf products commonly used in offshore structures and in some certified vessels.</p>	<p>The MCA note your comment with thanks</p>
	<p>This needs careful interpretation. Where there are individual cabins, it is not always possible to have two means of escape from the individual cabin but there should certainly be two means of escape from the passageway from which the cabins are located. seem to have lost 14.9.3 which did allow for single means of escape in certain circumstances mitigated by additional fire alarms, detection etc. This offered a solution for concerns about individual cabins .</p>	<p>Noted. 15.7.7 refers</p>
	<p>What is this requirement for insulation EXTERNAL to the machinery space, in addition to the B15 insulation required IN the space is not understood and is a complete addition to current requirements and practice? It appears to be an unnecessary duplication.</p>	<p>The requirements are the same as Workboat Code Edition 2. The text is correct</p>
<p>15.3 Liquid Fuel Appliances</p>	<p>MCA should consider putting in a new section on solid fuelled stoves on board workboats. There are quite a few in scotland, particularly in the aquaculture fleet. These should be legislated for due to the fire hazard. Legislate for this preferably by banning their fitment.</p>	<p>The MCA note your comment with thanks</p>
<p>15.3.5 Appliances shall be installed so that the outgoing products of combustion pass through sealed ductwork terminating outside the vessel.</p>	<p>Hoes does this work for a cooker hob?</p>	<p>Noted.</p>

Workboat Code Edition 3 Consultation Feedback

<p>15.4.1 Portable equipment powered by a petrol engine unless fully drained of fuel shall be stored on the weather deck, stowed in a deck locker or in a protective enclosure</p>	<p>'Is there no limit on the size of the petrol tank, see earlier requirements for a 5l limit, cross reference should be made</p>	<p>The tank would be of an appropriate size to the specific piece of portable equipment being used. By virtue of being portable, such a tank would be limited in size</p>
<p>15.4.3 A suitable receptacle shall be provided to collect any spillage which occurs during the filling and draining of a fuel tank for portable equipment powered by a petrol engine.</p>	<p>Clarification is sought. Does this mean that someone can decant fuel for their portable equipment but not for their engine?</p>	<p>Yes, because the quantifies and therefore risk is smaller.</p>
<p>15.6.2.1.2 Fire detectors complying with EN 54 shall be fitted in the following locations: .2 accommodation spaces; and</p>	<p>Can accommodation spaces be limited and qualified as those under 16.2.2 and 16.2.3 as if it contains 16.2.1 you would need them in every space which seems unreasonable.</p>	<p>“Accommodation space” means any space, excluding machinery space, which is enclosed on all sides by solid divisions, provided for the use of persons on-board</p>
	<p>Detectors should be fitted in galley spaces too, not only in the accommodation generally.</p>	<p>A galley space is an enclosed space for the use of persons on-board, therefore it is an accommodation space</p>
<p>15.6.3 CO Detection</p>	<p>Include ISO reference</p>	<p>The MCA note your comment with thanks, references will be added to MIN XXX where appropriate</p>
<p>15.6.3.3 A CO detector(s) shall be provided in spaces where exhaust gases may accumulate in the event of an exhaust leak.</p>	<p>Can MCA confirm whether this section is intended to apply to enginerooms and the entire route of the exhaust system?</p>	<p>This applies to any spaces where exhaust gas may accumulate in the event of an exhaust leak</p>
<p>15.6.4.1 Any space which contains gas consuming appliances or into which flammable gas may be leak or accumulate, shall be provided with a hydrocarbon gas detector and alarm. The hydrocarbon gas detector and alarm shall</p>	<p>Should this not be a LPG detector rather than a hydrocarbon?</p>	<p>The current text is correct</p>

Workboat Code Edition 3 Consultation Feedback

<p>be designed to comply with a recognised standard relating to electrical equipment in hazardous areas.</p>		
<p>15.7 Means of Escape</p>	<p>The requirements should be enhanced to specify what the minimum width of an escape should be (700mm except for an escape hatch which can be >500mm). The rules are not clear on this and they should be. Consider adding a minimum width of escapes.</p>	<p>The MCA note your comment with thanks</p>
<p>15.8 Fire Control and Safety Plan</p>	<p>We fully support the mandatory application of an up to date fire and safety plan posted on board for these workboats. It should additionally be amended to highlight that this needs keeping up to date to ensure the safety of those onboard.</p>	<p>The MCA note your comment with thanks, and will amend the Code where appropriate</p>
<p>15.8.1 Vessels required to have a Stability Information Booklet, or with a total installed power greater than or equal to 750 kW shall have a fire control and safety plan(s) which shall be prominently displayed at the control position(s).</p>	<p>Stability booklets should become more useful and provide utility in the future so potential revision/development could lead to clause becoming obsolete.</p> <p>This requirement is very specific about the location of the fire and control plan being at the control station. With limited availability in the wheelhouse this does not seem practical. What is the thought process for this?</p>	<p>The MCA note your comment with thanks</p> <p>To assist the Master to quickly follow the fire control and safety plan in an emergency when they may be under increased pressure.</p>

Workboat Code Edition 3 Consultation Feedback

16: Fire Appliances

Section of Code	Feedback Received	MCA Position
<p>16 Fire Appliances</p>	<p>This can be quite an onerous requirement, especially for vessels over 8m length driven by outboard motors. However, a hand-portable Whale Gusher pump on a board and with suction and delivery hoses and nozzle has typically been acceptable to satisfy this.</p>	<p>The MCA note your comment with thanks</p>
	<p>Not sure why 5kg CO2 extinguishers should not be allowed - they are lighter than a 9 litre AFFF extinguisher. What is MCA rational (if there is one) on this? Maybe it is intended and would make more sense if this capacity limit is only applied to accommodation spaces</p>	<p>Carbon dioxide extinguishers are not permitted in accommodation spaces containing sleeping bunks Portable carbon dioxide extinguishers shall not exceed 2kg to minimise the impact if the extinguisher fails and leaks carbon dioxide gas</p>
	<p>Proposed definition of accommodation space could be interpreted as including individual cabins. It would make a lot more sense if this was zones to a group of cabins of common lobby or passageway with maximum distance, say 3m, to available fire extinguisher.</p>	<p>The scope of the definition of accommodation space includes individual cabins</p>
<p>Table 16.1.1.1</p>	<p>P<120kW Requiring portable extinguishers adjacent to the main entrance of each mcy space could imply/encourage opening of the mcy space to fight the fire, which has never been the case previously. An explanation/cautionary note should be added here</p>	<p>The MCA note your comment with thanks</p>
	<p>Why is there a discrepancy for open boats to have more fire extinguishers? Has the MCA considered the use and application of fire sticks? See https://firesafetystick.com. Fire stick certification appears to show it is higher than required level. See https://firesafetystick.com/certifications/ http://www.fss-esp.com/UNI_EN_ISO_9001_2015_new.pdf Fixed fire extinguishing standards would seem to allow this stick.</p>	<p>The requirements have not changed from Workboat Code Edition 2 The MCA note your comment with thanks</p>
<p>16.3.1.3 The location requirements of portable extinguishers as required by Tables 16.1.1.1 and 16.2.3.1 shall: .1 be within 2 m from the main control position;</p>	<p>Fire and safety assessments and planning will be part of the design and policy created for each existing/new vessel. Transition: is this a requirement for all existing boats or those new to the fleet? Retrofitting or amending vessels could be impacted from supply chain issues if not provided suitable transition.</p>	<p>It is intended that all vessels will have and follow some form of fire and safety plan. Although new vessels will be able to consider safety requirements in build planning stages, it should be possible for owner/operators to create effective fire safety and assessment plans for</p>

Workboat Code Edition 3 Consultation Feedback

<p>.2 be within 2 m from any permanently installed open flame, gas or liquid fuel appliances; .3 be within 3 m from fire ports for inboard engines; .4 be within 3 m from outboard engines.</p>		<p>existing vessels as these plans are designed purely to set out a plan of action in an emergency, accounting for the vessels characteristics.</p>
<p>16.3.2 Carbon Dioxide (CO₂) Fire Extinguishers</p>	<p>Requires replacement of 2x5kg on both 21m and 26m a total of 24 x 5kg will need to be relapced by 72 x 2kg extinguishers. Is the intention of this section to reduce the risk of high concentration of CO₂ on user's health? Remove Requirement or link to volume of the space it's intended to be used in.</p>	<p>Noted. MCA to consider and amend as appropriate.</p>
<p>16.4.1.4.6 Fixed fire extinguishing media accepted by the Administration are as follows: .1 medium expansion foam; .2 high expansion foam; .3 carbon dioxide (see MIN XXX); .4 pressure water spraying; .5 water mist/water fog; .6 vapourising fluids (hydrofluorocarbons - HFCs); .7 aerosols (solid pyrotechnic type).</p>	<p>Hydrofluorocarbons – HFCs is not an appropriate description for FK-5-1-12 (Novec 1230). I think it should be changed to “clean agents”</p>	<p>Noted with thanks. MCA to consider.</p>
<p>16.4.2.5 Where activation of the fixed fire extinguishing system is automatic, or the cylinders containing extinguishing media are located within the machinery space, a visual alarm shall be displayed outside the machinery space and at the control position(s) during discharge of fire extinguishing media.</p>	<p>Should be for new builds. High cost to retro fit, especially as most Stat-X systems are activated from the bridge.</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>There should also be a positive means of isolating FFE to protect persons entering the space eg for maintenance</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>16.4.2.1 All vessels shall be fitted with either: .1 a power driven self-priming fire pump(s) which ensures that the fire main pressure and availability can be maintained following the loss of a machinery space; or .2 a hand fire pump(s) outside the machinery space (where fitting of a power driven self-priming fire pump(s) is impracticable).</p>	<p>Many workboats rely on the alternative of "Not less than two multi-purpose fire extinguishers to a recognised standard each with minimum fire rating of 13A/113B or smaller extinguishers giving the equivalent fire rating" This also provides some operational redundancy to the fire pump. Can additional Extinguishers no longer be an alternative to a powered fire pump? Additional extinguishers should remain an alternative to a fire pump.</p> <p>MGN280 permitted multiple portable fire extinguishers to be used under Section 15.4.1. on vessels <15m in lieu of a power driven or hand pump. Can MCA set out the rationale of removing this alternative solution, especially for smaller vessels where the carriage of a portable pump is often impractical, and the effectiveness of a hand pump is limited at best?</p>	<p>Noted with thanks. MCA to consider.</p>
<p>16.4.2.2 Open boats, inflatable boats, rigid inflatable boats and boats with a buoyant collar may not be required to comply with the requirement of 16.4.2.1 if not fitted with a substantial enclosure and are of less than 8 m length. Such vessels shall comply with requirements of Tables 16.1.1.1 and 16.2.3.1 as appropriate.</p>	<p>Transition: is this a requirement for all existing boats or those new to the fleet? Retrofitting or amending vessels could be impacted from supply chain issues if not provided suitable transition.</p>	<p>Noted.</p> <p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>
<p>16.4.2.3 A fire pump shall be fitted with sea and hose connections capable of delivering one jet of water to any part of the ship through hose and nozzle, one fire hose of adequate length with a 10 mm nozzle and a suitable spray nozzle.</p>	<p>Should state minimum 10mm nozzle, linked to capability of reaching all parts of the vessel</p>	<p>Noted. This is not a change from the existing requirements of the code.</p>
<p>16.5.4 ??</p>	<p>There should be a cross link to old WB Code 2 section 7.3.2. (whatever this is numbered as now, 8.14.5?) or at least this should be highlighted</p>	<p>Cross-references will be added to the Code where appropriate</p>

Workboat Code Edition 3 Consultation Feedback

	particularlry for in board petrol tanks / portable petrol tanks where fitment / carriage of petrol is allowed.	
Footnote 66 Larger vessels carrying multiple fire extinguishers and/or fixed fire extinguishing system(s) are considered to exceed the minimum required level of safety and are not required to carry fire buckets.	Footnote 66 - Can MCA confirm when a vessel is considered to be a "Larger" vessel and therefore one which is able to dispense of the requirement to carry fire buckets? Many small commercial vessels will already carry multiple portable fire extinguishers in excess of the requirements.	Noted. MCA to consider and amend as appropriate.

17: Radiocommunications Equipment

Section of Code	Feedback Received	MCA Position
<p>17 Radiocommunications Equipment</p>	<p>Can we not consider alternatives to NAVTEX as being acceptable?</p> <p>Currently a number of CAs undertake Radio surveys at the moment. These have been accepted by foreign flags. How does one become Authorised by the Administration? To my knowledge, Workboats under WB1 and WB2 have previously been exempt from the formal Radio Survey requirements. This is therefore a new requirement that is over and above MECAL Code survey standard procedures. Do we at MECAL have persons qualified to undertake Radio Surveys? It would be useful to keep it all in house, as this will be a compliance / renewal requirement. Delete or edit this comment before sending consolidated consultation back to MCA. This is within the competence of a CA surveyor who has undergone appropriate training (something for CA's to set up jointly) Reading this suggests that the CA only verifies that a radio survey has been done by a MCA authorised radio surveyor, eg SELEX see MGN 392 . We assume MCA have publish list of approved surveyors?</p>	<p>Noted.</p> <p>This requirement also features in Workboat Code 2. We are content with the current wording and arrangements.</p>
<p>17.1.3 Exceptions to 17.1.2 are: .1 Vessels certificated to operate in area category of operation 4, 5 or 6, which can obtain up to date navigation and weather information by other means, are not required to be able to receive MSI by a communication system for use in the GMDSS. .2 Vessels certificated to operate in area category of operation 6 only are not required to have a second means of transmitting ship to shore</p>	<p>Not sure what this means. Reads like cat 6 do not need radio to receive weather warnings. If it is not in GNSS it is unlikely to be providing accurate MSI</p> <p>Surely Category 3 area is same as Category 4? Clarification is sought.</p>	<p>Vessels certified to operate in area category of operation 6 only are not required to be able to receive MSI by a communication system for use in the GMDSS. However, they do need to be able to obtain up to date navigation and weather information by some other means</p> <p>Area category of operation 4 is the same distance from a safe haven as area category of operation 3, except that it is limited to daylight and favourable weather only</p>

Workboat Code Edition 3 Consultation Feedback

<p>distress alert if an alternative effective means of distress alerting (visual or non-GMDSS) is available, subject to approval by the Certifying Authority.</p>		
<p>17.2.1 The minimum radiocommunication equipment carriage requirements based on the GMDSS Sea Area(s) in which the vessel is operating are indicated in Table 17.2.1.</p>	<p>Our understanding is that this is not currently standard. Transition: is this a requirement for all existing boats or those new to the fleet? Retrofitting or amending vessels could be impacted from supply chain issues if not provided suitable transition. Individual installation would be fine although if the whole sector (and beyond) tries, it would cause a shortage. Suggest a 12 month transition then feed in a future examinations with a 3 year expectation that all would be carried out.</p>	<p>The requirements have not changed from Workboat Code Edition 2</p>
	<p>Footnote references in column 1 of Table 17.2.1 do not appear to provide any information?</p>	<p>The MCA thanks you for your comment</p>
	<p>Transition: to understand full requirements, input from surveyors would benefit the system and in order to comply, receipt of feedback/requirements from surveyors would benefit the process to allow knowledge of necessity.</p>	
<p>Table 17.2.1</p>	<p>Observation, Note: 80, 83, 84, 85, 86 & 87 not present. GMDSS Carriage Requirements: Area 0-4 VHF – No Notes for 80 & 84 PLB – No notes for 85/86/87 EPIRB – No notes for 83</p>	<p>The MCA thanks you for your comment and amendments to the Code will be made where appropriate.</p>
	<p>Is it worth adding a portable waterproof VHF radio to the equipment list, to ensure that one is provided for each liferaft (see 17.4.8)</p>	<p>Noted. 17.4.8 refers.</p>
	<p>Footnote numbers do not match with these number for PLB and EPIRB</p>	<p>The MCA thanks you for your comment and amendments to the Code will be made where appropriate</p>
	<p>Note B Isn't it time to consider alternatives to NAVTEX as being acceptable?</p>	<p>Noted.</p>
	<p>'For PLBs, do you mean 100%, i.e. one for each crew member, or just one for the vessel, in which case it is meaningless as this is covered by the EPIRB</p>	<p>Personal Locator Beacons are for persons on board, not the vessel</p>
	<p>NBDP is being removed from the GMDSS for distress/2 way comms as of 1/1/2024</p>	<p>The MCA thanks you for your comment</p>

Workboat Code Edition 3 Consultation Feedback

	NAVTEX receiver is becoming 'Receiver(s) capable of receiving MSI and SAR-related information throughout the entire voyage in which the ship is engaged'	Noted
	1x EPIRB contradicts the Area 0 requirements in table 14.2.1 'In Tables 14.1.2 it states that 2 EPIRBs shall be carried in Cat.0 not 1 please confirm	The MCA thanks you for your comment and amendments to the Code will be made where appropriate
Footnote 68 This has a global range and alerts the nearest Coastguard Station to a Man Overboard situation. It will typically take 5 minutes for the Coastguard to be aware of your position with an accuracy of 100 m.	Not sure why we are explaining what these do to people. There are quite a variety of MOB devices and we are only covering two types. PLB will not help locate from your vessel, VHS/AIS one will. There are combined ones available. Suggest a rewording to put a risk assessment in place to identify what is best	Noted with thanks.
17.3.1 Aerials shall be mounted on the highest point on the vessel. Alternative locations may be accepted provided its location allows maximum performance.	'Suggest 'aerials shall be mounted on the highest practicable point'	Noted with thanks.
17.4.7 A vessel shall carry charging facilities or spare batteries able to provide at all times at least 8 hours of VHF radio operation. Batteries or seals shall be marked with an expiry date by the manufacturer and shall be in date.	Not all DSC portable VHF radios will have the battery date of expiry marked on them. Can MCA confirm why this is deemed necessary?	Out of date batteries do not reliably hold charge. Having an expiration date will benefit the vessel owner/operator in ensuring that spare batteries or facilities to charge the VHF radio are suitable for use
17.5.2 Manned vessels operating in area category of operation 0 shall carry a second EPIRB stowed in an accessible place, where it is capable of being placed in a liferaft and	'see comment above against the table, this should be cross referenced to make it clearer	Cross references will be added to the Code for clarity, where appropriate

Workboat Code Edition 3 Consultation Feedback

need not be capable of floating free.		
All EPIRBs shall be maintained in accordance with the manufacturer's recommendations. Batteries shall be replaced as required by a manufacturer approved service station.	Do we recommend circ 1039 & 1040?	References will be added to MIN XXX where appropriate.
17.5.4 All EPIRBs shall meet the mandatory registration requirements as detailed in MGN 665 (M+F), as amended. See MIN XXX.	MSN 1816 has been replaced by MGN 665	Noted. The MCA thanks you for your comment
17.6 Personal Emergency Radio Devices	406MHz PLBs are not currently required, and we , along with much of the industry use AIS PLBs(one for every working lifejacket. MCA's guidance flyer implies AIS PLBs are superior. Is it necessary / right to change an AIS PLB with DSC to 406MHz PLB? Allow AIS PLBs meet this requirement. Just about every workboat has an AIS receiver.	Noted. MCA to consider/clarify.
	'See comments above regarding carriage requirements, this should be cross referenced to make it clearer	Cross references will be added to the Code for clarity, where appropriate
17.6.1 A vessel shall meet the 406 MHz Personal Locator Beacon (PLB) carriage requirements of the Table 17.2.1. For guidance on PLBs see MIN XXX.	MSN 1816 has been replaced by MGN 665	Noted with thanks.
	The risk of falling overboard will vary according to the type of vessel. It can be considered to be high on a RHIB or other small open boat, much less on a larger displacement vessel. The people most at risk of falling overboard from the deck of a work boat are passengers. On vessels with a continuous watertight deck this risk would normally be mitigated by a metre-railing around the weather deck. A PLB could be a requirement for all crew in heavy weather but appropriately rigged lifelines would be much better – as they stop the person going overboard in the first place	
Footnote 69 406MHz PLBs and VHF DSC devices shall be registered with the EPIRB Registry, details of which are given in	Replace MSN 1816 with MGN 665	
	Not sure why we are explaining what these do to people. There are quite a variety of MOB devices and we are only covering two types. PLB will not help; locate from your vessel, VHF/AIS one will. There are combined ones available.	

