

Passenger Ships - Five Year Certificates - Change in Policy – MIN – External Consultation

The table below sets out the responses received to the above consultation. Where no comment is recorded a response specifically stating this has been received. Nil returns are not recorded in the table.

Responder	Response	MCA response
Class NK	No comment	Thank you for reviewing the draft and your response.
Chamber of shipping	<p>The title and the 'Notice to' implies that it applies to <u>all</u> passenger ships. In fact the 'Notice to' is to <u>all</u> shipowners, masters and surveyors', i.e. cargo ships and passenger ships. The summary suggests that it applies to Class IV, V and VI domestic passenger ships. I'm confused and clarification is needed. Suggest all such M Notices need a separate 'Applicability' heading in any case.</p> <p>In principle, I don't believe there will be any objection to revert to the annual certification.</p>	The 'Notice to' section has been amended to clarify the applicability. The suggestion of an Applicability heading for M Notices is noted but as a standard template is used that would have to be part of a wider documentation review.
London Duck Tours	<p>LDT supplied a very full response to the consultation highlighting several areas of concern. These were principally:</p> <ul style="list-style-type: none"> - That the policy change will result in a disconnect between MSN 1823 and other certification - That the policy change will result in an increased regulatory burden - That the issues could be addressed via other means and the decision to remove the exemption was unjustified. 	<p>The MCA issued a full response to LDT addressing all of the issues highlighted. No changes were made to the MIN as a result. The responses to the three main concerns are summarised below:</p> <ul style="list-style-type: none"> - The frustration at having two different systems is understood, however it is not possible at this time to amend the certification regime for vessels certificated under MSN 1823 as this is enshrined in legislation. In the future it is envisaged that all domestic passenger vessels will be certificated under one year validity certificates, in line with all other seagoing domestic and international passenger vessels.

		<ul style="list-style-type: none"> - With regard to the concern around regulatory burden and additional visits it is important to note that the one year certificate will only change matters from a paperwork perspective. The survey regime and hence number of visits remains the same. The scope of survey remains the same. - As noted in the draft MIN there have been significant problems with the use of five yearly certificates. It is considered that there is sufficient call from industry and surveyors for renewal of certificate paperwork to justify removal of the exemption. Whilst there have already been changes to certification reflecting modern technology and there will likely be changes in the future as electronic systems become ever capable there are no current plans to overhaul passenger ship certification in this way. It will make it easier for operators and the MCA to track the validity of current certification.
Passenger Boat Association	No comment	Thank you for reviewing the draft and your response.
RINA	No comment	Thank you for reviewing the draft and your response.
Stuart Line cruises	Just in response to the request for information on the above, we think a one year certificate is a good idea as the five year ones would have been very confusing	Thank you for reviewing the draft and your response, this corroborates evidence received from other operators.
Thames Luxury Charters	<p>Many thanks for the opportunity to comment on the draft MIN above.</p> <p>The only question we have is:-</p> <p>Currently our vessel are allowed to operate on a bi-annual out of water survey. Will this continue under the new certificate regime as I was lead to believe a passenger certificate could not be issued if the vessel has not had a hull survey</p>	It is confirmed that the MIN does not affect the out of water survey regime.

Western Ferries	<p>I can confirm that we have no issues with reverting to the original policy of issuing passenger certificates annually following survey. This should have positive outcomes for all.</p> <p>I am maybe a bit surprised at the inclusion of justification contained within section 3 of the draft MIN, as this is probably unnecessary and could just prompt disagreement from some. I think your justification in the summary is adequate, and suggest you consider removing this section.</p> <p>The only other issues I have is the probably inevitable scope for confusion regarding mention of vessels certificated under MSN1823 and the assumption that DSM is applicable to all.</p> <p>I appreciate MSN 1823 and DSM are both under review and welcome these positive initiatives. Hopefully the joint outcomes will all be cohesive enabling all certification to be stratified and simplified going forward.</p> <p>Please note that we operate our Class V passenger / vehicle vessels under the ISM Code. The current PC format doesn't cater for this, but assumes DSM with mid-term audit. With the push to make DSM more like ISM, perhaps the new PC can simply accommodate both regimes? I cannot recall if the new DSM will have a requirement for mid-term annual audit, or if it will be more in line with ISM Code SMC requirements for vessel audit at mid-term of 5 year period?</p>	<p>With regards to the justification it has been decided to include the specific justifications in order to clearly frame the reasoning behind the change in policy. I note your concerns about MSN 1823, unfortunately we are unable to harmonise all of the passenger certificate requirements to annual certification, as is noted in para 4.3 the 5 yr allowance is enshrined within some of our primary legislation and will thus remain until that is reviewed.</p> <p>Response regarding safety management: The intention is to separate the PC from the DSM and have separate certificates for each. Companies having ISM will not be required to comply with DSM as they will have a DoC and an SMC. The DSM regime will be more in line with the ISM and the mid-term audit is being replaced by an audit between the 2nd and 3rd years.</p>