

Checklist for analysis on EU proposals

See pp.29-30 of the IA toolkit for guidance on how to use this checklist:

<http://www.bis.gov.uk/assets/biscore/better-regulation/docs/i/11-1112-impact-assessment-toolkit.pdf>

<p>Title of EU proposal: Proposal for a Directive on Recreational Craft and Personal Watercraft Lead dept/agency: Department for Business, Innovation & Skills Other depts/agencies with an interest: DFT, Defra Date: 22 August 2011</p>	<p>Lead policy official: Kevin Lane Kevin.Lane@bis.gsi.gov.uk Tel: 020 7215 1774 Lead lawyer: Sophie Reid Sophie.Reid@bis.gsi.gov.uk Tel: 020 7215 3541 Lead economist: Tim Hogan Tim.Hogan@bis.gsi.gov.uk Tel: 020 7215 1628 Lead UKRep desk officer: Laura Harbridge Laura.Harbridge@fco.gsi.gov.uk Tel: 0032 2 287 8278</p>
<p>What are the potential impacts of the Commission proposal on the UK?</p> <p>AFFECTED GROUPS: The main groups to be affected are in the private sector. Specifically the proposal will effect boat builders, engine manufacturers, importers and distributors:</p> <ul style="list-style-type: none"> • The sectors involved are recreational craft, personal watercraft and marine engines • In total the number of people employed in the sectors in the UK is around 32,500 • It is estimated that the proposal will effect around 500 companies • Around 95% of these companies are SMEs or micro businesses <p>COSTS & BENEFITS:</p> <ul style="list-style-type: none"> • If the net benefits of adopting the revised Directive are distributed according to the number of engine manufactures in each Member State then net benefits to the UK could be around €0.7-4.2m which would be ongoing generated on average every year. • There should not be a detrimental impact on small firms as mitigating measures are being proposed which would alleviate the burden on smaller engine manufacturers which may face disproportionately higher compliance costs. • The proposal will not have a detrimental affect on competition <p>ENFORCEMENT:</p> <ul style="list-style-type: none"> • Enforcement will continue to be carried out by local trading standards offices and the resources required to facilitate effective enforcement will be a matter for the local authorities concerned – however it is not expected that the costs for local authorities will rise significantly • The proposal is flexible enough to allow for a range of enforcement and compliance measures to be implemented by Member States including both criminal and civil sanctions. An assessment of which compliance measures are most appropriate will usually be carried out on a case by case basis in response to each complaint • There is no requirement for regular inspections of manufacturers and products in the proposal • The directive proposal is also flexible over the methods to be used to demonstrate compliance though in many cases manufacturers will need to involve a notified body authorised to conduct conformity assessments on every product which is to be placed on the market 	

LEGAL IMPLEMENTATION/COPY-OUT:

The revised Directive (if adopted) will require legislative action to implement its provisions in the UK. It is anticipated that this will be through a new Statutory Instrument to replace the existing UK Regulations (SI 2004/1464), which implemented the original directive (94/25/EC) as amended. This is because the changes envisaged in proposal are substantial. It should be possible to apply the principles of copy out to implement the proposal. However, there would need to be some additions to implement an effective and dissuasive enforcement regime in the UK.

Ministerial sign-off:

I have read the analysis above of the potential impacts of this proposal and I am satisfied that, given the significance of the proposal, the time and evidence available, and the uncertainty of the outcome of negotiations, it represents a proportionate view of possible impacts.

Signed by the responsible Minister:

Date:

© Crown copyright 2011

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/ This publication is also available on our website at www.bis.gov.uk

URN 11/1369