Workboat Code Edition 3 Consultation Feedback

<p>MSN 1816 (M+F) 406 MHz Beacons: registration requirements</p>	<p>Suggest a regarding to put a risk assessment in place to identify what is best</p>	
<p>17.10.1 Where a vessel is fitted with GMDSS radio equipment, the vessel owner/operator shall undertake a survey of the radio installation every 5 years. The survey shall be undertaken by an organisation authorised by the Administration to perform a survey of code vessel radio equipment. A Statement of Compliance may be issued by the authorised organisation upon successful completion of the radio survey</p>	<p>Reserved for SOLAS over 300GT vessels. Does evidence exist to support the additional cost to the owner/operator? Unnecessary cost. Can MCA set out the rationale behind mandating radio surveys on Code boats less than 300gt where the carriage requirement under this Code may only be a single VHF DSC and a portable VHF?</p>	<p>This requirement is unchanged from Workboat Code 2.</p>
	<p>This is within the competence of a CA surveyor who has undergone appropriate training (something for CA's to set up jointly)</p>	<p>The MCA note your comment with thanks</p>
	<p>What counts as GMDSS equipment? Does a DSC VHF?</p>	<p>GMDSS equipment has specific requirements. MSN 1903 refers.</p>

18: Navigational Lights, Shapes and Sound Signals

Section of Code	Feedback Received	MCA Position
18 Navigation Lights, Shapes and Sound Signals	Is it practical to fit a bell to a workboat? Delete requirement for bell	The MCA note your comment with thanks
18.3 Exceptions to 18.1 are: .1 A vessel which is certified to operate only during daylight, and in favourable weather, is not required to carry navigation lights. .2 A vessel of less than 12 metres in length is only not required to carry the sound signalling equipment required by SI 1996 No. 75), as amended, when an alternative means of making an efficient sound signal is carried.	.1 What happens in the event a vessel is delayed or encounters a sudden and unexpected change in weather conditions and/or natural light? .2 Does this mean only required or not required?	It is the responsibility of the Master to return a vessel to shore, or to a safe haven, if conditions (including weather and light) are degrading towards a level outside the vessel's certificated operational limits. Means not required, but ONLY when carrying an alternative means of making an efficient sound signal.
Table 18.4	Do not agree with adding so many paraphrased comments from colregs. Better to reference colregs so they get the full picture, e.g. this says vessel of max speed 7 knots whereas colregs says vessels max speed not exceeding 7 knots. We risk introducing errors	The MCA note your comment with thanks
	Note d appears to merge 20 to 24m vessels and open boats.	Paragraph spacing was improved
	Some references state "All-round lights" and others state "round lights".	All instances of "all-round" will be amended to "all round".
	Diving operations are not considered "Not Under Command". Diving has never been an exceptional circumstance – it is a planned operation. RAM lights would be more appropriate	A vessel <12m carrying out diving is not considered "not under command", however it is required to display the lights set out in table 18.4. This requirement has not changed from Workboat Code Edition 2.
	High speed vessels should be referenced in this table or the Notes	The MCA note your comment with thanks

Workboat Code Edition 3 Consultation Feedback

19: Navigation

Section of Code	Feedback Received	MCA Position
19 Navigation	Is there sufficient scope within this section/WBC3 to account for the removal of paper charts as indicated by UKHO for 2026?	A vessel may either have paper charts or an ECDIS or other compliant system which meets the requirement of 19.3.4
	When setting vessel navigation equipment upgrades please set minimum standards. Owners tend to purchase the cheapest they can get away with. Same with safety equipment upgrades.	The MCA note your comment with thanks
	There is reference to MGN 319 and non-ECDIS chart systems and it is a recommendation for high speed vessels. The RYA is not aware of any products on the market which are compliant with MGN 319 and therefore it would appear unreasonable to make a recommendation which conscientious owners and operators cannot possibly comply with. Further more, given the UKHO's recent announcements regarding withdrawal of paper folios it is imperative that the MCA engage with the industry to ensure that suitable, proportionate, electronic systems can be accepted and are available for purchase.	19.3.4 makes provision for such devices; however these are not mandatory. This offers guidance on what would be an acceptable alternative to paper charts and nautical publications.
	AIS all vessels operating in cat 0-4 and engaged in towing operations shall have an AIS class A vessels cat 5-6 shall have AIS B a suitable Automatic Identification System (AIS) transceiver (see MIN XXX for installation and maintenance guidelines)	Vessels operating in area category of operation 0, 1 or 2 shall be fitted with a suitable Automatic Identification System (AIS) transceiver
	ECS no mention of requirements in WBC3 given the admiralty withdrawing paper charts shouldn't there be. No mention of ECS requirements type backup etc with the withdrawal of the paper charts imminent think this would be an opportunity for the MCA to give some guidance	A vessel may either have paper charts or an ECDIS or other compliant system which meets the requirement of 19.3.4
	reference to Radar reflectors but no reference to AIS eqpt, given the advances of technology since the introduction think all workboats operation in and around harbours and coastal waters should be fitted with AIS whether it be class A or B . AIS all vessels operating in cat 0-4 and engaged in towing operations shall have an AIS class A vessels cat 5- 6 shall have AIS B a suitable Automatic Identification System (AIS) transceiver (see MIN XXX for installation and maintenance guidelines")	Vessels operating in area category of operation 0, 1 or 2 shall be fitted with a suitable Automatic Identification System (AIS) transceiver The MCA note your comment with thanks

Workboat Code Edition 3 Consultation Feedback

<p>19.2.1 A vessel shall be fitted with a properly adjusted suitable magnetic marine compass with consistent deviation</p>	<p>properly define properly adjusted who can carry this out?</p>	<p>The Master or qualified compass adjuster shall carry out adjustment of a magnetic marine compass</p>
<p>19.3.3 Charts shall be of sufficient scale and detail to display: .1 all relevant navigational marks, and .2 known navigational hazards, and .3 where, appropriate, information concerning ship's routing and ship reporting schemes.</p>	<p>What other issues does this present given the recent announcement that paper charts are to be discontinued?</p>	<p>A vessel may either have paper charts or an ECDIS or other compliant system which meets the requirement of 19.3.4</p>
<p>19.3.4 Electronic Chart Display and Information System (ECDIS) or an electronic chart plotting system which complies with the requirements of MGN 319 (M+F) as amended, may be accepted as an alternative to the requirements of 19.3.1</p>	<p>May be accepted by whom? MCA, Surveyor?</p>	<p>The normal approval process by the Certifying Authority</p>
	<p>Given that there has been an announcement that paper charts are being phased out then it seems sensible to actively push operators towards non-ECDIS / ECDIS systems rather than allowing placing the emphasis on electronic charts being the alternative option. The wording of 19.3.4 also infers that if have ECDIS / electronic charts that nautical publications are not required which one assumes they still are.</p>	<p>19.3.4 outlines that a vessel may have ECDIS, or a compliant system, instead of paper charts (as required in 19.3.1)</p>
	<p>There are no ECS that meet MGN 319 and this is likely to be superseded in coming years</p>	<p>19.3.4 makes provision for such devices; however these are not mandatory. This offers guidance on what would be an acceptable alternative to paper charts and nautical publications.</p>
<p>19.6 Radar Reflector</p>	<p>Refer to MGN 349 A.1?</p>	<p>MGN 349 is referenced in MIN XXX</p>
<p>19.6.3 If the radar cross sectional area of the boat is larger than the passive reflector standard then the carriage of a reflector is not required.</p>	<p>Who determines the calculation?</p>	<p>Should be determined by visibility of vessel on radar.</p>
<p>19.7.1</p>	<p>Why may? They should. Lacks direction</p>	

Workboat Code Edition 3 Consultation Feedback

<p>A vessel certified to operate in area category of operation 0, 1, 2 or 3 may carry a barometer.</p>	<p>Better clarification needed and is its may does this mean those in cat 4,5 and 6 may not? May or must? If a barometer is required, it has to be must surely or is it optional?</p>	<p>It is optional for all area categories of operation. Will clarify the requirements.</p>
<p>19.8.1 A vessel which is certified to operate in area category of operation 0, 1 or 2 shall be equipped with: .1 an electronic position fixing system GPS (global navigation satellite system), or a terrestrial radio-navigation system, or other automatic means suitable for use at all times throughout the intended voyage); and .2 a distance measuring log (except where the navigational equipment in paragraph 19.8.1.1 provides reliable distance measurements in the area of operation of the vessel); and .3 a 3 cm radar on an appropriate standard (MIN XXX) shall be fitted. Radars for vessels designed to operate at speeds over 30 knots shall comply with the MED. Where radar is equipped with automatic target tracking then a suitable transmitting heading device shall be fitted; and .4 a suitable Automatic Identification System (AIS) transceiver (see MIN XXX for</p>	<p>A Global Navigational Satellite System (GNSS), not just GPS Disagree with relting on a sole system. Good practice is to have an ability to navigate with multiple source of information. Equally Radar will not be able to carry out effective MARPA without log and heading inputs (i.e. water stabilised)... Unsure if SIST remains? COMSAR/Circ/32/Rev.1 comes into force 1/1/2024</p>	<p>Noted A vessel operating in area category of operation is required to have an electronic position fixing system References will be added to MIN XXX where appropriate</p>

Workboat Code Edition 3 Consultation Feedback

installation and maintenance guidelines).		
<p>Footnote 75 Additionally, vessels that are operated at high speed are recommended to be provided with an electronic chart system to satisfy chart carriage requirements as in 19.3, complying at least with the specifications required by the SeaFish Industry Authority (SFIA), see also section 19.3.4 and MGN 319 as amended</p>	<p>There aren't any systems that meet MGN 319</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

20: Anchors and Cables

Section of Code	Feedback Received	MCA Position
<p>20 Anchors and Cables</p>	<p>The change in size for anchors will affect our multicasst and after new chain, gypsies, Class approval, hawser modification will cost in excess of £100k per vessel. What has driven this requirement?</p>	<p>Anchor sizes have not changed from Workboat Code Edition 2; however we will review these arrangements for existing vessels certificated under Brown Code or MGN 280.</p>
	<p>New text addition "or other factors". What are these other factors?</p>	<p>Other unspecified factors which result in a vessel having a large windage area. If is not possible to detail all examples, and would cause limitations if "other factors" were not permitted</p>
	<p>Changed compared to WBC2, new text addition. Note 76 used to be the text wording of Section 20.2.2 in WBC2. All vessels must have 2 anchors regardless of Category Area, in WBC2 it was only Cat 0 to 4. Additionally compared to WBC2 "Twin propulsion, high speed vessels that do not normally anchor as part of their operational procedures may carry a single larger anchor to a recognised Classification Society standards sizes, see 25.9.7." This has now been deleted from WBC3. Why?</p>	<p>This text is now located in: 20.1.2 Vessels that do not normally anchor as part of their operational procedures may have the carriage requirements of Tables 20.1 and 20.2 reduced, subject to approval of the Certifying Authority.</p>
<p>20.1 General</p>	<p>Edition 2 states: "Twin propulsion, high speed vessels that do not normally anchor as part of their operational procedures may carry a single larger anchor to a recognised Classification Society standards sizes, see 25.9.7." This specific wording has been replaced by "Vessels that do not normally anchor as part of their operational procedures may have the carriage requirements of Tables 20.1 and 20.2 reduced, subject to approval of the Certifying Authority". Can LR approve one anchor on that basis? One anchor should remain acceptable on larger vessels where a second windlass would otherwise be required to lift an anchor over 30kg.</p>	<p>The requirement remains the same; however the scope has been widened to all vessels that do not normally anchor as part of their operational procedures.</p>
<p>20.1.1 A vessel shall be equipped with at least two anchors (one main and one spare or two main) and comply with the minimum anchors and cables requirements given in Tables 20.1 and 20.2.</p>	<p>Clarification on second anchor requirements would be welcome - 20.2.3</p>	<p>Second anchors are included in the requirement in 20.2.3</p>
	<p>Carriage of two anchors is acceptable in the current format of one anchor, associated machinery, and housing plus a spare carriage and capable of being rigged in emergency</p>	<p>Noted</p>

Workboat Code Edition 3 Consultation Feedback

<p>20.1.2 Vessels that do not normally anchor as part of their operational procedures may have the carriage requirements of Tables 20.1 and 20.2 reduced, subject to approval of the Certifying Authority</p>	<p>What is the process used gain approval for the reduced carriage requirement?</p>	<p>The vessel owner/operator shall contact their Certifying Authority</p>
<p>20.1.3 Provision shall be made for the secure storage of an anchor and its cable.</p>	<p>For the implementation these tables are fine for new build vessels. For existing anchors should remain as built (ie the class standard built to). Otherwise, the industry will have wholesale replacement of anchors across the sector</p>	<p>The MCA note your comment with thanks</p>
<p>20.2 Anchoring Systems</p>	<p>Include ISO reference</p>	<p>References will be added to MIN XXX where appropriate</p>
<p>Table 20.2</p>	<p>Subject to 20.4.4 regarding min length of chain or increased mass</p>	<p>Noted</p>
<p>20.2.2 Mechanical means shall be provided for handling the anchor where an anchor mass is more than 30 kilogrammes.</p>	<p>It is not necessary to require a windlass where anchors are >30kg in weight. If the anchor is kept in position ready to deploy then a person does not need to lift it (not that a windalss would help here) and the anchor only needs to be deployed it there is never a requirement to retrieve it back on board. A buoy can be put onto it and recovered at a later date if necessary. Please reconsider this addition to the proposed Code. This would in itself be a vast expense (and waste of the worlds resources) if this is needed to be fitted to all new workboats >14 m mean length. Has this been priced up for the existing fleet? The industry need to know the full implication of the costs of this addition to the code.</p>	<p>This text is the same as in Workboat Code Edition 2.</p>
<p>20.2.3 Anchors are to be rigged ready for use</p>	<p>Section 20.2.3 dictates that “anchors are to be rigged and ready for use”. We are aware of existing WB code vessels which keep the spare or main anchor unready (section 20.2.5 of the WB code edition 2). Is it the intention to forbid this practice? Is it the intention to remove the exemption for vessels with operating patterns that currently have unready anchors? Is it the intention that both main and spare anchors are to be rigged and ready for use at all times, on all vessels? We can see significant problems for some vessels to fit second anchor equipment where it was not designed for it.</p>	<p>This is an existing requirement and the text is the same as in previous editions of the Code.</p>
	<p>Having a second anchor (over 30kg) permanently rigged, ready for use would require most workboats over 19m to add a second hawse pipe, spurling pipe, chain locker and windlass</p>	<p>We will review these arrangements for existing vessels certificated under Brown Code or MGN 280.</p>

Workboat Code Edition 3 Consultation Feedback

	Second anchors are usually stowed. Has this been a change to WBCv2?	
20.3.4 For vessels with a large windage area (as a result of a high freeboard, a large rig, large deckhouses or superstructures, or other factors) the mass of the anchor and the anchor cable diameter shall be increased above that required in Table 20.1 or 20.2 to correspond to the increased wind loading. The increase in anchor mass and corresponding cable strength is to be to the approval of the Certifying Authority.	In section 20.3.4, anchor mass and cable strength are called to be increased for vessels with large windage areas. We would prefer slightly more clarity on what constitutes 'large windage area'. For example, at the upper displacements in the table it will be difficult to achieve without 3 tiers of deckhouse covering half of the length of the vessel. On the face of it, this is a large windage configuration, but for the displacement, perhaps it is not. Is the intended meaning 'unusually large windage area for the displacement' or some defined threshold of 'large windage area'.	Noted, we will review and clarify as appropriate
20.3.6 For vessels engaged in towing the mass of the anchor and the anchor cable diameter shall be increased above that required in Table 20.1 or 20.2 to include the length and/or displacement of the tow. The increase in anchor mass and corresponding cable strength is to be to the approval of the Certifying Authority.	In section 20.3.6 it is stated that for a vessel engaged in towing, the anchor and cable are to be increased to include for the length and/or displacement of the towed object. We are aware of WB code vessels engaging in harbour tug activities towing full size ships or semisubmersibles which are manned, powered and have their own anchoring arrangements. To fit an anchor to account for that whole load to an under 24m vessel seems excessive. We suggest an alteration with an allowance for vessels with this operation, or for the rule to be more specifically targeted at vessels towing 'dumb' objects.	Tug operations are not currently permitted under the existing code/SI. The requirements in the new code have been included to allow limited towing/tug operations.
	Given that objects to be towed vary, the anchor and cable could have to be changed for each and every tow. What has the requirement for the towing vessel be required to have sufficient anchor and anchor cable for the towed object too?	The vessel shall carry anchor and cable which is of sufficient weight and diameter to support the maximum permissible towing weight.
	Nice idea but it's impossible to predict what length or displacement a workboat may be required to tow when you're building it; we've had 4,500 tonne caissons towed by workboats and you wouldn't be able to fit that size anchor and cable aboard, even if you knew when designing and building that you'd end up doing that, it's simply not practicable. All we can usefully say is something like 'for vessels	

Workboat Code Edition 3 Consultation Feedback

	intended to be engaged in sea towing, even if only occasionally, an increased anchor mass and corresponding cable size are advisable in case of the need to anchor with a tow'.	
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21: Accommodation and Recreational Facilities

Section of Code	Feedback Received	MCA Position
<p>21.1.3 Mechanical ventilation shall be provided to all accommodation spaces below the weather deck where: .1 an air conditioning system(s) is not fitted; and .2 9 or more persons are berthed below the weather deck; or to all accommodation spaces on board vessels engaged on long international voyages or operating in tropical waters. Such mechanical ventilation shall provide at least 6 changes of air per hour when the access openings to the spaces are closed.</p>	<p>Should this be a point 3 or is the mechanical ventilation only required for long voyages/tropical waters – not clear</p>	<p>Amended with thanks</p>
<p>21A.2.1 An adequate supply of fresh drinking water shall be provided and piped to easily accessible locations throughout the accommodation spaces.</p>	<p>Why does it need to be piped?</p>	<p>Noted. Will remove requirement to be piped.</p>
<p>21A.2.3 A vessel shall be fitted with a galley which shall be equipped with means for cooking, a sink and adequate working surface for the preparation of food.</p>	<p>Consider rewording for the possibility of unmanned operation not requiring catering</p>	<p>Section 21 (including 21A and 21B) is disapplied for unmanned vessels.</p>

Workboat Code Edition 3 Consultation Feedback

<p>21B.1.1 An adequate supply of fresh drinking water shall be provided and piped to easily accessible locations throughout the accommodation spaces.</p>	<p>It would be useful to include guidance on testing of & minimum standard of potable water/tanks as this is often a requirement by industry codes & other Administrations (or provide link)</p>	<p>Noted</p>
<p>21B.1.3 Sleeping accommodation below the load line/freeboard mark (or the maximum loaded displacement where no load line/freeboard mark is provided) may only be permitted in exceptional cases to the approval of the Administration. Such sleeping accommodation shall be fitted with an alarm to provide seafarers with an early warning of flooding.</p>	<p>Return to guidance as per MGN490 Amendment 1 - 10.7 & 10.8. Cabins below load line is a very normal practice. Design change for new builds and high windage effects to facilitate above load line cabins.</p> <hr/> <p>Many of our vessels have sleeping cabin soles are below the waterline. As per previous comments regarding substantial structural changes required, this will impose unsustainable financial cost to rectify. What is the MCA's decision basis for this? Grandfather this requirement, apply to new build vessels with keels laid after implementation of this code.</p>	<p>MGN 490 has been withdrawn and is replaced by MGN 600 and MGN 601. Section 21B sets out Accommodation and Recreational Facilities for all vessels to which the MLC applies. The MLC only permits sleeping accommodation below the load line/freeboard mark in exceptional circumstances</p>

Workboat Code Edition 3 Consultation Feedback

22: Protection of Personnel

Section of Code	Feedback Received	MCA Position
<p>22 Protection of Personnel</p>	<p>It is not clear why it is no longer specified that the protection measures previously in place for passengers and IP's is no longer relevant. This consideration of design and layout, risk assessment and intended operation is surely useful and still relevant. Please consider including WB Code 2 Section 22.4.</p>	<p>This is covered in Section 3.14.3. Section 3.14 Risk Assessment of Operations</p>
	<p>Include ISO reference</p>	<p>Appropriate references will be included in MIN XXX</p>
<p>22.2.2.3 Where persons are on deck, a vessel shall meet the following requirements unless otherwise permitted by 22.2.2.6 and 22.2.2.8: .1 be fitted with either bulwarks, three courses of guardrails or three courses of taut guard wires; and .2 the bulwark top, top course of guardrails or top course of taut guard wires shall be not less than 1000 mm above the deck; and .3 the distance between the lowest course of guardrails or taut guard wires and the deck shall not exceed 230 mm; and .4 the distance between other courses of guardrails or taut guard wires shall not exceed 380 mm; or .5 where guardrails or guard wires are not fitted, or do not meet the requirements of paragraphs 22.2.2.2.1 – 22.2.2.2.4, portable or fixed</p>	<p>And harness lines provided Incorrect reference - Should be 22.2.2.3.1 -22.2.2.3.4 ?</p>	<p>22.2.3 refers. Noted, with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>jackstays secured to strong points shall be provided on each side of the vessel.</p>		
<p>22.2.2.6 Alternative arrangements to requirements of 22.2.2.2 and 22.2.2.4 may be accepted for the following, subject to approval by the Certifying Authority: .1 for vessels certified to operate in area category of operation 6 only, where the fitting of guardrails is impractical or unnecessary; or .2 where the fitting of guardrails impedes the safe operation of a vessel (except where a vessel is certificated to operate single handedly), see MIN XXX.</p>	<p>It is not clear what constitutes "impractical" or "impede". CA's need something to hang their hats on when faced with something that is unsafe in their eyes. Incorrect reference - Should be 22.2.2.3 ?</p>	<p>The MCA note your comment with thanks</p>
<p>22.2.2.8 For an open boat, boat with a buoyant collar, inflatable boat or rigid inflatable boat where it is not possible to fit bulwarks, handrails or guardrails there shall be handgrips and toeholds provided to ensure safety of all persons on board in the range of the sea and weather conditions likely to be encountered in the intended area category of operation.</p>	<p>It is possible to fit guard rails to RIB's plenty of examples exist of coded RIB's that are also pax boats that have guard rails fitted. See Scilly Isles operators as an example. This is inappropriate wording.</p>	<p>This section sets out requirements for open boats, boats with a buoyant collar, inflatable boats and rigid inflatable boats which are not suitable to have bulwarks fitted</p>
	<p>Reference 6185 series as acceptable.</p>	<p>References will be added to MIN XXX where appropriate</p>
<p>22.2.3 Safety Harness</p>	<p>Be careful here because of definition of open boat, which could be a decked vessel with reduced FB. This is a problem throughout the code</p>	<p>Noted.</p>
<p>22.2.3.2 Fastening points for the attachment of safety harness lifelines shall be provided at the following positions: .1 close to a companionway; and .2 on both sides of a cockpit; and</p>	<p>Are railings a sufficient alternative to needing a lifeline. Include railings of minimum height as alternative means to protect personnel from falling overboard.</p>	<p>No, the requirement for lifelines and appropriate fastenings are irrespective of means of protecting personnel from falling overboard.</p>

Workboat Code Edition 3 Consultation Feedback

<p>.3 on exposed decks; and .4 perimeter of a deckhouse; and .5 other locations where a fastening point(s) would mitigate the risk of falling overboard.</p>		
<p>22.2.4.1 It is the responsibility of owners/operators of open boats, boats with a buoyant collar, inflatable boats and rigid inflatable boats to ensure that a safe location is provided on board the vessel for all persons.</p>	<p>Isn't there a case to be more prescriptive – RIBS seats facing fore and aft, not seated on collar – handholds?</p>	<p>Noted. Here the responsibility is placed on the owner/operator. Greater clarity and additional requirements will be put into the Sport & Pleasure code where this is more applicable.</p>
<p>22.2.5.2 In an inflatable boat or rigid inflatable boat the upper surface of the inflatable buoyancy tube shall be provided with a non-slip finish.</p>	<p>Why if seating is not allowed on them?</p>	<p>If a person needs to step on the tube when alighting the vessel it needs to be non-slip.</p>
<p>22.2.6 Personal Clothing</p>	<p>22.2.7 in WB2 had some very helpful wording; in particular applying RA to this subject. It is wrong to remove this</p>	<p>Will consider adding risk assessment element, however recommendations are not enforceable and will become requirements wherever possible and appropriate.</p>
<p>22.2.6.2 Vessels operating in area category of operation 0, 1 or 2 and in waters of sea surface temperature of 10 degrees Celsius or less shall provide an immersion suit (see 14.5.6), a dry suit or other efficient garment (such as a floatation suit meeting EN ISO 15027-1) for each person on board.</p>	<p>As in most of the other abandonment requirements, does evidence exist to support abandon ship cases within the workboat sector?</p>	<p>There are always situations whereby a workboat may have to be evacuated.</p>
	<p>Is it necessary for operators to carry immersion suits on board all year around when temps >10 degrees?</p>	<p>It is necessary in area category of operation 0, 1 or 2</p>
	<p>Clarification if vessels operating in other categories of water where temperature is <10°C</p>	<p>Yes, this would be required in area category of operation 0, 1 or 2, and any waters of sea surface</p>

Workboat Code Edition 3 Consultation Feedback

		temperature of less than 10 degrees Celsius
	As an operator working in the renewables industry our passengers fall under the Industrial personnel definition. What is the MCA's basis for this change? Revert to old definition	The definition of industrial personnel has been updated to align with the definition set out in The Merchant Shipping (High Speed Offshore Service Craft) Regulations 2022, and The High Speed Offshore Service Craft Code (HSOSC)
22.3.4 Ambient sea conditions and whole body vibration shall be continually assessed throughout the voyage	What guidance do operators refer to to risk assess and mitigate this requirement?	Conditions and motions experienced by the persons on board should be judged by the owner/operator/master as suitable to continue the voyage.
22.3.5 Individual ergonomic seating shall be provided for all persons on board Offshore Energy Service Vessels or vessels operating at high speed or in a planing mode (see section 25.4). A comprehensive risk assessment shall be carried out to identify appropriate mitigation measures to reduce the effects of vibration including but not limited to: seat belts, headrests, footrests, movable armrests and shock absorbent seating.	In order for us to meet this requirement we would need to ensure that the numerous small boats that we have are installed with individual ergonomic seating, this does not feel proportional and place a heavy cost burden on our sector - if it is anticipated that boats must be to this standard by their next available inspection. Is there potential for unintended consequences for the stability of the vessel to have retrofitted seating applied? At first annual examination or one year after date of entry into force whichever is later.	This is not a change to the requirements in Workboat Code Ed.2. We will review the application of these provisions for vessels certificated under Brown Code or MGN 280.
	Many workboats do not have "Individual ergonomic seat required for all persons onboard" instead having a bench or sofa style seat. For example on our 21m vessel there are 14 individual seats for max 16 POB, where two of the crew members may be additional to safe manning. e.g trianees. A bench style seat should be acceptable when it meets individual space requirements. (For example space requirements in the Domestic Passenger Vessels Regulations)	
	Could the MCA please quantify what is meant by Ergonomic? Does a bench seat meet this requirement? A bench style seat should be acceptable when it meets individual space requirements. (For example space requirements in the Domestic Passenger Vessels Regulations)	It is unlikely a bench seat arrangement would meet this requirement. We will review the application of these provisions for vessels

Workboat Code Edition 3 Consultation Feedback

		certificated under Brown Code or MGN 280.
	How is “ergonomic seating” defined? Are seatbelts, armrests, headrests all compulsory? We propose it should be referenced to area of operation. Can certifying authorities continuing endorse certificates depending on area of operation and passengers?	We will review the application of these provisions for vessels certificated under Brown Code or MGN 280.
22.4.2 Industrial personnel that do not meet all of the requirements of 22.4.1 may be transported as passengers, subject to an overall limit of 12 passengers being carried within the total number of persons on board.	This seems to imply that industrial personnel that meet 22.4.1 can be carried in addition to 12 pax. The number of passengers should be referenced as an agregate of pax and IP's.	The MCA note your comment with thanks and will clarify the requirements as appropriate.
22.5.1 An updated copy of the MCA’s publication The Code of Safe Working Practices for Merchant Seafarers, as amended shall be available at the control position at all times.	Completely agree that COSWP shall be available to crew at all times, but why specifically at the control position? This does not seem practical, surely 'An updated copy of the MCA’s publication The Code of Safe Working Practices for Merchant Seafarers, as amended shall be available to the crew at all times' would be more practical.	

Workboat Code Edition 3 Consultation Feedback

23: Medical Care

Section of Code	Feedback Received	MCA Position
<p>23.1.1 At the point of publication of this Code the requirements for medical stores are as follows: .1 vessels certified to operate in area category of operation 0 shall meet the requirements for Category of Medicines and Medical Stores A; .2 vessels certified to operate in area category of operation 1 shall meet the requirements for Category of Medicines and Medical Stores B; .3 vessels certified to operate in area categories of operation 2, 3, 4, 5 and 6 shall meet the requirements for Category of Medicines and Medical Stores C. A vessel owner shall ensure that medical stores are carried in accordance with the latest requirements (see MIN XXX).</p>	<p>Not sure of the reason for stating this; it could apply equally to many other requirements of the code. This wording implies that the MCA (or IMO) might be changing this soon.....?</p> <p>The scope of the related MIN notice needs clarifying and published alongside the updated code - inclusive of the EFA course syllabus change. Concerns exist over First Aid training standards covering updated 'Cat C' medical stores, and that no reference to emergency first aid training within the code training section</p>	<p>The MSN which sets out requirements for ships' medical stores is regularly reviewed and updated</p> <p>MIN XXX provides a summary of standards and guidelines for Workboat Code Edition 3. The MCA note your comment with thanks and will clarify the requirements as appropriate.</p>
<p>23.2.1 First aid training requirements are set out in Appendix 5 of this Code, Table A5.3. See also MIN XXX.</p>	<p>This will make crewing impossible as very few people hold this certificate and it is not regularly provided by training schools. We propose this requirement is based on area of operation rather than whether a vessel is MLC compliant as this requirement will not encourage operators to conform to MLC.</p> <p>The MCA Elementary First Aid course requirements may not fulfil the skills needed in applying the upgraded first aid kits supplied with the new CAT C – Optional Equipment wait, e.g., use of tourniquets.</p>	<p>These requirements are no different to that proposed and agreed in Workboat Code Edition 2.</p> <p>The EFA course, whilst does not routinely cover medical stores, some offer additional training modules that do cover the use of medical stores. If the course chosen does not, then an alternative</p>

Workboat Code Edition 3 Consultation Feedback

		course should be picked. This provision is identical to that provided in Workboat Code Edition 2.
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24: Tenders and Daughter Craft

Section of Code	Feedback Received	MCA Position
<p>24.1.2 Where a mother vessel or shore/platform-based facility carries its tender(s) onboard, it shall have lifting equipment capable of safely launching and recovering the tender in any sea or weather conditions anticipated in the mother vessel's intended area of operation or in the location of the shore/platform based facility</p>	<p>A mother vessel will be capable of operating in conditions far in excess of what the daughter craft can operate in – this seems excessive. The equipment should be capable of recovering the tender in the sea or weather conditions it is limited to</p>	<p>The lifting equipment shall be safe for use in all sea or weather conditions anticipated in the mother vessel's intended area of operation (i.e. in conditions where the vessel is acting as a mother vessel to a tender).</p>
<p>24.2.1.1 For a vessel to operate as a Type 1 Tender the following requirements shall be met: .1 a vessel shall be coded and certified independently of the mother vessel with the endorsement "suitable for use as a Type 1 Tender" listed on the Workboat Certificate; and .2 be separately named from the mother vessel; and .3 be limited to operations no more than 10 miles from the mother vessel regardless of a tender's certified area category of operation; and .4 be limited to daylight hours in favourable weather regardless of a tender's certified area category of operation, and .5 shall have a risk assessment of the operation and equipment</p>	<p>According to definitions, this can only be Cat 4 (restr to 10 miles). Restricted night time operation under a RA would be useful to the industry</p>	<p>The MCA note your comment with thanks</p>

Workboat Code Edition 3 Consultation Feedback

<p>carried as per requirements of section 3.14; and .6 shall follow The Lifting Operations and Lifting Equipment Regulations (LOLER) and Provision and Use of Work Equipment Regulations (PUWER) as amended where applicable.</p>		
<p>24.2.3 Type 3 Tenders</p>	<p>This seems to be a totally independent workboat not using mother vessel as a safe haven so what is the point of this?</p>	<p>Type 3 tenders carry out operations which support the main working business of the mother vessel. Crew from a Type 3 tender may sleep etc. on board the mother vessel. Type 3 tenders were included in Workboat Code Edition 3 at the request of industry</p>

Workboat Code Edition 3 Consultation Feedback

25: Cargo Carrying, Lifting, High Speed and Bow Push Up Operations

Section of Code	Feedback Received	MCA Position
<p>25 Cargo Carrying, Lifting, High Speed and Bow Push Up Operations</p>	<p>According to definitions, this can only be Cat 4 (restr to 10 miles). Restricted night time operation under a RA would be useful to the industry</p>	<p>It is unclear what the respondent is referring to.</p>
	<p>This seems to be aimed at transfers such as tower transfers , but current wording would also encompass landing craft which have their own unique set of structural, loading and access issues</p>	<p>This is aimed at push on operations. Landing craft do not typically take on these operations.</p>
	<p>This places onus on CA for ensuring appropriateness of seating. Often missed by designers and builders and only considered at last minute. A lot of simple RIB & bouyant collar work boats out there where fit of individual inboard seating would compromise or prevent the workboat duties. But really up to Industry & WA find a solution or fight. We assume this also includes small fast tenders?</p>	<p>Noted</p>
	<p>Another example of compromising the definition of open boat in Section 2. It would be useful to revisit this definition so it is clear what is meant</p>	<p>The definition of Open Boat has not changed. This is the same definition as Workboat Code Edition 1 (Brown Code), MGN 280, and Workboat Code Edition 2.</p>
<p>25.1.4 Cargo hatchways shall: .1 be of weathertight construction; and .2 have a coaming with a minimum height of 760 mm; and .3 be fitted with a means of closure which shall be secured to the coaming; and either .4 have a hatch cover and coaming designed to withstand (without permanent deformation) a hydrostatic load of not less than 1.5 tonnes/metre² overall and associated buckling stress; or .5 have a hatch cover and coaming of sufficient strength to withstand the loading due to cargo stowed on the hatch cover.</p>	<p>What strength is required to 'withstand the loading due to cargo stowed on the hatch cover'? Does there need to be a minimum, perhaps the same 1.5 ts/m² as in 25.1.4.4. Also 'of' would read better than 'due to'. Overall may be better to say something like 'have a hatch cover and coaming able to withstand the additional weight of cargo stowed on the hatch cover but as a minimum the hydrostatic load as in .4'</p>	<p>This should be assessed and the max load determined by the scantlings and construction of the hatch.</p>

Workboat Code Edition 3 Consultation Feedback

<p>25.2.1.2 Lifting operations shall be undertaken only where the manufacturer's operating manual and instructions on safety procedures to be followed by the crew have been provided, and the Certifying Authority is satisfied that any lifting operations do not endanger the vessel or any persons on board.</p>	<p>Crane counter heeling – noted in the cargo/crane operation section but not the crane stability section (12B.4 page 90).</p>	<p>Noted. Will check and add cross-referencing as appropriate.</p>
<p>25.4 High Speed or Planing Mode Operations</p>	<p>How will the CA/surveyors apply this? This may prove challenging</p>	<p>This section is not new, and was in Workboat Code Edition 2.</p>
<p>25.4.1 A vessel intending to operate at high speed or in a planing mode shall meet the requirements of the Merchant Shipping and Fishing Vessels (Control of Vibration at Work) Regulations 2007 and MGN 436 (M+F) as amended. See also 8.15.2.</p>	<p>At first annual examination or one year after date of entry into force whichever is later.</p>	
<p>25.4.3 The Certifying Authority shall ensure that vessels have individual inboard seating for all persons on board that allow them to effectively brace themselves and provide lateral support, which shall be located so that persons avoid the greatest shock loads.</p>	<p>Input from surveyors to interpret and provide advice for vessels in operation would be welcome. Transition: to understand full requirements, input from surveyors would benefit the system and in order to comply, receipt of feedback/requirements from surveyors would benefit the process to allow knowledge of necessity. Would the requirements necessity retrofitting for existing vessels or just new ones coming into service. (Multiple vessels are in production and so changes to their specifications should be considered). Would/Should those vessels compliant with Code 2 (two) maintain classification for the duration of a longer transition period?</p>	<p>Noted. This is not a change to the requirements in Workboat Code Ed.2. We will review the application of these provisions for vessels certificated under Brown Code or MGN 280.</p>
<p>25.4.4 All persons on board should remain seated (or stood over jockey seats, as appropriate) during operations</p>	<p>In order for us to meet this requirement we would need to ensure that the numerous small boats that we have are installed with individual ergonomic seating, this does not feel proportional and place a heavy cost burden on our sector - if it is anticipated that boats must be to this standard by their next available inspection. Would/should boats</p>	<p>The MCA note your comments on the associated costs of transition for existing vessels and will revise the transitional arrangements for existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

<p>unless moving about the vessel for a specific purpose.</p>	<p>compliant under WBC2 (two) remain within compliance due to being designed within scope and standards at the time of production? The retrofitting/installing additional fixtures to vessels could have impact on vessel performance. At first annual examination or one year after date of entry into force whichever is later.</p>	
<p>25.4.5 On a rigid inflatable boat, boat with a buoyant collar, inflatable boat or open boat persons shall only be seated in designated inboard seats (this excludes the gunwale or the tubes of a boat fitted with a buoyant collar).</p>	<p>Another example of compromising the definition of open boat in Section 2. It would be useful to revisit this definition so it is clear what is meant</p>	<p>The definition of Open Boat has not changed. This is the same definition as Workboat Code Edition 1 (Brown Code), MGN 280, and Workboat Code Edition 2.</p>
	<p>Will this only apply to High Speed and Planing Mode RIBs. Could this lead to complicated operating restriction ... 12 persons when non-planing (6 on seats 6 on tube) or 6 persons only when planing? I think fore and aft facing seats should be added "persons shall only be seated in designated inboard fore and aft facing seats"</p>	<p>Yes, as written under this section, this only applies to vessels operating in high speed or planing mode. When in planing or high speed mode, the vessel could only operate as such if all persons were seated inboard (i.e not on the gunwale or tubes).</p>
	<p>Input from surveyors to interpret and provide advice for vessels in operation would be welcome. Transition: to understand full requirements, input from surveyors would benefit the system and in order to comply, receipt of feedback/requirements from surveyors would benefit the process to allow knowledge of necessity. Would the requirements necessity retrofitting for existing vessels or just new ones coming into service. (Multiple vessels are in production and so changes to their specifications should be considered). Would/Should those vessels compliant with Code 2 (two) maintain classification for the duration of a longer transition period?</p>	<p>This is not a change to the requirements in Workboat Code Ed.2. We will review the application of these provisions for vessels certificated under Brown Code or MGN 280.</p>

26: Towing and Non-Self Propelled Vessels

Section of Code	Feedback Received	MCA Position
26 Towing and Non-Self Propelled Vessels	Not sure why these are lumped together in same section nor why Section 25 from WB2 has been dismantled. A single section detailing use of vessel is logical & user-friendly	The MCA note your comment with thanks
	In general all of the towing sections read as if written for sea/coastal towing or vessels that carry out occasional towing rather than harbour towing. A small working group of harbour towing/ship assist towing operators could quickly reflect the standards and good practice required to be included in WB3	The code is applicable to those vessels operating at sea and was drafted with this focus.
	In general all of the towing sections read as if written for sea/coastal towing	
	Can MCA confirm whether a vessel towing lightweight hydrographic equipment would be deemed to be "Towing" under this section, and as such require a Towing Endorsement on the workboat certificate?	See definition of towing
	This section provides an overly simplistic overview of what is a very complex area. Towage equipment refers to towing winches, for which a best practice guide to testing was provided through the BTA following the MAIB report into the Flying Phantom. Furthermore, this best practice guidance has been adopted by IACS through UR79. No mention of these documents is included in the Code, yet the new code proposes towage equipment surveys could be completed by certifying authority. During the final stages of the 500 gt Code vessels standards, before the MCA 'pulled the plug' on the working group. It was decided (quite rightly I should add) that CAs would not be permitted to survey and certify <500gt Code vessel because of competency concerns. These are they very concerns that should be front and centre with the towing section of the proposed code	Noted. This section was developed to enable small workboats to safely undertake towing operations, it is not intended as an exhaustive 'tug code'. Will review and add appropriate references in MIN XXX
	Workboats engaged in towing should of course have a Workboat Certificate, but it should be clear that towing is not the preserve of workboats. Furthermore, a search of the proposed code pdf document only refers to a towing endorsement once (26.1.5) – it is not clear if this refers to an additional survey item relating to the vessel or to the training element under the guise of the Voluntary Towage Endorsement. If it is the latter, it is vital to note that a vessel engaged in towage (within the scope and meaning of this code) that has a bollard pull of more than 20 tonnes, the master is	

Workboat Code Edition 3 Consultation Feedback

	<p>required to hold as a minimum the STCW Inshore Tug Certification of Competency (see MGN 209(M)). (TGWU and BTA agreement) (MSN 1808 refers)</p>	
	<p>But towing condition(s) must be included in the SIB</p>	<p>Agreed.</p>
	<p>More thought should be put into what constitutes safely manned eg a Cat 2 vessel that is 23.99 m long, perhaps is a multihull and used for push up operations or a 23.99 m vessel engaged in towing would not be safely manned using purely RYA Yachtmaster or RYA Ocean Yachtmaster a Master 200 or 500 ticket would be more appropriate. It should be better recognised in the wording of the code that the Table in Appx 5 should not be taken literally.</p>	<p>Noted</p>
<p>26.1.1 The definition of towing includes three specific towing methods as outlined below: .1 by a towline about which the towing vessel is free to manoeuvre such that there is a risk of girting, where if the towline is attached towards amidships, it could adopt an angle to the towing vessel and provide a capsizing moment; .2 side by side with the towing vessel firmly attached alongside the towed vessel or floating object, so as to be able to manoeuvre as if one vessel; .3 fore and aft with the bow of the towing vessel firmly attached to the stern of the towed vessel or floating object, so as to be able to push, pull or manoeuvre as if one vessel.</p>	<p>Misleading as girting can occur with towline attached elsewhere Should "Towing" read "Towed" in the last part of the sentence?</p>	<p>Noted with thanks. Clarified. No. The towing vessel in this case is situated behind the vessel it is towing such that it can also perform bow push operations. The vessel is still towing in this case.</p>
<p>26.1.3.2</p>	<p>This should read 'may only use the specific towing methods outlined in 26.1.1.2 and 26.1.1.3', as argued above</p>	<p>Correct as drafted. Only side by side towing considered appropriate for these vessels.</p>

Workboat Code Edition 3 Consultation Feedback

<p>Vessels without a Stability Information Booklet: .1 towing another vessel or floating object up to and including twice its displacement may use any of the specific towing methods outlined in 26.1.1. .2 towing another vessel or floating object more than twice its displacement may only use the specific towing method outlined in 26.1.1.2</p>	<p>Can MCA confirm whether there is any scope to include towing method set out in 26.1.1.3 into 26.1.3.2 for vessels without a stability booklet, as the primary risks of girting are associated with towing on a towline and not when towing alongside or pushing ahead.</p>	
	<p>Why not .3</p>	
<p>26.1.5 A vessel engaged in towing shall be issued with a Workboat Certificate with a towing endorsement</p>	<p>Is this a new requirement and I thought TE was for an individual rather than a vessel?</p>	<p>Noted, with thanks. Will review and provide further clarification in this area.</p>
	<p>Workboats engaged in towing should of course have a Wrkboat Certificate, but it should be clear that towing is not the preserve of workboats. Furthermore, a search of the proposed code pdf document only refers to a towing endorsement once (26.1.5) - it is not clear if this refers to an additional survey item relating to the vessel or to the training element under the guise of the Voluntary Towage Endorsement. It it is the latter, it is vital to note that a vessel engaged in towage (within the scope and meaning of this code) that has a bollard pull of more than 20 tonnes, the master is required to hold as a minimum the STCW Inshore Tug Certificate of Competency (see MGN 209(M)). (TGWU and BTA Agreement) (MSN 1808 refers)</p>	<p>Noted. This section was developed to enable small workboats to safely undertake towing operations, it is not intended as an exhaustive 'tug code'. Will review and add appropriate references in MIN XXX</p>
<p>26.1.6 The requirements of this section do not apply to vessels towing in an emergency situation (force majeure).</p>	<p>This section provides an overly simplistic overview of what is a very complex area. Towage equipment refers to towing winches, for which a best practice guide to testing was provided through the BTA following the MAIB report into the Flying Phantom. Furthermore, this best practice guidance has been adopted by IACS through UR79. No mention of these documents is included in the Code. We are currently working with our ROs to ensure the effective implementation of the standards, and yet the new code proposes towage equipment surveys could be completed by a Certifying Authority? May I take this opportunity to</p>	<p>The MCA is currently undertaking a package of work in relation to developing the Large Workboat Code and will invite interested parties to be involved in a technical working group</p>

Workboat Code Edition 3 Consultation Feedback

	<p>remind you that during the final stages of the 500gt Code vessel standards, before the MCA 'pulled the plug' on the working group, it was decided (quite rightly I should add) that CA's would not be permitted to survey and certify <500gt Code vessel because of competency concerns. These are they very concerns that should be front and centre with the towing section of the proposed code. Please understand, tugs designed for ship assist towage are effectively little ships, not large workboats. The complexity of their systems is commensurate with larger vessels and it is vital that the towing winch is not overlooked as some simple device</p>	
<p>26.1.7 A vessel's towing equipment shall be serviced in accordance with the manufacturer's recommended service schedule but with no more than 12 months between services. Certification of servicing shall be made available for review by the Certifying Authority at each annual examination.</p>	<p>Not clear if this is an independent inspection, or can be "serviced by competent crew". Another cost to add if an independent engineer is required every year. Especially if not endorsed in towing.</p>	<p>That would be dependent on the servicing requirements of the equipment itself as set by the manufacturer. Eg. If servicing, according to the manufacturer, required a complete rebuild and refurbishment by a manufacturer approved specialist – then it would need to be serviced to this effect. However, if a manufacturer states that an item should be serviced annually by completing X,Y,Z – a suitably competent individual would be able to perform such actions.</p>
<p>26.1.8 A vessel owner/operator shall carry out a regular detailed examination of the towing gear, including but not limited to the winch/posts structure welds and/or retaining bolts. This shall form part of a documented procedure for the inspection, maintenance and</p>	<p>Needs clarification on how towing vessels will be inspected as full removal of all towing gear for inspection can render vessels out of service for a considerable amount of time. Could this inspection regime be set on number of tows and in line with an end for ending period, perhaps 2 years etc rather than every 12 months</p> <p>It is not clear if this is for towing endorsed vessels, or all engaged in any tow? Why aren't mooring bollards given they can also be subjected to force during poor weather and can be used for towing.</p>	<p>That would be dependent on the servicing requirements of the equipment itself as set by the manufacturer.</p> <p>This is for any vessel which has towing gear, whether to carry out towing, or for use in an emergency</p>

Workboat Code Edition 3 Consultation Feedback

<p>routine testing of all towing equipment which shall also be made available for review by the Certifying Authority.</p>		
<p>26.1.10 A Towage Survey shall be carried out by a competent person prior to the vessel undertaking towing operations. For the purposes of this section, a competent person may be a warranty surveyor, a Certifying Authority examiner or another person engaged or employed by the owner/operator having the necessary experience and training to carry out such a survey.</p>	<p>Noting that the Code will only apply to vessels seawards of Categorised waters, many local and Port Authorities accept a Coding Certificate in lieu of local licensing; therefore can MCA confirm whether this requirement will be applied to Code vessels whilst they are operating on Categorised waters or only if they proceed to sea ?</p>	<p>The requirements of the Workboat Code apply to certificated vessels which either go to, or intend to go to, sea</p>
	<p>This should not be applicable to harbour towage operators who conduct towage daily and if their main operational use of the vessel</p>	<p>Noted with thanks.</p>
<p>26.1.11 Where a vessel is intended to be engaged in towing the safety of the towing operation shall be assessed prior to departure.</p>	<p>Conflation of towing activities into what appears to be an oversimplified and confusing statement. Paras 26.1.10 makes reference and clarifies what a competent person is. This may work for individual operations, point-to-point at sea where the the safety of towed objects is concerned, however, this is simply not applicable to day-to-day harbour towage – suggest remve or significantly expand on this section.</p>	<p>Noted. This section was developed to enable small workboats to safely undertake towing operations, it is not intended as an exhaustive ‘tug code’. Will review and add appropriate references in MIN XXX</p>
<p>26.2.1 A vessel intending to engage in towing shall comply with the requirements of table 26.2.1.</p>	<p>I don't believe this makes sense, diameter does not always equal strength of the line. Perhaps referencing the IMO guidelines/2.5 x BP would be more suitable</p>	<p>Noted, with thanks. Will review the requirements in this area.</p>
	<p>Should be replaced by best practices from British Tug owners association or IACS</p>	<p>Noted, with thanks. Will review the requirements in this area and add appropriate references in MIN XXX.</p>
<p>Table 26.2.1</p>	<p>Saying that a vessel used for offshore and sea tows should have ‘adequate propeller and forefoot immersion to minimise slamming’ doesn’t add anything, leaving aside that it reads as if propeller immersion has an effect on slamming which it doesn’t. Many seagoing tug/workboats of the Damen Shoalbuster type have no forefoot with their Dutch style spoon bow but have a proven track</p>	<p>This is not a change from the existing requirements; however we will review the requirements in this area.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>record of sea towing. Workboats designed for shallow water working could fall foul of a particular surveyors personal opinion on this despite having their proven track record, it leaves too much to opinion rather than any demonstrable or definable fact. Delete. Towing equipment section – second sentence ‘or towline’ is redundant, you can’t tow without one and it’s not an alternative to a winch or hook, change ending to ‘using a towing hook or towing winch.’</p>	
	<p>Can MCA confirm why this requirement only applies at sea? There have been a number of reported incidents over the years where towing vessels have been girted within Categorised Waters, not least the CHIEFTAN, IJSELSTROOM and ASTERIX</p>	<p>The requirements of the Workboat Code apply to certificated vessels which either go to, or intend to go to, sea</p>
	<p>A vessel shall be provided with a towline of not less than the length and diameter of the spare anchor cable. Where practicable, the towline shall be buoyant. Towing at sea by towline shall only be done using a towing hook, towing winch or towline. I don’t believe this makes sense, diameter does not always equal strength of the line. Perhaps referencing the IMO guidelines / 2.5 x BP would be better.</p>	<p>Noted, with thanks. Will review the requirements in this area.</p>
	<p>Emergency Tow release guidelines. should be replaced by best practises from BTA</p>	<p>Noted, with thanks. Will review the requirements in this area and add appropriate references in MIN XXX.</p>
	<p>These are all only relevant to 26.1.1.1 types of tows</p>	<p>Noted</p>
<p>26.4.1 A vessel or floating object which is towed to sea from a point of departure in the UK shall be surveyed and issued by the Administration with an appropriate conditional Load Line or Load Line Exemption Certificate for the towed voyage, which shall be displayed on board the vessel. The Tow Master shall be provided with a copy of the certificate.</p>	<p>Even pontoons and fish farm cages? Doesn’t make considerations for all objects towed. Believe this could cause confusion, suggest clarifying it doesn’t apply to vessels towed in the course of general harbour towage</p>	<p>The MCA note your comment with thanks and will clarify the requirements as appropriate.</p>
<p>26.4.4</p>	<p>Should not be required if tow is not to be boarded i.e. pipelines, bundles etc</p>	

Workboat Code Edition 3 Consultation Feedback

<p>A towed vessel or floating object shall be provided with:</p> <ul style="list-style-type: none">.1 two lifebuoys and lines; and.2 an anchor and cable suitable for holding the tow in an emergency; and.3 a pre-rigged emergency towline suitable for continuing the tow in an emergency.		
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27: Dedicated Pilot Boats and Workboats with a Pilot Boat Endorsement

Section of Code	Feedback Received	MCA Position
<p>27 Dedicated Pilot Boats and Workboats with a Pilot Boat Endorsement</p>	<p>Note this increased requirement for pyrotechnics required in seagoing pilot boats - much more than the general Workboat requirements. In development of MGN280(M) and WB2, the Pilots themselves (and pilot boat crews through UKMPA and UKMPG / BPA tried to get requirement for line throwing devices thrown out, as they see them as dangerous.</p>	<p>The MCA note your comment with thanks and will clarify the requirements as appropriate.</p>
	<p>At the lowest point of acceptance, the following areas must be incorporated into the code. 7.1 Pilot boats shall be provided with immersion suits for all persons on board. See requirements of section 14.5 14.5 Immersion Suits supplied should be stowed to be easily retrievable, but properly secured during normal operation.</p>	<p>Requirements for immersion suits are set out in Table 27.2.3 of Workboat Code Edition 3. The MCA note your comment with thanks and will clarify the requirements as appropriate.</p>
	<p>Section 27 of WB3, replaces section 25.6 in WB code 2 amended. The rationalisation and tabulation in WB3 have resulted in a concise guide, but to the detrimental loss of vital and explanatory information contained within the previous codes. A prime example being the apparent removal of a mechanical retrieval system on a dedicated pilot, which would make it impossible for such a vessel to comply and be operated within MGN50. The UKMPA request that our concerns that no pilotage representatives were invited to input until WB3 revision was released for public consultation, are put on record.</p>	<p>The MCA note your comment and will clarify the requirements as appropriate.</p>
<p>27.1 ??</p>	<p>Is this removing the allowance for self examination by pilotage authorities? This implies that the default is for CA to carry out annual examinations & self-surveys are only allowed in exceptional circumstances. This is more onerous than WB2 & has a cost implication. This seems to be inconsistent with other vessel types, why? How do the MCA intend to enforce this and is it currently effectively enforced for foreign flagged vessels? Is this something that will be delegated to CA's or retained under the MCA control?</p>	<p>Dedicated pilot boats may self-survey for annual examinations. This is not a change to Workboat Code Edition 2. This is included in Section 4.8.3.</p>
<p>27.1.4 ??</p>	<p>What is the rationale behind the change of wording?</p>	<p>This is included in Section 4.1.5. Considered examinations must have been completed by a competent person (i.e. someone</p>

Workboat Code Edition 3 Consultation Feedback

		appointed by a Certifying Authority, with appropriate qualifications and experience). All examinations should be undertaken by a competent person – this fact has not changed
Table 27.2.3	A compact stretcher shall be carried on a pilot boat. As identified from work with the RNLI and directly with MCA SAR services, highly recommend revised statement. Sec 23.1 Compact stretchers need to be provided that are compatible with for use with UKSAR helicopters.	The MCA note your comment with thanks and will clarify the requirements as appropriate.
	This requirement appears very onerous for a non-seagoing Workboat with Pilot Boat Endorsement especially considering that a Dedicated Pilot Boat need not comply with this requirement in full when not proceeding to sea. Can the MCA confirm whether the intention is to apply this requirement in full or will a Workboat with Pilot Boat Endorsement be afforded the same flexibility as a non sea going dedicated pilot boat in relation to shock absorbent seating requirements?	This is not a change from the existing requirements of the code.
	MGN280 allowed for operational procedures to be in place to prevent injuring a person in the water; Can MCA confirm whether this will remain acceptable under "alternative arrangements" set out in Table 27.2.3 ?	This is covered under section 14.7 of table 27.2.3. this is not a change from the existing requirements of the code.
	Whilst we concur with the document's alignment with MGN50, this is a notice that may need review in due course regarding an unconscious casualty and would require further amendments with WB3 code.	MGN50 is listed in MIN XXX rather than in the body of Workboat Code Edition 3. MIN XXX will be regularly updated.
	25.4 The seat belts provided should have emergency release option, such as a cutter. To add under 6.3.4 & 15.7 If there are no escape windows or a secondary escape door does not exist in the cabin space, then a break glass hammer or similar should be provided to cover for such.	The MCA note your comment with thanks and will clarify the requirements as appropriate.

Workboat Code Edition 3 Consultation Feedback

<p>27.3 ??</p>	<p>Sub section from WB2 split into 2 sections in WB3. Should state "Provided with & approves" The Certifying Authority may issue the Certificate¹¹ if the following information and requirements are met: 1. the Certifying Authority is provided with and has approved a copy of the signed SWB2 as per 4.2.3; and 2. the Certifying Authority is provided with and has approved a copy of either the Stability Information Booklet or the required stability information; and</p>	<p>The current text is correct.</p>
<p>27.3.4 ??</p>	<p>This is a new and unnecessary practice. It is a huge administrative burden. Does this mean annual out of water examination? If not why make reference to intermediate examination here?</p>	<p>This is included in Sections 4.2.2 and 4.2.3. The scope of a compliance examination has not changed.</p>
<p>27.5.1.3 ??</p>	<p>Should it not be "vessels less than 15 years of age"?</p>	<p>This is included in Sections 4.5.2.1 to 4.5.2.5. This text is the same as Workboat Code Edition 2. The text is correct.</p>

28: Manning

Section of Code	Feedback Received	MCA Position
<p>28 The purpose of this section is to set out the minimum safe manning requirements for the number of the crew members and their qualifications necessary to ensure the safe operation of a vessel.</p>	<p>In general too much information has been left out of here – there are large holes – safe navigational watch – experience on the type of vessel and operation dumbed down</p>	<p>The MCA note your comment with thanks</p>
	<p>When the original brown code was issued and BML, under MSN 1808 published in 2006 para 5.2 it stated the following: certain marine operations in harbour areas are subject to the port marine safety code, which specifies a suitable level of training for those working in such operations. For harbour towage (which assistance to working self propelled vessels while they are subject to powers of/under the direction of the competent harbour authority, the tug master is required to hold as a minimum the STCW inshore tug certification of competency (see MGN 209M) (TGWU and BTA have agreed that this should apply to any vessel over 24m in length or with a bollard pull of more than 20T. However, in 2018 when MSN 1853 this was taken out and to the best of my knowledge no consultation with the BTA or TGCW</p>	<p>Noted. This section was developed to enable small workboats to safely undertake towing operations, it is not intended as an exhaustive 'tug code'. Will review and amend as appropriate. Workboat Code Ed. 3 is for vessels under 24m in length</p>
	<p>I have concerns in several areas regarding the voluntary towage endorsement. In MSN 1853 it states that a voluntary towage endorsement can be used and point to MGN 468, however the footnote in MGN 468 states The Voluntary Towage Endorsement scheme is not intended to replace the BTA sponsored training or tug training route currently being developed by the MCA and out tug industry partners leading to the issue of a tug specific Certificate of Competence under STCW. It would appear that, the voluntary tub endorsement is being used a way of fast-tracking people to be qualified to enable them to engage in harbour towage, it has been commented by several pilots in various ports that tugs that have crew qualified as per the voluntary towage endorsement are not to the same standard as those that come through the STCW route. It is of my opinion that the VTE should only be done for tugs up to a certain BP, 20T as per original M Notice/BML of 20T BP? Or maybe 30T, in the original BML these tugs were expected to only tow two small vessels, barges etc. A concern of mine is that here are now tugs operating under the workboat code with a BP of 70T. Handling VLCC, bulk carriers and container vessels in major rivers and ports. This is of grave concern to me and cannot help but look at the similarities between this and the Bourbon Dolphin incident whereby AHTS were expected to be able to do more and more but little given to the design of the vessel, the VTE is somewhat the reversal of this, whereby the tugs are getting bigger and bigger in BP, the tugs are not differing in size but are handling larger and larger vessel. However</p>	<p>Noted. This section was developed to enable small workboats to safely undertake towing operations, it is not intended as an exhaustive 'tug code'. Will review and add appropriate references in MIN XXX. The Voluntary Towage Endorsement scheme was created to provide a voluntary level of certification for individuals that perform towing infrequently on vessels under the MCA Small Craft Codes of practice. It is not intended to be a</p>

Workboat Code Edition 3 Consultation Feedback

	<p>the VTE are not changing the standards of training has not changed from the original VTE days.</p>	<p>suitable training scheme for those that perform frequent towing on purpose built tugs.</p>
<p>During the recent workboat AGM it was stated when questioned in regard to the additional watchkeeper on cat0 vessel is and why can this not be done internally as this particular company had it own basic manoeuvring standards. The MCA inspector at the time replied that whilst he had no doubts that this person's particular company has v good standards at some point there may be a less disreputable company that may look to circumnavigate around it. If this is the case then why do we have to have the VTE when there are already standards in place regarding STCW, tugs of lesser BP can understand and appreciate the VTE but not for tugs of 40 50 60 or 70T BP and they are engaged in towing large vessels in cat c or above waters. Would propose that the VTE can only be used for tugs below 30T BP. Or only in cat B or C waters or less</p>		
<p>Engineer – in addition to workboat code as the tugs are getting more powerful, they are still allowed to use an engineer with AEC, it should be once the vessel is over a certain KW/BHP then should have a STCW qualification if this is restricted in regards to vessels with a BP of 20/20T then this would align with the VTE, Engineers qualification should be aligned to the size of the engines not the size of the vessel</p>		
	<p>The wording now seems to apply a new standard against Cat 2 vessels on crew qualifications. On talking to the marine recruitment companies in July 2022 at SEAWORK it is evident that there is a complete marine crew recruitment crisis so this is not realistic requirement. There are simply not enough crews out there to be masters let alone require master qualifications to be applied to the 2nd person on board given the current skills shortage. This will also, if it were possible to find the sheer number of additionally qualified crews (1000 cat 2's in the UK?) would cause another manning crisis by enforcing master pay grade to the 2nd person on board. This would cost circa another £200 per vessel per day in crew wages alone all of which could be passed on to the charterers however this could jeopardise the UK operators and put the operators of UK vessels at a commercial disadvantage. Most Cat 2's only go out for a day operation and not overnight and so this new manning level on the 2nd person is not necessary or even desirable. Perhaps if the MCA are bent on this approach then the manning level for the 2nd person should only be applied to those vessels that go out for 14 hours or 24 hours. Appendix 9 requires this transition for existing vessels to happen overnight as the new Code comes into publication but the industry would need a greater length of time (3 years seems reasonable?) to qualify these crews up to the new proposed standard. Another aspect is that the impact on the current crew apprenticeship pathway as the proposed changes to the qualification of the Cat 2 2nd person on board essentially would mean that the current crew</p>	<p>Noted. We are reviewing the requirements in this area.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>apprenticeship scheme would actually just be a "masters apprenticeship scheme". Conversely the industry would need to find 1000 qualified masters willing to be paid crew wages, not very realistic in itself. This change was not discussed with the TWG at all and is not a reasonable change. Reconsider the impact to operators and the recruitment industry by rethinking the qualifications required for the 2nd person on board, not just for the existing fleet but also the new vessels.</p>	
	<p>The whole safe navigational watch section has disappeared... 28.1.9 hints that there is something in Table 1 however the only change here is the inclusion of Coastal for cat 2...</p>	<p>The MCA note your comment with thanks, and will amend the Code where appropriate</p>
	<p>Within the workboat code safe manning needs to be addressed, all too often vessels are sailing on long passages with only three crew members. (Master, Mate & Engineer) with the navigating officers having to work 6hr watches which does not give adequate rest when you have to cook or do other tasks. As there is only 2 watch keepers the night officer is alone at night on the bridge of the vessel for 6 hours at a time with no one to check on them or let them out of the chair if needed, the only way to do this would be to wake someone else up on their rest period. Talking which the crew members within our company we would want to see a minimum safe manning brought in for all workboat vessels that take part in a passage that is out with cat waters or longer than 12hrs, as both navigating officers can still be called on as they will be within MLC work rest hours</p>	<p>Noted, with thanks. This edition of the code sets out to provide a minimum safe manning requirement.</p>
	<p>In terms of safe manning provisions, we think that clarity could be provided with interpretation from surveyors and further interaction with the sector. While it is imperative that the correct safeguards are in place, we believe they should be practical and proportional and in balance with the activities which are undertaken. Challenges and risks could be mitigated through successful risk management systems and interaction with surveyors.</p>	<p>The MCA note your comment with thanks</p>
	<p>Relevant and specific training is integral to the code. We believe that Powerboat Level 2 is an essential part of our toolkit for training and would ask for its inclusion. This should be combined with a review of the practical implications for the prescriptive nature for training processes. Our sector believes that future developments to the training of existing, and induction of new, colleagues could be improved which may result in the current layout redundant. Having a framework within the code allowing the opportunity for future improvements to standards would be welcome.</p>	<p>Noted. We are reviewing the requirements in this area.</p>
	<p>A review of the section generated several comments which related to proportional and practical requirements for manning our vessels. Input from</p>	<p>The MCA note your comment with thanks</p>

Workboat Code Edition 3 Consultation Feedback

	<p>surveyors and discussion to obtain clarity through the consultation may benefit this section due to its importance for all colleagues involved. The workforce is not a static entity with prescribed start dates to combine training for all. Training is a vital part of all our colleagues work. Some of the Manning requirements could lead to operational challenges which we would welcome further discussion and/or explanation.</p>	
<p>28.1.1 A vessel shall be safely manned, as a minimum, in accordance with the manning and qualifications requirements indicated in Tables A5.1 and A5.2 of Appendix 5.</p>	<p>The new requirement to have a second person holding at least an RYA COC as Yachtmaster Coastal in Category 2 waters will have a detrimental effect on a sector already struggling to recruit qualified Masters. Yachtmaster Coastal is not a commonly held certificate, which essentially means at least another Yachtmaster Offshore is required, this will either lead to vessels being laid up and/or increase in recruitment of foreign Masters. Suggest that some kind of in-house Master incapacitated Trainings introduced & possibly approved by the MCA or Watch Rating II/4 included as equivalent which will allow MN ratings to transfer to WB's if they want to.</p>	<p>Noted. We are reviewing the requirements in this area.</p>
	<p>Additional Master – Forcing an additional person on the vessel to hold Yachtmaster Coastal on Cat 2 and 1 vessels is a very significant change. There is an acute skipper and crew shortage in the UK. This will make crewing impossible. In house training and records must suffice or only enforce for Category 1 area of operation. The cost on crew could be £000s and they will need time on vessels to build up their mileage to qualify for the certification.</p>	
	<p>Radar and ECDIS – surely inhouse training is suitable. For our crew to do the course the cost of over £1500 including accommodation and there are only three training centres in the UK, all of which are over-subscribed. There is an acute shortage of crew in the UK and this rule means we might not be able to operate half of our fleet.</p>	
<p>28.1.2 Where a vessel is operating in an area category of operation lower than that for which it is certificated, the vessel owner/operator may meet the manning requirements of the lower area category of operation.</p>	<p>The minimum manning table A5.1 for Cat 3-6 waters states 'There shall also be on board a second person deemed by the vessel owner/operator to be experienced and competent' . For Cat 2-1 There shall also be on board a second person holding at least an RYA/MCA Certificate of Competency or Service as Yachtmaster Coastal. This has changed from previous codes Minimum manning tables where fo Cat 3-6 there needed to be a person capable of assisting the Master in an emergency, for Cat 2 There shall also be on board a second person deemed by the vessel owner/operator to be experienced and competent'. Someone at the MCA obviously considers that 'There shall also be on board a second person deemed by the vessel owner/operator to be experienced and competent' is not longer sufficient for a Cat 2 vessel, but why is it sufficient for a Cat 3 vessel? We operate a large fleet of Cat 2 vessels, they will cause significant impact to our manning, as all of our Deckhands will now require a COC? Could the MCA please provide an explanation for the rationale behind</p>	<p>Noted. We are reviewing the requirements in this area.</p>

Workboat Code Edition 3 Consultation Feedback

	these changes? Vessel certification should remain leading in manning requirements. Further comments on certification of second person on board below.	
28.1.3 Anyone employed or engaged in any capacity onboard a vessel shall complete the required Administration-approved mandatory training courses listed in Table A5.3. If completion of the relevant mandatory courses cannot be demonstrated to the satisfaction of the Administration, then the vessel may be detained.	There needs to be an element of proportionality here. The wider salmon industry struggle to attract sufficient resource and as such new recruits need to be trained in a fashion that allows them to gain experience on the job as well as being trained away from the job as many of the mandatory competence requirements require. As a sector we therefore need an approach where we can build competence over time. In addition there are a finite number of training companies able to offer the standard of competency training identified, we risk over-burdening these organisations if we insist on this level of training at the outset of a new recruit joining the sector. Training providers do not offer ad-hoc training courses. Courses are run only occasionally to meet the demands of the wider industry and it is not always possible to have individuals attend training locally before they start working.	
	Could there be multiple interpretations of this clause? If so, it may impact new colleagues. There needs to be an element of proportionality here. The salmon farming sector struggle to attract sufficient resource and as such new recruits need to be trained in a fashion that allows them to gain experience on the job as well as being trained away from the job as many of the mandatory competence requirements require. As a sector we therefore need an approach where we can build competence over time. In addition there are a finite number of training companies able to offer the standard of competency training identified, we risk over burdening these organisations if we insist on this level of training at the outset of a new recruit joining the industry. Greater clarity of how this works in practice for our sector would be very welcome.	
28.1.5 All licences and Certificates of Competency (CoC) shall be appropriate to the vessel's area category of operation and type of operation. Qualifications differing from those listed in Tables A5.1 and A5.2 which are of equal standing or specialist application may be considered by the Administration.	This slightly contradicts 28.1.2 – a vessel may man to a lower category. 28.1.5 COCs are appropriate to the vessels area category etc. may need a... subject to the conditions of 28.1.2	The MCA note your comment with thanks
28.1.6	Maybe make it more robust and include type of vessel – due regard to the type of vessel, type of operation and duration of the voyage	Noted

Workboat Code Edition 3 Consultation Feedback

<p>A Certificate of Competency or Service shall not, on its own, be regarded as evidence of the ability to serve in a particular rank on a specific vessel. The vessel owner/operator shall ensure that there are sufficient trained personnel on board to work the vessel having due regard for the nature and duration of the voyage.</p>	<p>Clarification on interpretation / application or input from surveyors interpretation would be welcome. Certification alone cannot guarantee competence so what should the process be to achieve the correct status?</p>	
<p>28.1.7 All Certificates of Competency shall be revalidated every five years.</p>	<p>Can MCA confirm how this requirement will apply to crew holding an equivalent qualification permitted under MGN 411 where there are no requirements to revalidate?</p>	<p>All Certificates of Competency for persons wishing to work on board a Workboat shall be revalidated every five years</p>
<p>28.2.3 Where necessary a vessel may be permitted by the Certifying Authority to undertake single handed operations if the following requirements are met: .1 the conditions of 28.2.2 do not apply, and .2 a vessel is restricted to area category of operation 3, 4, 5 or 6; and .3 during single handed operation a vessel shall only operate in favourable weather conditions, subject to favourable official weather forecasts for the area throughout the period of operation.</p>	<p>Why can a vessel certified to a higher category not conduct single manning when operating in an appropriate area?</p>	<p>A vessel certificated to a higher category of operation may conduct single manning if restricting its operations, whilst single manned, to area category of operation 3, 4, 5 or 6, and meet all the other restrictions detailed in Workboat Code Edition 3</p>
<p>28.2.5 Where a workboat with a Pilot Boat Endorsement is permitted to undertake single handed</p>	<p>Welcomed in principle although clarification/surveyor input when in and around the farm pens.</p>	<p>The MCA note your comment with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>operations, the conditions on the Certificate shall be endorsed so that it is clear that the vessel shall not be used for single handed operations when undertaking pilot boat duties.</p>		
<p>28.2.6.6 In all cases where single handed operations take place the vessel owner/operator and the Master shall be satisfied that it is safe to do so and shall at a minimum meet the following requirements: .1 a lifejacket which meets the requirements of 14.4 shall be worn at all times by the Master; and 2 a 406 MHz personal locator beacons (PLB), with GPS and a light shall be worn by the Master whilst on the open deck at sea; and .3 no overside working shall take place whilst the vessel is being operated single handed; and .4 details of the time and point of departure, voyage plan and the Expected Time of Arrival (ETA) of every single handed voyage shall be left with a person ashore who shall be notified of the safe arrival on completion of each voyage; and .5 communication shall be made with the person ashore or with a vessel in company at agreed regular intervals; and .6 all inflatable boats, boats fitted with a buoyant collar, rigid</p>	<p>Typo, 'planing speed' not 'planning speed'</p>	<p>The MCA note your comment with thanks and the text will be amended.</p>

Workboat Code Edition 3 Consultation Feedback

inflatable boats and open boats that achieve planning speed (including tenders) shall meet the requirements of 8.8.		
Footnote 100 Registration of Devices. 406MHz PLBs should be registered with the EPIRB Registry, details of which are given in MSN 1816 (M+F) 406 MHz Beacons: registration requirements.	Replace MSN 1816 with MGN 665	

29: Carriage and Transfer of Dangerous Goods

Section of Code	Feedback Received	MCA Position
<p>29 Carriage and Transfer of Dangerous Goods</p>	<p>There appear to be significant changes to the carriage of IMDG that vessels currently able to carry DG under will no longer be able to do so. What has prompted this change?</p>	<p>Vessels operating in the workboat sector are not primarily designed as cargo carrying vessels and the carriage of bulk cargo is specifically excluded from the Workboat Code and underpinning SI. SAN 75 was formerly the MCAs advice notice to surveyors on the permitted carriage of dangerous goods on workboats; however the advice in SAN 75 went beyond the statutory requirements in some respects and it was withdrawn. The revised text in Workboat Code Ed.3 reflects the legal position regarding the carriage of dangerous goods to ensure the UK fleet continued to meet their legal obligations.</p>
	<p>Does this mean vessels transferring MGO from portable tanks less than 1000ltr don't require a DoC issued by MCA. Paragraph above requires portable tanks & IBCs to be treated as cargo which would generally require a DOC, the rest of the section seems to allow CA to do the inspection. Non existent UN number since at least 2001</p>	<p>29.10.3 refers. Will review and clarify UN Numbers</p>
	<p>This implies the whole of Marpol – should state which sections and what VESSEL TYPE? Almost all vessels will be less than 150GT so technically almost all won't apply... clarification required</p>	<p>The MCA note your comment with thanks</p>

Workboat Code Edition 3 Consultation Feedback

	DGs only to be carried on deck Where boundary bulkhead is below the deck boundary to what extent does the bulkhead need to be insulated., heat bridge or to bilge . to what extent does side shell boundary need to insulated , heat bridge or light WL or bilge	This is not the appropriate forum to answer specific questions such as this. Please contact the local MCA Marine Office for further guidance.
	7.2.7.1 is Segregation of Class 1 dangerous goods from other classes not "between" class1 goods. That is 7.2.7.2	Noted.
	Surely this should be done by a "competent" person. Why not add "can be delegated" to a CA?	No, this function is carried out by the Administration
	Does this mean RO's can no longer issue DOCs? Why can this not be delegated to CA's and RO's if suitably qualified?	A DoC DG is to be issued by the Administration. This is not a change from Workboat Code Edition 2
	Contradicts the defined term of Cargo	Definition and text correct as drafted
29.2.3 Vessel owners/operators wishing to undertake fuel transfer are not required to be issued with Doc DG for the fuel to be transferred.	Will this be added to Workboat Certificates for clarity? This is sensible & useful (& later in this section) & means that CA's can deal with fuel transfer from both the vessel's own tanks & portable tanks carried on deck, without a need for a DOC	The MCA note your comment with thanks
29.2.6 Carriage of both dangerous goods and passengers on board a vessel at the same time may only be considered on a case-by-case basis, subject to the approval of the Administration.	The DOC DG states the following in Schedule 2 - Reference should be made to the administration for vessels wishing to carry both dangerous goods and passengers (in this context 'passengers' does not include maintenance teams servicing wind farms). However the WB code has a definition for Industrial personnel, should these 'passengers' mentioned on the DOC DG meet the requirements to be 'industrial personnel' and if so why can the definition 'Industrial personnel' not be used on the DOC DG?	The MCA note your comment with thanks and the text will be amended as appropriate.
29.3.2 The designated person shall be employed by the vessel owner/operator	Presumably this designated person does not have the same duties as the ISM Designated Person and is only responsible for the requirements of 29.3.1 and 2? For companies with an ISM system this is slightly confusing terminology if the designated person is not the ISM designated person? Clarify requirements and align terminology with ISM code.	The designated person does not have the same duties as the ISM designated person. This is purely in regards to dangerous goods.

Workboat Code Edition 3 Consultation Feedback

<p>29.3.3 Prior to accepting any cargoes, the designated person shall ensure that their carriage will be in compliance with this Code.</p>	<p>According to 29.3.2 there is a designated person responsible for being aware of details of voyage, list of contacts etc, to hold a DOC DG the Master and crew must be DG trained, could the MCA please explain the reason this designated person has to ensure the carriage of DG is in compliance of the code when the Master is also responsible for this? Retain this responsibility with Master of the vessel.</p>	<p>29.3.1 A vessel owner/operate shall identify a designated person on shore who shall be aware of details of the voyage, have a list of contact numbers for the emergency services and hold sufficient details of all the dangerous goods being carried on board so to assist the emergency services in being able to respond to any incident involving the vessel.</p> <p>The designated person on shore needs full awareness and training so can assist the emergency services following any incident involving the vessel (including where the Master may have been injured or incapacitated)</p>
<p>29.8.1 A vessel shall be fitted with an engine driven fire pump or a power driven self-priming fire pump. A second powered fire pump shall be provided.</p>	<p>Could the MCA please define what constitutes a powered pump, can this be a device that is not permanently fitted to the structure of the vessel?</p>	<p>The Code does not define if this is permanently fitted or portable</p>
<p>29.10.2.1 A vessel which is engaged in MGO transfer from the vessel's own fuel tank(s) shall comply with</p>	<p>What specific requirements of MARPOL shall be complied with? Limited scope of compliance to be defined. Will require consultation with the industry to ensure this is achievable.</p>	<p>Appendix 7 sets out the MARPOL requirements that a vessel engaged in MGO transfer from</p>

Workboat Code Edition 3 Consultation Feedback

MARPOL requirements. See Appendix 7.		the vessel's own fuel tank shall comply with. Compliance with MARPOL is mandatory.
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Workboat Code Edition 3 Consultation Feedback

30: Prevention of Pollution

Section of Code	Feedback Received	MCA Position
<p>30.2.2 A vessel which is not required to comply with 30.2.1 and operates in an area(s) where the direct overboard discharge from a water closet is prohibited shall be fitted with a 'holding tank' of sufficient capacity to store waste for discharge to shore facilities.</p>	<p>Is this new build?</p>	<p>No, this is an existing requirement in Workboat Code Ed.2, MGN 280 and Brown Code.</p>
<p>30.5 Air Pollution</p>	<p>As this document is likely to be valid for some time, and the requirements of MARPOL VI-SEEMP for vessels >400GT, would it be beneficial to make owners/operators aware of this legislation and encourage the production of a Ships Energy Efficiency Management Plan, akin to the ISM/SMS guidelines</p>	<p>The MCA note your comment with thanks</p>
<p>30.5.1 All vessels installed with marine diesel engines constructed after 1st January 2000 with a power output greater than 130 kW shall be issued with an Engine International Air Pollution Prevention (EIAPP) Certificate and a Technical File, a copy of which shall be presented to the Certifying Authority and shall remain on the vessel's file. See MIN XXX.</p>	<p>This will cause huge cost implications to the owners and will enable engine manufactures to benefit and make huge profits from failing to issue these as required previously. We feel this is punishing vessel owners for the engine manufactures lax processes. Requirement for EIAPP certificates is hugely expensive if not provided with at time of installation – approx. £4-6000/engine</p>	<p>The MCA note the costs associated with obtaining EIAPP certificates; however this is an existing requirement.</p>
	<p>Why is this the CA's responsibility? The costs involved in getting this certification is excessive</p>	<p>This is the responsibility of the vessel owner/operator. The responsibility of the CA is to ensure certification is present. The MCA note the costs associated with obtaining EIAPP certificates; however this is an existing requirement.</p>
<p>30.5.3 All vessels with diesel and hybrid propulsion systems installed on or after 1st January 2021 which do not meet the requirements of The Merchant Shipping (Prevention of</p>	<p>Footnote to ECA should be included against 30.5.2 instead as this is the first time the term is used, not in 30.5.3</p>	<p>The MCA note your comment with thanks</p>

Workboat Code Edition 3 Consultation Feedback

<p>Air Pollution from Ships) (Amendment) Regulations 2021 (SI 2021/1108), as amended, shall not operate in the Baltic and North Sea NOx emission control area. This limitation shall be noted on the vessel's certificate</p>		
<p>30.6.3 The vessel owner/operator shall develop and implement a Shipboard Oil Pollution Emergency Plan (SOPEP) to the same standard as the garbage management plan and to integrate it with the Health and Safety Protection Policy (see also section 4 of Appendix 8).</p>	<p>Not reasonable for simple workboats</p>	<p>The MCA note your comment with thanks</p>

Workboat Code Edition 3 Consultation Feedback

31: Safety Management

Section of Code	Feedback Received	MCA Position
<p>31 Safety Management</p>	<p>Although not directly part of this consultation – AEC2 syllabus needs to be updated to reflect ISM code which is not currently required to be mentioned</p>	<p>The MCA note your comment that this does not form part of this consultation but will pass it onto the relevant department.</p>
	<p>This might be over kill. As long as we can see what is in place we shouldn't have to monitor who does it.</p>	<p>The MCA note your comment with thanks</p>
<p>31.1 General</p>	<p>Suggest you just use the 31.1-31.3.2 wording here and put the rest in the App 8</p>	<p>The MCA note your comment with thanks and the text of the code will be amended as appropriate.</p>
<p>31.2.1 All vessels operating under this Code shall implement a Safety Management System (SMS) which complies with the principles of the International Safety Management (ISM) Code but is commensurate with the size and complexity of the vessels and company's operations. The SMS shall consider both terrestrial and marine aspects as appropriate to the vessels and company's operations. See Appendix 8 for details of the areas which should be addressed by a SMS.</p>	<p>An SMS shall consider both terrestrial and marine aspects as appropriate to the vessels and companys operations. To ensure the SMS is functioning as required, audits of the vessel and terrestrial elements of a company would be required. CA's are responsible for auditing the vessel, will they be expected to audit the terrestrial elements of a company as well to ensure compliance? Could the MCA please clarify how this will work in practice as it would seem pointless requiring implementation of an SMS if the terrestrial elements of the SMS are not audited as they are with ISM or the Safety management code for domestic passenger ships?</p>	<p>Both the terrestrial and marine elements of the SMS are required for compliance</p>

Workboat Code Edition 3 Consultation Feedback

Appendix 1: Alternative Compliance Standards For Manned Rigid Inflatable Boats and Open Boats
Wishing to Operate Outside the Hours of Daylight Within Area Category 3 or 5

Section of Code	Feedback Received	MCA Position
Appendix 1	2.1 I don't think it needs to state this manning requirement here. Also see notes on high speed endorsements – such as – does it need to	The MCA note your comment with thanks
	Restricted Cat 3 Another example of mis-use of the term “open boat” if following it's definition in Sect 2	The use of the term 'open boat' in its defined sense is correct in this application.

Workboat Code Edition 3 Consultation Feedback

Appendix 2A: Liquid Petroleum Gas Installation for Domestic Marine Use

Section of Code	Feedback Received	MCA Position
Appendix 2A	Will the Nominated Surveyor be expected to inspect a Liquid Petroleum Installation and assess against all items on this standard, or will an Inspection/Certification by an appropriately qualified person suffice?	The requirements presented in Workboat Code Edition 3 are the same as those in the existing Workboat Code Edition 2 and MGN 280.

Workboat Code Edition 3 Consultation Feedback

Appendix 3: Stability Information Booklet Contents

Section of Code	Feedback Received	MCA Position
Appendix 3	Use of vessel should be added to this table & include check boxes to cover cargo, towing, lifting, with added description to ensure that these activities are included in the SIB conditions. This provides link to SWB2 & provides information for the SIB approving naval architect	The MCA note your comment with thanks and the text of the code will be amended as appropriate.

Workboat Code Edition 3 Consultation Feedback

Appendix 5: Safe Manning

Section of Code	Feedback Received	MCA Position
Appendix 5 Safe Manning	See also Appendix 9 – transitional requirements because it seems to impose all vessels under 280 need to comply with manning changes	MCA will consider the transitional arrangements for vessels certificated under previous versions.
	When crewing requirements were changed in WB2 for Nav qualifications it was only applied to vessels under WB2, We assume the same will apply for this as president has been set....	Vessel requirements and qualification requirements are distinct areas. Changes impacting Navigation and Radar in force from launch of Workboat Code 3 will impact all personnel working in the industry, though the MCA is considering the grandfathering of those that have completed training that meets the requirements of previous iterations of the Code.
	there are now only 3 options and it has become a requirement for a cat 2 for the 2nd person to have RYA/ MCA certificate of competency or Service as Yacht Master Coastal. This isnt necessary or desirable and will cost operators too much money. Currently Cat 2 operators only need to justify how that person is experineced and compatent and have an ML5. Revert to old wording	Noted with thanks. MCA will consider the transitional arrangements for vessels.
	The RYA professional practices and responsibilities "certificate" is not well defined. Suggest replacing words "2.10.1 Masters holding RYA certificates of competency and/or service should complete the online Professional Practices and Responsibilities Certificate as part of their commercial endorsement."	Noted. MCA to consider wording.
	Cat 2 - There shall also be on board a second person holding at least an RYA/MCA Certificate of Competency or Service as Yachtmaster Coastal. Existing requirements are adequate to commercial working. Operating cost increase to reflect certification. Suffer to small operators.	Noted with thanks. MCA to consider.
	Could this lead to the need for three crew to be aboard a vessel at one time? Our interpretation does not think that to be the case but is there an opportunity for misinterpretation?	Note: Which does this comment specifically relate too?
	Has training for fish husbandry colleagues/vets been considered in the formulation of this tables? What would be required of them?	Only in the sense of vessel operating requirements.
	Could the provision of risk assessments provide clarity under different scenarios to lead to appropriate behaviour/actions for	Noted. MCA to consider.

Workboat Code Edition 3 Consultation Feedback

	<p>trips from shore bases to farms which last 30 seconds? Minimum levels of competency need to recognise the classification of waters that salmon producing companies operate in and therefore it needs to be proportional in most cases and the ability to utilise a reinstated Powerboat 2 qualification would be advantageous in most situations.</p> <p>It is also suggested that for those employees who need to operate vessels outwith normally sheltered environments then they would need the more onerous level of competence e.g. Advanced Powerboat.</p>	
	<p>Powerboat intermediate training required for Cat 6 & 4. Powerboat 2 a key qualification which should be recognised and appears to have been removed.</p>	
	<p>Would it be possible to risk assess the requirements or scenarios for use rather than be prescriptive. This could be difficult with our sector though given the requirement to travel in low light or dark condition despite many journeys being short. No one wants people on vessels without the right competency but learning in a classroom versus stepped learning 'on site' has a trade-off.</p> <p>Novices with base level training within certain timeframe and only with relevant balance of competencies on board. Minimum levels of competency need to recognise the classification of waters that salmon producing companies operate in and therefore it needs to be proportional in most cases and the ability to utilise a reinstated Powerboat 2 qualification would be advantageous in most situations.</p> <p>It is also suggested that for those employees who need to operate vessels outwith normally sheltered environments then they would need the more onerous level of competence e.g. Advanced Powerboat.</p>	
	<p>To reduce boats from high speeds, could propellors be changed to limit speed. This, however, could lead to unintended consequences of not having the correct power in poorer conditions.</p>	<p>The MCA note your comment with thanks</p>
	<p>Input from surveyors would be welcome for the interpretation of this note. Is it covered by Note 1 of the table? (See 'Appendix 5: Note 1' above). We think there is room to generate some ambiguity from an operational perspective here.</p>	<p>Is this comment referring to Note 1 itself? If so, acceptance of alternate consideration needs to be approved by the Administration. This would therefore not have an operational impact as alternative qualifications cannot be used until approved.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>Powerboat Level 2 is an important qualification for ongoing operations and its explicit inclusion would be welcomed. Minimum levels of competence need to recognise the classification of waters that salmon producing companies operate in and therefore it needs to be proportional in most cases and the ability to utilise a reinstated Powerboat 2 qualification would be advantageous in most situations. It is also suggested that for those employees who need to operate vessels outwith normally sheltered environments then they would need the more onerous level of competence e.g. Advanced Powerboat.</p>	<p>The MCA note your comment with thanks. MCA to consider.</p>
	<p>Is this referring to the whole table? We cannot find reference to Note 4 elsewhere.</p>	<p>Note 4 refers to the table in its entirety</p>
	<p>Can this be amended to make it proportional and practical for many of the journeys which are carried out by fish farmers? Proportionality without recklessness is the overall objective of the sector, while also considering the changeable environment in which we work. Minimum levels of competency need to recognise the classification of waters that salmon producing companies operate in and therefore it needs to be proportional in most cases and the ability to utilise a reinstated Powerboat 2 qualification would be advantageous in most situations. It is also suggested that for those employees who need to operate vessels outwith normally sheltered environments then they would need the more onerous level of competence e.g. Advanced Powerboat.</p>	<p>Noted with thanks. MCA to consider.</p>
	<p>Sea survival very useful although potentially restrictive? Given the longevity of the WBCv3, is there potential to develop an alternative route to best practice to avoid this becoming obsolete?</p>	<p>The MCA note your comment with thanks.</p>
	<p>This effectively means having two certified masters onboard, there is a significant shortage of trained people available in the industry to meet this requirement. The Offshore Wind Industry uses STCW certified seafarers, and typically with a Navigational Watch Rating Certificate and in-house training to meet the requirement of competence to handle the vessel in the event of incapacitation of the Master. This seems a more robust approach and ensures that a worldwide pool of seafarers are available. STCW Basic Training (A-VI/1) + STCW Navigational Watch Rating (A-II/4) + onboard familiarisation</p>	<p>Note: The NWR qualification would ensure an individual with a min age of 17 and that the individual has 6 months of experience on vessels of 15m or greater as well as having completed basic STCW training. A significantly higher position than what we have now in “deemed competent by the master” through requiring an actual qualification. However – the NWR is support level – and these individuals wouldn’t under STCW be deemed competent to command a vessel unassisted (something that may occur in the event the Master was rendered unconscious/severely</p>

Workboat Code Edition 3 Consultation Feedback

		injured). The 4 elements of STCW basic training (Personal Survival Techniques, Elementary First Aid, Fire Prevention and Fire Fighting, Personal Safety and Social Responsibilities) are prerequisite to a NWR cert but do not teach vessel control etc.
	This requires vessels upgrading from MGN 280 to have someone upgrade certification from Basic to Medical First Aid, even when carrying only CatC medical kit. Elementary First Aid (A-VI/1-3) required when operating up to 60NM and carrying Cat C first Aid Kit. Medical First Aid when working beyond 60Nm and carrying CAT B Kit (A-VI/1-4)	
	The effect is that all the crew will need ot have the extra courses as they all may at times have to relieve the master for short times - e.g. toilet break. Does this mean that the deckhand is required to to have MCA approved Radar training? Operator should provide onboard training with the specific equipment the crew member will use, in the setting they will use it.	
	All masters now are required to have the MCA Approved stability course (SQA unit). Operator should provide onboard training in using the vessel's stability book	Noted
	All crew responsible for navigation shall complete the training appropriate to the type of equipment on the vessel. Operator should provide onboard training with the specific equipment the crew member will use, in the setting they will use it.	
	Training required for any crew using navigation equipment in excess of the code. (ECDIS). Does this mean that the deckhand is required to to have MCA approved ECDIS training? How is 'appropriate training' to be defined. For example will it mean ECDIS Generic + Type Specific Training. Operator should provide onboard training with the specific equipment the crew member will use, in the setting they will use it.	If the deckhand is going to be using Radar routinely then they will need to complete a course of training to understand how to use it. ECDIS if installed, though not a requirement of the code, would require generic and type specific training. Generic training is done via an approved course, or exempted through completion of certain approved training and education programs (those that lead to a UK Certificate of Competency). Type specific training can be delivered in a way that the owner operator deems sufficient, providing it meets the criteria, MIN 503 refers.

Workboat Code Edition 3 Consultation Feedback

<p>1.1 Vessels to which this Code applies and which comply with its requirements, will be exempt from the need to comply fully with the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015, as amended, and the Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997, as amended, provided the manning of the vessel is in accordance with the standards and area categories of operation given in sections 3.10 and 28.1 of this Code.</p>	<p>1.3 COCs and safety certificates such as first aid, sea survival and other such certificates with a validity date shall be kept up to date</p>	<p>Requirements for certificates to be valid are set out in Section 28 of Workboat Code Edition 3</p>
<p>Table A5.1 – Minimum Deck Manning Requirements</p>	<p>Reword to only apply to crewed vessels not unmanned</p>	<p>The MCA note your comment with thanks. The qualifications set out in Table A5.1 do not exclusively apply to manned vessels</p>
	<p>Category 2, second person – for the offshore renewable industry, this would involve getting thousands of crew through their YM Coastal. This would not be achievable and make a lot of crew leave the industry. OTS recommend mandatory training in ECS, radar and boat handling instead</p>	<p>Thank you for your comment. MCA to consider feedback from consultation.</p>
	<p>The RYA does not support the adding of RYA Powerboat Intermediate in lieu of RYA Powerboat Level 2 for category 6 and instead suggests reinstating PB2 for cat 6. We consider Day Skipper, or indeed the higher level of RYA Advanced Power Boat COC as the appropriate qualification for cat 4. There are vessels certified under earlier WB codes relying on PB2, so reinstating for category 6 will rebalance their operations. As far as we are aware, there is no evidence of incidents involving RYA PB2. The action of removing RYA PB2 from the new WB code appears potentially to have been based on bias against the qualification, as opposed to an evidence based review. We are aware of the limitations of RYA</p>	<p>Noted with thanks. Powerboat Level 2 was removed in WBC2. MCA to consider feedback.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>PB2, but for specific roles in close proximity to land and / or point of departure, in daylight hours and with minimal pilotage and navigation, this qualification has proved to be perfectly adequate. If intermediate is to be included, we would strongly urge the adding of the requirement for RYA Day Skipper theory, in order to ensure that the theory based knowledge of the holder is to an adequate level for the intended operation and specifically for commercial endorsement. Note that the change to commercially endorsing will require a significant communication and a change to the style of certificate so it has the same secure root as other certificates used for commercial endorsement. This will take time to implement, and the opportunity for use of that qualification for commercial purposes could only be provided for holders of the certificate where that qualification has been issued under the new agreed framework</p>	
	<p>It is the manning requirements that concern me the most, and particularly the removal of RYA Powerboat Level 2 for small open boats that are used very widely in aquaculture – generally for short trips from shore to farm site in daylight. PB2 seems completely appropriate for that and we would like to see it retained. If, sadly, it was removed in the final version we also have a concern about the time, effort and expense that would be required to retrain staff, and the implications of being out of compliance during the transition</p>	
	<p>We would like to propose Powe boat level 2 course is reinstated for category 6 in day light</p>	<p>Noted with thanks. MCA to consider.</p>
	<p>I note the RYA/MCA Powerboat Level 2 commercial endorsement has been removed form the list of qualifications for skippers of commercial vessels. Whilst I agree with this change, is there anything in place to assist those skippers currently qualified with a RYA Level 2 certificate to ensure they remain qualified, given the proposed implementation date is part way through a summer operation season? Will it be possible for current skippers qualified by a powerboat level 2 certificate to ‘transfer’ their current certificate to another accepted qualification, or will they have to attend a different course to requalify? If they are required to attend a different course, will there be any transitional period, or will this have to be completed before the code enters force?</p>	<p>Powerboat Level 2 was removed in Workboat Code 2. MCA to consider.</p>
	<p>STCW Master</p>	<p>Noted with thanks. It would not be possible to alter the limitations listed on the MCA 200GT</p>

Workboat Code Edition 3 Consultation Feedback

	<p>A Master 200/OOW 500 is also awarded on the basis of a Yachtmaster Sail or Power. So, if note A applies to Yachtmaster Ocean, Offshore and Coastal, it should apply to Master 200 as this is based on either the Offshore or Ocean (by the RYA Offshore or Ocean may not be used for securing employment). Eg I had two YM sails who were on a M200 prep course last week, both driving motorboats on a yachtmaster sail</p>	<p>certificate, however the underlying training used to obtain the Master 200GT would still need to meet the requirements of Note A.</p>
	<p>Boatmasters License Is it possible to get a BML for a sailing. Would note A be required here?</p>	<p>Syllabus for BML is geared around training for motor vessels, although the BML does not explicitly rule out applicability to sail powered vessels. It is likely that an individual would need some level of experience and/or training in order to effectively command a sail powered vessel.</p>
	<p>Powerboat Intermediate Intermediate should only be for cat 6 and should ideally be supported with some navigational training such as MCA small ships nav and radar, or RYA Day Skipper Theory and one day radar</p>	<p>Noted with thanks.</p>
	<p>Powerboat Intermediate Do not support adding intermediate. Suggest Dayskipper is more appropriate for cat 4 and should reinstate PB2 for cat 6. There are vessels under earlier codes relying on PB2 and the addition cost needs to be justified. As far as we are aware there is no evidence if issues with PB2 other than bias against the qualification. We consider Day Skipper, or indeed the higher level of RYA Advanced Power Boat COC as the appropriate qualification for cat 4. There are vessels certified under earlier WB codes relying on PB2, so reinstating for category 6 would rebalance</p>	<p>Noted with thanks. MCA to consider.</p>
	<p>Day skipper theory and practical certificate (daylight operation only) Need only say Dayskipper Practical certificate as the commercial endorsement requires theory certificate. Leave the detail to the RYA/YMQP</p>	<p>Noted with thanks.</p>
	<p>There shall also be on board a second person holding at least an RYA/MCA Certificate of Competency or Service as Yachtmaster Coastal. I don't see why this is necessary. The person should be able to keep a watch but shouldn't need a YM Coastal ticket for Cat 2. Maybe a MCA SSNR Cert would be better or Dayskipper</p>	<p>Noted with thanks. MCA to consider feedback and review.</p>

Workboat Code Edition 3 Consultation Feedback

<p>Note 4 Note 4 loses its relevance being tucked away here – unless it is placed in all the boxes. Suggest it is placed in General 1.2</p>	<p>The MCA note your comment with thanks</p>
<p>Note A There is no such endorsement for high speed vessels. We cannot get a Master 200 high speed, or a Dayskipper high speed. We can however write a section within our SMS to induct people in high speed operations if required. If you want to make it more robust – make a requirement for high speed induction training in specialist training They are either power driven craft or sail with auxiliary engine</p>	
<p>Note B Maybe reword... limited to the area and any endorsements issued on the holders Boatmasters Licence. Such... just to clarify it is the BML license and not the vessels Code Cert</p>	<p>Noted. However clear distinction already present as a Workboat Certificate is not a license</p>
<p>Note E Does note E need to exist?</p>	<p>Note E is required for clarity</p>
<p>Note F As previously stated, this endorsement is impracticable as it doesn't exist. It also means that only people doing powerboating courses need a high speed endorsement... See Note 4 and Note A – induction training or suitable course</p>	<p>The MCA note your comment with thanks</p>
<p>Note F Certificates of Competence are not endorsed or High Speed. This would need to be a policy change through the Yachtmaster Qualification Panel, but I do not believe this is pertinent as the long standing good practice is to not rely upon a qualification and that familiarization and training for vessel specific criteria</p>	<p>Noted with thanks.</p>
<p>Note H High speed as above. Also it states open boats – why. Just limit it to vessel length – what about cuddies – ribs with lids – they are limited to area and the next point should be size?</p>	<p>The MCA note your comment with thanks</p>
<p>Note H High speed endorsement does not exist, would require YMQP and training committee review</p>	
<p>We have assessed the impact of the requirement for a second person onboard to hold a COC. Please see the comment box. There is not enough time to implement this requirement in time for the proposed date for implementation of the new code. Please could the MCA provide the assessment that quantifies how</p>	<p>Noted with thanks. MCA to consider feedback.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>holding a COC will ensure this second person can 'handle and manage the vessel in the event of incapacitation of the Master'. It will still fall on the operator to interpret what this expectation specifically involves and establish what these individual should and should not be doing if the Master is incapacitated. We see much more benefit in company led training on board the specific vessel to ensure the person knows that systems and controls of that vessel well enough to handle the vessel in emergencies. Without further detailed guidance on what this role should be doing it would still be incumbent on the operators to establish their own procedures for this, so why does the MCA consider holding a RYA COC is a pre requisite to fulfilling this requirement, are we to interpret that the second person onboard is now a watchkeeper? Simply holding a RYA COC does not guarantee this requirement is satisfied. Both a COC and a Navigational Watch Rating Certificate require sea time before award, therefore what do operators do with new entrants to the industry that do not have the required sea time, commercially it would only make sense to employ individuals whom already hold a COC or Nav watch, so there is going to be a very limited future labour market. It would seem logical for organisations such as the Workboat Association and the MCA to create a competent crew syllabus that will allow operators to have an industry specific training scheme for their crews, a level playing field for competence and allow/encourage new entrants to the industry while satisfying code requirements.</p>	
<p>Table A5.2 – Minimum Engineering Manning Requirements</p>	<p>Add a row above – see extra table so that note 5 is given the authority it deserves</p>	<p>The MCA note your comment with thanks.</p>
	<p>Note 2 Wrong table noted</p>	<p>The MCA note your comment with thanks and will amend the text.</p>
	<p>Note 3 This is not my understanding or practice of this exemption. The exemption usually states that the AEC1 may not need to be done for eligibility to EAC2 if they are going on for higher level engineering qualifications. When we have tried a similar try to the administration we have had to wait months (4-8) for replies. I'd suggest removing this as whilst good natured may backfire</p>	<p>This allows individuals who have completed certain training modules under an approved programme of education training that leads to certain UK Certificate of Competency (for example an EOOW depending on training programme followed), exemption from the AEC course. Whilst an exemption may not be granted in all cases, it remains a possibility for some, particularly those working in the workboat sector that are in the process of/or</p>

Workboat Code Edition 3 Consultation Feedback

		have attained a qualification higher than required by the Workboat Code.
	Note 5 Can we add in here that someone onboard will have a certificate of diesel engine maintenance or relevant engineering qualification. Then put it in the boxes not filled out – see additional table	The MCA note your comment with thanks. Not all workboats are diesel powered.
	Table A5-2 states a requirement for a power driven vessel operating up to 60nm offshore is an AEC1 qualification – I think this leads to industry confusion when MIN524, is clear that an AEC qualification is made up of AEC 1 and 2. The safety aspects of AEC2 – enclosed space entry, use of RA, oxy meters etc. is essential knowledge and required in all vessels (MGN659 (M+F) Amendment 1 The Merchant Shipping and Fishing Vessels (Entry into Enclosed Spaces) Regulations 2022) and the new code should reflect this	Noted.
	From a manning/training perspective cost for additional requirements in Table A5.2 & A5.3 will on average be at least £4000 per person, and likely considerably higher for some. 2. Safe Manning Documents issued recently by the MCA are also at odds with the new code requirements and there needs to be some uniformity and re-issue of SMD's at no extra cost to the operators 3. Notes A & F in Table A5.2 refers to High Speed operations, and training undertaken in planing vessels to be noted on the certificate, is this referring only to HSOSC vessels. To have this included in existing certificates will be a huge administrative task and involve the RYA, have they been consulted on how this could work	This is not referring to HSOSC vessels as HSOSC are covered by the HSOSC Code, not the Workboat Code. The MCA note your comment with thanks.
Table A5.3 – Mandatory training courses requirements	Personal Survival Techniques or RYA Basic Sea Survival This possibly needs making more robust as it possibly a little loose at present. Maybe: All operators following the STCW Certificate of Competency route and or MLC compliance shall complete STCW Personal Survival Techniques course. All other operators shall complete either the STCW Personal survival techniques or RYA Basic Sea Survival	The MCA note your comment with thanks and will make amendments where appropriate.
	Note A – Please change the reference to the 'Workboat Association' to the 'Maritime Skills Alliance, Maritime Qualifications Boars'. The Workboat Association is not solely responsible for the creation of MSQ units	The MCA note your comment with thanks and will make amendments where appropriate.

Workboat Code Edition 3 Consultation Feedback

	<p>Fire Fighting Training We reworded this in a previous version. I cannot disagree with this part strongly enough. The one day course is the most relevant to workboats. Most workboats don't carry BA gear. The STCW course does not major on use of Extinguishers whereas the one day course does. BML regs are better at this as they say to do the one day course and those that are carrying BA do the STCW</p>	<p>Noted with thanks. Workboat code 2 also allowed for STCW fire fighting training in place of the one day course. MCA to consider and clarify wording.</p>
	<p>Radar Training Should be SQA module rather than MSQ. Please see notes on differences between MCA SSNR and SQA qual. Totally different</p>	<p>Noted with thanks. MCA to consider.</p>
	<p>Electronic Chart Plotters Training I strongly suggest this is changed to a course. In house training will lead to a downward pyramid of ill informed information. Just insert the SQA unit as this is what people have been doing. If this stays the type of training will be a free for all – fully unregulated and either a 1 hr online course of 2.5 day SQA course – undoing 5 years of previous requirement. It should be complimented by in house familiarisation</p>	
	<p>Catering Training See MIN on acceptable qualifications</p>	<p>All crew engaged in the preparation of food shall undertake a 'Basic Food Hygiene' or 'Food Safety' course, level 2.</p>
	<p>Whilst in principle, I have no objections to the training, there will need to be a lead in period for those not part of the existing codes, there is no possibility all this can be done by implementation of April 2023</p>	<p>The MCA note your comment with thanks.</p>
	<p>The STCW medical training requirements were always based on the equipment carried and how self sufficient a vessel had to be in regards to medical treatment. Our vessels are only required to carry Cat C equipment, we have also evaluated our vessels accessibility to third part medical help. Their trading patterns and available equipment (Cat C) would indicate Elementary First Aid training is sufficient. Please could the MCA provide the method of assessment that concludes Elementary First Aid is no longer sufficient and the basic standard should now be Medical First Aid? Elementary First Aid (A-VI/1-3) required when operating up to 60NM and carrying Cat C first Aid Kit. Medical First Aid when working beyond 60Nm and carrying CAT B Kit (A-VI/1-4)</p>	<p>Providing Medical Stores training forms part of the syllabus, the EFA course would be accepted. Otherwise, an alternative course need be sought.</p>
	<p>Does this mean that the deckhand is required to to have MCA approved Radar training? Operator should provide onboard</p>	<p>The Master, and any crew member responsible for radar use must undergo the appropriate training to use the radar system</p>

Workboat Code Edition 3 Consultation Feedback

	<p>training with the specific equipment the crew member will use, in the setting they will use it.</p>	<p>effectively. If the deckhand is required to use the radar they must undergo the appropriate training.</p>
	<p>Please confirm if an in-house training course meets this requirement? Operator should provide onboard training with the specific equipment the crew member will use, in the setting they will use it.</p>	<p>More information needed in relation to which requirement.</p>
	<p>Does this mean that the deckhand is required to to have MCA approved ECDIS training? Operator should provide onboard training with the specific equipment the crew member will use, in the setting they will use it.</p>	<p>Only if the specified deckhand is likely to use the ECDIS</p>
<p>4.1.1 A vessel owner/operator shall keep a record of all dangerous goods training received in accordance with sections 4.2 and/or 4.3. This shall be available to the employee, competent authority or Administration upon request, for up to five years.</p>	<p>Should this state that training is valid for 5 years as well then and work with 4.2.3. Or run inline with IMDG code reissues at two years? At present a little ambiguous</p>	<p>This Section sets out that a record shall be kept of all dangerous goods training received over the previous five years</p>
<p>4.2.1 It is responsibility of the vessel owner/operator to determined: .1 members of crew required to be trained as detailed in 4.1.2; and .2 the required level of training; and .3 appropriate training methods.</p>	<p>Note: The Workboat Association Dangerous Goods on Workboats Course fulfils this requirement. This was a syllabus that was designed in conjunction with the MCA</p>	<p>The MCA note your comment with thanks</p>
<p>5.1 Training requirements for the safe operation of lithium-ion batteries used as a source of power for propulsion shall be detailed in the vessel's operating</p>	<p>Actions in the event of a fire</p>	

Workboat Code Edition 3 Consultation Feedback

<p>manual and shall cover, at a minimum: .1 normal operation; .2 maintenance; and .3 how to rectify common faults and issues.</p>		
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Workboat Code Edition 3 Consultation Feedback

Appendix 7: Oil Pollution Prevention

Section of Code	Feedback Received	MCA Position
Appendix 7	To what extent do the CA go into this? This is leaning towards an audit, we can not mix vessel surveys and audits....	Appendix 7 is included (as with previous editions of the Code) for ease of reference for owners/operators who are required to comply with the MARPOL requirements.

Workboat Code Edition 3 Consultation Feedback

Appendix 8: Safety Management System

Section of Code	Feedback Received	MCA Position
Appendix 8	Another example of mis-use of the term “open boat” if following it's definition in Sect 2	The term ‘open boat’ does not appear in Appendix 8.
Appendix 8 Person Ashore	For holders of ISM DOC we have a Designated Person. Are Designated Person and Person Ashore synonymous for the interpretation of this section?	That is the intention yes.
Appendix 8	If you are wanting the requirements to match Ism, why not just copy the headings rather than making up similar ones?	Workboat Code Edition 3 specifically does not apply the ISM as this would be disproportionate for a significant number of vessels. The similarity is to provide guidance without invoking the ISM requirements. It is intended that ISM compliant vessels would also comply with the requirements of Section 31/Appendix 8.
	Could really do with the SMS objectives and functional requirements here. Suggest near Copy and paste from ISM – it helps with training then and transition from one sms to another it will also cover everything that you need it to	The MCA note your comment with thanks.
Appendix 8 1.1 A Safety Management System shall include the following: .1 A Safety and Environmental Protection Policy; and .2 Risk Assessment for Safe Working; and .3 Health and Safety Protection Policy; and .4 Responsibilities of the Master and Personnel; and .5 Training of Personnel; and	List does not match the content of section. EG no DP requirement here	The points listed in 1.1 are indicative of what should be included in the SMS. Further detail is provided in subsequent sections of the Appendix, including requirements for a Person Ashore. The MCA will review this and clarify as necessary.

Workboat Code Edition 3 Consultation Feedback

<p>.6 Procedures to ensure safe operation of a vessel; and .7 Emergencies; and .8 reporting of accidents; .9 maintenance of the vessel and equipment; .10 review.</p>		
<p>2.1 A Safety and Environmental Protection Policy must address the issues of: .1 health; and .2 safety; and .3 working environment; and .4 the environment as they affect the company and its staff, both on shore and on board.</p>	<p>Suggest 2 and 4 are together and called a HS and environmental policy</p>	<p>The MCA note your comment with thanks.</p>
<p>5 Responsibilities of the Master and Personnel</p>	<p>Needs much greater clarity of responsibility of skipper. Once again use ISM section 5/5.1/5.2</p>	<p>The MCA note your comment with thanks and will clarify the requirements.</p>
<p>8.1 Procedures shall be developed and documented for the operation of the vessel. These shall at the minimum include: .1 testing of equipment, including steering gear, prior to commencing a passage; and .2 navigation and handling of the vessel; and .3 maintenance routines; and .4 bunkering operations; and .5 watertight/weathertight integrity; and .6 stability of the vessel; and .7 conduct of passengers and crew while on board; and .8 emergency towing.</p>	<p>Safe watchkeeping – to assist in the application of that section</p>	<p>The MCA note your comment with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

<p>9 Safety Briefing</p>	<p>Safety briefing should really be included in safe ops or training sections</p>	<p>Safety briefing forms an important part of both training and safe operations. It was included as a separate requirement to highlight the requirements rather than have it lost in a list of other requirements.</p>
<p>11.2 The vessel owner/operator shall report any accidents to the Administration and the company must therefore have a procedure in place. See section 3 and MIN XXX</p>	<p>Do we report to the Administration or the MAIB as per the SI (Chief Inspector) or MGN 554 (MAIB). This is also very muddy... any accidents? When/what is the different between an accident and an incident. Also a requirement to report to CA</p>	<p>The MCA note your comment with thanks and will clarify the requirements for reporting.</p>
<p>12.2 The vessel owner/operator shall develop documented procedures for a more detailed inspection and maintenance programme for the vessel and its equipment. The frequency of the required inspection and maintenance shall be determined by the vessel owner/operator. All inspections and maintenance activities shall be recorded.</p>	<p>Determined by vessel operator taking into account of best practice industry guidelines – see ISM 1.2.3.2 for clarity</p>	<p>The MCA note your comment with thanks.</p>
<p>Appendix 8 All vessels shall be equipped with a continuously available communication system (including during emergency situations) which shall enable communication with the emergency services via a shore base. A shore base may be the company office ashore, the local Coastguard, Police or Fire Station,</p>	<p>For holders of DOC ISM does the DP role satisfy this requirement?</p>	<p>It may do. Any communication system used shall ensure communication between the vessel and the emergency services.</p>

Workboat Code Edition 3 Consultation Feedback

<p>or another office as may be agreed between the vessel and the shore base.</p>		
<p>Appendix 8 Review</p>	<p>A year is a standard timeframe for a review of an SMS. As all operators are expected to implement an SMS that follows the principles of ISM, why 3 years. This seems a long time for a review process?</p>	<p>The MCA note your comment with thanks and will reassess this position.</p>
	<p>Whose responsibility will it be to ensure that the company has a SMS – the CAs? Or will it be by default – if it goes wrong?</p>	<p>Appendix 8 provides further guidance on the requirements set out in Section 31 of the code. Under this section, it will be to the satisfaction of the Certifying Authority to ensure the SMS is commensurate with the size, complexity and type of operation of the vessel.</p>

Appendix 9: Saving and Transitional Arrangements for Existing Vessels

Section of Code	Feedback Received	MCA Position
Appendix 9	Why "SAVING"....?	Noted, will amend as appropriate.
	As there is no consideration given for older vessels and the considered costs to try and get all the changed inline with the proposed code, there is extensive time required to implement all the proposed changes and as such would be hard to implement fully within the allotted times outlined within Appendix 9. This will result in us considering our position to reduce our fleet, personnel and future capability due to the proposals outlined, unless your proposals are amended. I would hope that the proposed regulations could be revised to take into account industry feedback which I hope would include any structural changes to existing vessels being removed, and only to apply to new builds. More time to be provided for existing operators for training of existing crew/personnel. It's highly likely that training providers will be fully booked for a long period once proposals are confirmed. This is likely to take up to 3 years to complete in my personal opinion	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.
	Charities such as the MVS mainly operate vessels that are similar to those used for sport or pleasure (with or without light duty workboat certification). As these vessels are not generally used for sport or pleasure (but for e.g. for sea experience and training and supporting port and coastal authorities with safety patrols) they are by default workboats under the regulations. They are generally currently operated in a similar manner and for similar purposes as vessels operating commercially for sport or leisure and do so under MGN 280. We would like a specific exemption for vessels operated by Charities in accordance with their charitable objectives that would allow them to continue under MGN 280 and subsequent Codes for vessels operating for sport or leisure.	The Code applies whether the owner/managing agent is corporate, private or of a charitable nature.
	One of the key elements for both MECAL and the industry is the retrospective application. Our proposal as outlined and discussed in various meetings is that we follow the principles laid out in international shipping that the rules/regulations at time of keel lay apply unless the vessel undergoes a major conversion as defined in MSC-MEPC.5/Circ.8 1 July 2013.	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.

Workboat Code Edition 3 Consultation Feedback

	<p>it is our belief that this is only best achieved via grandfather rights and as such; changes to a vessel's mandatory requirements are only made as and when the vessel undergoes major rebuild or enters code for the first time (as per the criteria for reintroduction into the code).</p> <p>A) Technical requirements: We suggest that the transitional arrangements related to the technical requirements of the code get independently re-prioritised and subsequently changed;</p> <p>i) For those requirements able to wait or cause significant financial or operational impact, we ask that the transition of application be pushed back to apply only to new builds with keels laid after publication of the code and previously non code vessels coming into the code for the first time. Also for any vessels carrying out a major rebuild or conversion. (Therefore the operators are able to carry out case-by-case financial impact assessments when completing tenders, proposals and management of change procedures).</p> <p>ii) For the changes that require very low cost or resources and create significant improvement, we do not wish to hold up the process of implementation any longer than necessary.</p> <p>B) Safe Manning and Seafarer Training & Certification: We suggest using the reformatted table Annex 5.1 created and proposed together following our previous meetings surrounding the Annex (see attached).</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>This should say MLC Alternative Standards – not MLC doesn't apply.</p>	<p>Noted, with thanks.</p>
	<p>5.1 It is unreasonable to require compliance with all of Sect 5 to workboats who have operated safely under previous codes.</p> <p>5.4 How can an existing vessel built of HDPE meet this requirement? They would all have to be referred to the Administration ahead of the date – that is hundreds of them. Reference the above comment in relation to keel laying date.</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>5.6 Building in new WT bulkheads into an existing boat is rarely a viable option. Damage stability vs POB the biggest concern. Brown code resolved this by only requiring change to bulkheads as part of any major modification for other reasons.</p> <p>5.7 This is just a very complicated transitional arrangement for differing elements of a vessel on different Codes – it makes it almost impossible for a CA to implement on a fleet of vessels</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional</p>

Workboat Code Edition 3 Consultation Feedback

	<p>5.9 Not possible for existing vessels to meet this requirement. Reference the above comment in relation to keel laying date.</p>	<p>arrangements for existing vessels.</p>
	<p>These lines imply that Certification and Examinations HAVE to transfer to WB3 immediately on coming into force of WB3. That will present a huge administrative burden to all CAs and will be impossible to manage. Reference the above comment in relation to keel laying date.</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels. The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>As discussed and outlined in various meetings, we and the industry propose to adopt the standard approach to implementation of new rule/regulations which is "The rules in force at time of keel lay apply unless the vessel undergoes a major conversion" as defined in SOLAS and internationally recognised. It is not reasonable to expect existing vessels to comply with the latest rules and regulations, if there a certain requirements linked to a safety case that has come out of an event that identified the need for a change then that is different, but to apply the code in full is not acceptable.</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>As the arrangements differ per Code per Section and per type of vessel this makes it almost impossible to manage as a CA. If we the regulator have difficulty keeping up with this how would an operator or charterer comply? We can not have vessels complying with certain sections of the code as it will make it very difficult to survey and manage and how will it be recorded etc?</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for</p>

Workboat Code Edition 3 Consultation Feedback

		existing vessels and will revise the transitional arrangements for existing vessels.
	We feel strongly that the correct and consistent approach is to Grandfather existing vessels from the requirements of the Edition 3 of the Workboat Code, safeguarding the vessels, the jobs of those working on them and the companies operating them. We take no issue with driving up standards for future vessels and their operation.	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.
	<p>It seems realistic, obtainable and I am sure would gain support from industry if the "soft" issues such as manning, safety management, stability for 82.5kg, carriage of equipment etc were to be applied to existing fleet that have previously been grandfathered. To try to apply the structural aspects of the code to the these existing vessels is both not fair and not realistic possibility. The normal way to apply these things is on "major modification" or change of useage, new to the code (or 5 years plus not coded) or renewing equipment is to apply the latest rules in way of those changes. This is in line with the Tier III engine requirments too. The grandfathering route proposed here needs a complete rethink. I believe that the domestic pax ship industry has just been through this with MCA and a route has been found which is acceptable (according to the MCA) to the whole domestic pax ship fleet of existing vessel operators. Perhaps the method of application to the existing fleet of pax ships could be mimiced here for these existing workboats?</p> <p>We propose that an existing vessel under goes major modification (or any of the listed above) then the structural aspects should be applied at that stage to that modification. If the vessel has fallen out of code or wants to increase its category of operation then the full WB Code 3 would apply. There is no justification of evidence of accidents to require WB Code 3 to apply in full to all existing vessels. Consider rewrite of Appx 9 with the Pax Ship Grandfather rights review taken into account.</p>	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.
	The intention of this section was surely to grandfather only some parts of the code - perhaps areas of the stability section should be applied to existing fleet ,	The MCA note your comments on the

Workboat Code Edition 3 Consultation Feedback

	<p>particulaly the 75kg to 82.5kg and I am sure that the industry would support this. Section 5.3.5 disapplies the requirement but then Appx 9 applies it - there are inconsitencies throughout that need ironing out. Of note though is that the Appendix 9 requires heel test / incline to be done straight away. This would leave circa 1600 vessels needing this test straight away overnight once WB3 is published otherwise their insurance would be invalid. There needs to be a transitional time on this. I am not sure who did the de minimus assessment of this whole WB Code 3 however this alone would be a significant expense for each vessel, perhaps 6 hours each at least at £100 per hour (just for the surveyors let alone operator staff time) this could be £990000 alone across the fleet. Obviously there are other costs associated (such as reissuing all the Stability Booklets) let alone all the other costs across the code (eg anchors and new anchor lockers, new windlasses etc.) that would have additional costs that would bring the overall costs to industry far in excess of the £1M de minimum limit. The MCA's economic assessment needs a complete rethink. Rethink the valuation of the entire WB Code 3 rewrite exercise and the broadbrsuh application to previously grandfathered vessels.</p>	<p>associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>The grandfathering as it stands is too extensive. Section 5.3.5 appears to provide an exemption to overright all this (or just for structure and stability?) however it is not clear the intent of this and there are obvious inconsistencies. 5.3.5 should be drawn out further in the text rather than it being hidden here. Other inconsistencies to be resolved.</p>	<p>The MCA note your comments. 5.3.5 applies only to structural arrangements.</p>
	<p>It is not easy for operators to distinguish exactly which changes are needed to be complied with due to the massive (unnecessary) rewrite of wording and order of chapters. A full bridging document in a MIN will be needed to decifer this linking to each new chapter number and sections within those chapters for each of the existing Codes so that operators will know exactly which parts of the new code will need to be transitioned to - it is not enough just to say WB Code Section XXX needs to be complied with by XXX. Before transitioning can commence the operators need to be told further of what Appendix 9 means and exactly which changes need to be complied with.</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>5.6 - Support this change. It was the intention of MGN 280 Rev 5 that this would have been enforced for existing vessels in circa 2007, these vessels have therefore had a number of "free" years</p>	<p>Noted.</p>
	<p>14 - It is not clear why all lifejackets that are carried (without spray hood) need to be replaced on phase in. It would be more effective (and cost operators nothing) if MCA stopped bowing the RYA and enforced the wearing of lifejackets by</p>	<p>Equipment such as LSA would be phased in when the life cycle of</p>

Workboat Code Edition 3 Consultation Feedback

	crews on commercial vessels when making way on a voyage eg not just when going to sea.	the product reaches natural conclusion.
	15 - It is not clear how vessels would phase in to this. For instance where the old WB Code Edition 2 Appendix 10 option has been taken away (which is no bad thing btw). What does this mean on phase in for vessels that had previously followed that Appx 10 as an allowable path. Do they need to retest under FTP Code requirements? This needs a rethink and clarification	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.
	It isnt appropraite to specify the code requirements in this section. This should be stated directly in Section 5.6.4 instead.	Noted.
	Where there are references to complying with the appendices this should also refer to the Annex's	Noted.
	It would be better to apply 5.3.5 wording to all parts of Sect 5 for existing coded WB's. It is unreasonable to require compliance with all of Sect 5 to workboats who have operated safely under previous codes.	Noted.
	Grandfather vessels already built and in compliance with previous codes and apply the new code only to new build vessels with keels laid after implementation of this code.	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.
	Our main concern is the application of all requirements of the new code to existing vessels, which will be very costly and have considerable unwanted effects. The Workboat sector has a very good safety record, due to high standards already existing. There is no immediate need to increase the standards on the existing fleet. Continuous improvement is something that we as a company also support, but this can be achieved also by application of the new code on new vessels or vessels undergoing major conversions as well. Older vessels will be phased out as they come to the end of life, and therefore there will be an automatic transition towards the new code. Furthermore, the	The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional

Workboat Code Edition 3 Consultation Feedback

	<p>provisions to allow for new technologies to be implemented on vessels are another way to motivate owners to adopt the new code. But owners will be able to take the transition to the new code into consideration when they make their investment decision. Implementing the code in a blanket approach to all existing vessels puts undue financial pressure on the workboat sector.</p>	<p>arrangements for existing vessels.</p>
	<p>The transitional arrangements are too onerous on existing vessels. Structural elements should be left out for existing vessels, but bolt-ons could be included. Adoption of high speed elements are not really applicable and have not been thought through enough at the moment as most of the endorsements don't exist</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>
	<p>'It is not clear what the material impact of the Code Changes is an whether it is considered reasonable to expect existing vessels to comply or be re-assessed, further information is needed to determine what design or operational impacts might be</p>	<p>The MCA note your comments on the associated costs and effects of implementing these arrangements for existing vessels and will revise the transitional arrangements for existing vessels.</p>

Workboat Code Edition 3 Consultation Feedback

Appendix 10

Section of Code	Feedback Received	MCA Position
Appendix 10	<p>For non UK vessels operating outside UK & others in UK that adopt this standard, it would be useful to allow exceptions to the code which are listed on back of cert; eg MOD vessels where some aspects (eg LSA/Collregs) are covered by equivalent standards. So I would add this to this section....., 2 with exceptions, equivalencies as detailed in the notes to in the conditions & limitations overleaf"</p>	<p>The MCA note your comment with thanks and the text of the template certificates will be amended as appropriate.</p>
	<p>This statement is now out of date. The current statement required by the MCA is "This certificate is only valid for commercial operation on international voyages or voyages of more than 60 miles from a UK safe haven with seafarers on board if the certificate is accompanied by a valid MLC inspection report demonstrating compliance. "International voyages" includes, for a UK vessel, voyages within the waters of another State. The vessel is of course still required to comply with the operating limits set by its Code certification (Cat 0 to Cat 6)."</p>	

Workboat Code Edition 3 Consultation Feedback

MIN XXX

Section of Code	Feedback Received	MCA Position
MIN XXX	<p>R&TTE Directive was superseded by the Radio Equipment Directive (RED) which in turn will be replaced by the Radio Equipment Regulations (RER) in 2023 or 2025 (TBC, it was after 31/12/2022 but looks to be 31/12/2024 now). MER replaces MED after 31/12/2022</p>	<p>This was not applicable when the revised code was drafted and it will be updated to reflect the latest position regarding carriage of RED/RER/MED/MER certificated equipment</p>
	<p>Section 5 – Construction and Structural Strength EN ISO 12215-1:2018 - Small craft - Hull construction and scantlings - Part 1: Materials: Thermosetting resins, glass-fibre reinforcement, reference laminate (ISO 12215-1:2000) EN ISO 12215-2:2018 - Small craft - Hull construction and scantlings - Part 2: Materials: Core materials for sandwich construction, embedded materials (ISO 12215-2:2002) EN ISO 12215-3:2018 - Small craft - Hull construction and scantlings - Part 3: Materials: Steel, aluminium alloys, wood, other materials (ISO 12215-3:2002) EN ISO 12215-6:2018 - Small craft - Hull construction and scantlings - Part 6: Structural arrangements and details (ISO 12215-6:2008) ISO 12215-7:2020 - Small craft — Hull construction and scantlings — Part 7: Determination of loads for multihulls and of their local scantlings using ISO 12215-5 EN ISO 12215-8:2018 - Small craft - Hull construction and scantlings - Part 8: Rudders (ISO 12215- 8:2009, including Cor 1:2010) Section 6 – Weathertight Integrity ISO 9093:2020 - Small craft — Seacocks and through-hull fittings ISO 11336-1:2012 - Large yachts — Strength, weathertightness and watertightness of glazed openings — Part 1: Design criteria, materials, framing and testing of independent glazed openings ISO 11336-2:2020 - Large yachts — Strength, weathertightness and watertightness of glazed openings — Part 2: Glazed opening integrated into adjacent structure (elastically bonded to bulkhead or shell) design criteria, structural support, installation and testing ISO 11336-3:2019 - Large yachts — Strength, weathertightness and watertightness of glazed openings — Part 3: Quality assurance, installation and in-service inspection</p>	<p>Thank you for providing the list of additional, applicable international standards. The MCA will look to include these in MIN XXX where appropriate.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>ISO 14884:2015 - Large yachts — Weathertight doors — Strength and weathertightness requirements Section 8 — Machinery, Propulsion and Fuel Systems ISO 6185-2: 2001 Inflatable boats — Part 2: Boats with a maximum motor power rating of 4,5 kW to 15 kW inclusive ISO 6185-3: 2014 Inflatable boats — Part 3: Boats with a hull length less than 8 m with a motor rating of 15 kW and greater ISO 6185-4: 2011 Inflatable boats — Part 4: Boats with a hull length of between 8 m and 24 m with a motor power rating of 15 kW and greater There are specific details within the 6185 series that would require this to be referenced. EN ISO 15584:2017 - Small craft - Inboard petrol engines - Engine-mounted fuel and electrical components There is a need to ensure suitably installed petrol inboards are considered by this code. This is particularly important with increased emission challenges that all fuels that are currently freely available to these types of craft are recognized and accepted by this code. EN ISO 16147:2021 Small craft - Inboard diesel engines - Engine-mounted fuel, oil and electrical components (ISO 16147:2020) EN ISO 8469:2018 - Small craft - Non-fire-resistant fuel hoses (ISO 8469:2013) BS EN 15609:2021 - TC Tracked Changes. LPG equipment and accessories. LPG propulsion systems for boats, yachts and other watercraft. Installation requirements Section 9 — Electrical Installations British Marine Electrics and Electronics Association Code of Practice (6th Edition) Published Spring 2023 EN 60092-507:2015- Electrical installations in ships - Part 507 - Small vessels BS EN ISO 16315:2016 - Small craft — Electric propulsion system BS EN ISO/TS 23625:2021 - Small craft — Lithium-ion batteries Section 10 — Steering, Rudder and Propulsion Systems ISO 8847:2021 - Small craft — Steering gear — Cable over pulley systems ISO 8848:2022 - Small craft — Remote mechanical steering systems EN ISO 9775:2017 - Small craft - Remote steering systems for single outboard motors of 15 kW to 40 kW power EN ISO 10592:2017 - Small craft - Hydraulic steering systems ISO 13929:2001 Small craft — Steering gear — Geared link systems EN ISO 15652:2017 - Small craft - Remote steering systems for inboard mini jet boats EN ISO 23411:2021 - Small craft - Steering wheels</p>	<p>The limitation of petrol engine to the outboard type is consistent with the existing versions of the code. There are no plans to expand the use of petrol engines to include inboards at this time; however, there is scope within the new code for consideration to be given on a case-by-case basis subject to the approval of the Administration.</p>
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Workboat Code Edition 3 Consultation Feedback

	<p>ISO 25197:2020/Amd 1:2022 - Small craft — Electrical/electronic control systems for steering, shift and throttle — Amendment 1 Section 11 - Bilge Pumping ISO 15083:2020/Amd 1:2022 - Small craft — Bilge-pumping systems — Amendment 1 Section 14 — Life-Saving Appliances BS EN ISO 12402-6:2020 Personal flotation devices - Special application lifejackets and buoyancy aids. Safety requirements and additional test methods. BS EN ISO 12402-1:2005. Personal flotation devices - Lifejackets for seagoing ships. Safety requirements. BS EN ISO 15027-1:2012. Immersion suits - Constant wear suits, requirements including safety. ISO 9650-1:2022 Small craft — Inflatable liferafts — Part 1: Type 1 and type 2 Section 15 – Fire Safety ISO 6185-2: 2001 Inflatable boats — Part 2: Boats with a maximum motor power rating of 4,5 kW to 15 kW inclusive ISO 6185-3: 2014 Inflatable boats — Part 3: Boats with a hull length less than 8 m with a motor rating of 15 kW and greater ISO 6185-4: 2011 Inflatable boats — Part 4: Boats with a hull length of between 8 m and 24 m with a motor power rating of 15 kW and greater EN ISO 9094:2017 - Small craft - Fire protection There are specific details within the 6185 series that would require this to be referenced. BS 8511:2010 Code of practice for the installation of solid fuel heating and cooking appliances in small craft ISO 12133:2021 - Small craft — Carbon monoxide (CO) detection systems and alarms Section 20.2 - Anchoring Systems ISO 15084:2003 - Small craft — Anchoring, mooring and towing — Strong points Section 22 - Protection of Personnel ISO 15085:2003/Amd 2:2017 - Small craft — Man-overboard prevention and recovery — Amendment 2 Appendix 2A — Liquid Petroleum Gas Installation for Domestic Marine Use PD 54823:2016 Guidance for the design, commissioning and maintenance of LPG systems in small craft ISO 14895:2016 - Small craft — Liquid-fuelled galley stoves and heating appliances</p>	<p>Noted, with thanks.</p>
	<p>MSN 1837: defines and sets out the categorisations of waters in the United Kingdom into four categories:</p>	<p>The categorization of waters and associated significant wave height</p>

Workboat Code Edition 3 Consultation Feedback

	<ul style="list-style-type: none"> • Category A: Narrow Rivers and canals where the depth of water is generally less than 1.5 metres. • Category B: Wider rivers and canals where the depth of water is generally 1.5 metres or more and where the significant wave height could not be expected to exceed 0.6 metres at any time. • Category C: Tidal rivers and estuaries and large, deep lakes and lochs where the significant wave height could not be expected to exceed 1.2 metres at any time. • Category D: Tidal rivers and estuaries where the significant wave height could not be expected to exceed 2.0 metres at any time. <p>Why are the limits of significant wave heights greater in the higher category?</p>	<p>is not part of this consultation; however, the more exposed the area of water, the greater the significant wave height may be.</p>
	<p>Section 1.2 refers to WB Code 3 replacing MGN 280, Workboat Code 1 (Brown) etc however these were already replaced for new vessels by WB Code 2. If it is necessary to list these then you have missed out the WB Code Industry Working Group Technical Standard 2014. If you are saying that these documents are replaced for existing vessels by WB Code 3 then this needs to be specified and for new vessels only list WB Code 2. The drafting needs to be more specific.</p>	<p>Section 1.2 of MIN XXX and Section 1.4 of the MSN sets out the MCA's intention that Workboat Code Edition 3 will replace all the existing codes of practice, bringing new and existing workboats and pilot boats under one standard. The Industry Group Working Standard 2014 has already finished its phase out period and is no longer an applicable code of practice for either existing or new workboats and so it was not included in this list. This is correct as drafted.</p>
	<p>Section 14.12 and 17. There are references to MED which might now be UKCA references. After 1/1/23 it is not legal to fit wheelmark equipment on new vessels. Existing vessels can continue to carry MED / wheelmarked equipment until they need replacing for end of life. This needs to be represented here somehow.</p>	<p>This was not applicable when the revised code was drafted and it will be updated to reflect the latest position regarding carriage of</p>

Workboat Code Edition 3 Consultation Feedback

		MED/MER certificated equipment
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Workboat Code Edition 3 Consultation Feedback

MSN XXX

Section of Code	Feedback Received	MCA Position
MSN XXX	Section 2.4 if the MCA wishes to continue to have transition different dates for different areas of the Code then this should be represented better in the wording of this section of the MSN.	The text of MSN will be amended to align with any revised position on transitional arrangements.
	Section 2.5 which accidents have been responded to here? How can MCA justify saying that there was an Industry Working Group when pretty much all the wishes of the WG were ignored?	The MCA engaged extensively with the workboat industry, over a two-year period and throughout the drafting of the proposed Workboat Code Edition 3. It is not accurate to suggest the MCA ignored the wishes of the Working Group.
	"pleasure vessel" why has MCA not taken the opportunity to update this definition as per gaping holes that were highlighted in the Cheeki Rafiki case?	The 'pleasure vessel' definition is used much more widely than just these regulations. The MCA will conduct a review of the pleasure vessel definition in due course, but it was not appropriate to include that as part of this package of work.
	The SI talks of surveys and examinations but in general the Code talks about examinations. Perhaps these should align and just one term be used or a definition of each and how they differ be stated in the Stt.	Terms and definitions will be aligned between Code and Statutory Instrument ahead of entry into force.

Workboat Code Edition 3 Consultation Feedback

Statutory Instrument

Section of Code	Feedback Received	MCA Position
SI	Regulation 3 (definition of “pilot boat”). The expression “pilot boat” is defined by reference to “pilotage services” but this expression isn’t defined so reference ought to be made to the Pilotage Act 1987.	Noted, will amend as appropriate.
	<p>Regulation 23 (Offences, penalties and defences).</p> <p>a. Although drawn from the current regulations, it is not at all clear why the penalties for offences in respect of pilot boats are limited to a level 4 fine (£2,500) (See Regulation 23(2)) whereas for a workboat they could involve unlimited fines and two years’ imprisonment (see Regulation 23(4) which, incidentally, should cross-refer to paragraph (3) rather than (4).</p> <p>b. In Regulation 23(3), the expression “owner” doesn’t include the competent harbour authority (see Regulation 3) so, in the case of a workboat owned by a competent harbour authority, it appears that the owner (competent harbour authority) would not be responsible for a breach of the regulations, which seems odd. If what the MCA is trying to achieve is to ensure that the competent harbour authority is liable as well as the owner for a non-compliant pilot boat then that is what the provision should say!</p> <p>c. In Regulation 23(3)(b), it is not clear when this provision would be “applicable”, which is important because in such circumstances it would appear that the charterer is liable for non-compliance but the master is not (although why this should be the case is also unclear). If what the MCA is trying to achieve is to ensure that, in the case of a chartered vessel, the charterer is liable as well as the owner and the master for a non-compliant vessel then that is what the provision should say!</p> <p>d. In the RYA’s view, in the case of a vessel which is in commercial use by virtue only of it being in the possession of a broker, ship repairer or other such person for the purpose of business, the owner of that vessel should not be liable for noncompliance (with the Code or, indeed, any of the underlying merchant shipping legislation) and the broker or ship repairer etc. (and the master) should be liable instead. In practice, the private owner of a pleasure vessel who leaves it with a yard for repairs to be carried out cannot personally ensure that that yard always conducts its sea-trials etc. in accordance with the IPV Code etc. The owner could, in theory, place the yard under an express contractual obligation to comply with the IPV Code etc. but:</p> <p>i. that’s probably unrealistic for most yards, many of which just rely on the BMF standard terms of business; and</p>	Noted with thanks.

Workboat Code Edition 3 Consultation Feedback

	<p>ii. the owner would still end up with the criminal record and having to serve time and/or pay the fine, which can't be contracted out of! These regulations are intended to amend other legislation more generally (see Schedule 2) so there is a great opportunity here for the MCA to fix this problem properly</p>	
	<p>Regulation 22 (Arbitration). In our view, the Chartered Institute of Arbitrators is an unfortunate choice of appointing organisation. Our understanding is that the president (or vice-president) of CIARB only appoints arbitrators who are members of the "presidential panel" (https://www.ciarb.org/disputes/presidential-appointments/) and it would appear that there are very few such arbitrators who are familiar with UK maritime law. (In one recent instance, the best CIARB could do to resolve a dispute under the BMF arbitration rules was to appoint as arbitrator a US attorney based in Miami!) In our view, the London Maritime Arbitrators' Association would be a much better choice of appointing organisation.</p>	<p>Noted with thanks.</p>
	<p>Regulation 20 (Detention of vessels). Regulation 20(1) states that "where a vessel does not comply with the requirements of these Regulations, that vessel may be liable to be detained". There is no allowance for a vessel to choose to comply with the underlying merchant shipping legislation instead of the Code. Given that the MCA's apparent intention is to maintain the current legal position in this regard, as per point 4 above, Regulation 20 needs to be amended to make it clear that it applies only where a certificate has been issued under the Code in respect of the vessel.</p>	<p>Noted with thanks.</p>
	<p>Regulation 18 (Incident reporting). The definition of "incident" is far too broad – it includes "any event involving ..." various parts of a vessel that would routinely be "involved" in the operation of the vessel. By way of example, as the Regulations are currently drafted, opening or closing a sea-cock, hoisting and setting the sails, starting the engine or changing direction using the rudder would amount to a reportable "incident", as would any inconsequential "grounding" (e.g. a RIB landing on a beach) or "collision" (e.g. two RIBS coming alongside each other at low speed). This is an important issue because a certificate is automatically rendered invalid if an "incident" is not reported (see Regulation 13(1)(g)). In our view the expression "incident" should be much more carefully defined and the obligation to report an "incident" should only arise if the "incident" results in damage or injury or otherwise endangers the vessel or any person. This would then be much more consistent with the MAIB reporting requirements in the 2012 regulations (see https://www.legislation.gov.uk/ukSI/2012/1743/regulation/3).</p>	<p>Noted with thanks.</p>
	<p>Regulation 16 (Provisions disapplied). The current regulations require a</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

	<p>certificate to be “in force” (i.e. not invalidated or cancelled) in order for the Regulation 16 (Provisions disapplied). The current regulations require a certificate to be “in force” (i.e. not invalidated or cancelled) in order for the</p>	
	<p>Regulation 15 (Survey requirements). Regulation 15(1) states that “a vessel is required to be surveyed in accordance with this regulation”. There is no allowance for a vessel to choose to comply with the underlying merchant shipping legislation instead of the Code. Given that the MCA’s apparent intention is to maintain the current legal position in this regard, as per point 4 above, Regulation 15 needs to be amended to make it clear that it applies only where a certificate is to be issued under the Code in respect of the vessel.</p>	<p>Noted with thanks.</p>
	<p>Regulation 14 (Cancellation of a certificate). It is unclear why, in Regulation 14(1)(c), the circumstances in paragraph 3(a) are relevant but not those in paragraphs (b) to (e).</p>	<p>Noted with thanks. Will clarify as appropriate.</p>
	<p>Regulations 13 (Validity of a certificate) & 14 (Cancellation of a certificate). It is unclear as to how the practical effect of Regulation 13(1)(h) is intended to differ materially from that of Regulation 14(1)(b).</p>	<p>Noted with thanks. Will clarify as appropriate.</p>
	<p>Regulation 7 (Requirement for a certificate). The current (and, in our view, correct) legal position is as articulated in paragraph 1.10 of the Code (and as reflected in paragraph 1.4 of the consultation document), which reads: “Compliance with the 2023 Regulations and this Code is not mandatory; it is an alternative regulatory regime and vessels may instead continue to comply with standards in all merchant shipping legislation that would otherwise apply to them ...”. Regulation 7, on the other hand, states that a workboat etc. “must not be operated unless... it has a valid certificate required under the Workboat Code Edition 3 for that vessel ...”. In other words, there is no allowance for a workboat to choose to comply with the underlying merchant shipping legislation instead of the Code. Given that the MCA’s apparent intention is to maintain the current legal position in this regard, Regulation 7 needs to be amended to provide for this.</p>	<p>Noted with thanks. Will clarify as appropriate.</p>
	<p>Regulation 3 (definition of “workboat”). The previous reference to “tugs” not being “workboats” has been removed, so it would appear that a small tug could be certificated as a workboat.</p>	<p>That is correct.</p>
	<p>Regulation 4 (Application). There are several references to “United Kingdom vessels” but there is no such expression defined in these Regulations or the Merchant Shipping Act 1995 (which refers to “United Kingdom ships”). There is a definition of “United Kingdom vessel” in the Code but the Code itself cannot be used to specify the application of the regulations which implement the Code! In short, if the expression “United Kingdom vessel” is to be used in the Regulations then the definition of “United Kingdom vessel” to be found in</p>	<p>Noted with thanks.</p>

Workboat Code Edition 3 Consultation Feedback

	the Code must be added to the Regulations.	
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