



Maritime &
Coastguard
Agency

Consultation Document:

Consultation on the draft Merchant Shipping
(Prevention of Pollution by Garbage from
Ships) Regulations 2020

February 2020

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Section 1: Overview of this consultation

Aim

1. This consultation seeks your views on the draft Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020 (“the draft Regulations”). This instrument would replace the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008 (“the 2008 Regulations”).¹ The draft Regulations will bring UK legislation up to date with the latest requirements of Annex V (Regulations for the Prevention of Pollution by Garbage from Ships) of the International Maritime Organization’s (“IMO”) International Convention for the Prevention of Pollution from Ships (“MARPOL”).
2. The draft Regulations include an ambulatory reference provision. This will enable future amendments to technical requirements in Annex V to be incorporated automatically into UK law without the need to amend UK legislation. Associated benefits of this approach are detailed in this consultation package.

Views sought

3. Your views are sought in broadly the following areas:
 - whether the draft Regulations would transpose the MARPOL Annex V requirements accurately and appropriately;
 - whether the use of an ambulatory reference provision to incorporate future technical amendments to MARPOL Annex V into UK law automatically as they come into force internationally is appropriate;
 - where the Administration’s discretion is permitted, whether the draft Regulations would adequately transpose the MARPOL Annex V requirements;
 - whether the proposed change to offences and penalties is appropriate; and
 - whether the proposed guidance to accompany the Regulations is adequate and in the right format.

Deadline for responses

4. Views are welcomed from **3 February 2020 until 30 March 2020**. For an overview of the timetable please refer to section 4 of this document.

¹ The revocation of the 2008 Regulations will be undertaken through the Merchant Shipping (Prevention of Pollution by Sewage from Ships) Regulations 2020, on which a separate consultation has been issued.

Section 2: Areas for consideration

Introduction

5. MARPOL is one of a number of Conventions adopted by the IMO to which the UK is a signatory. As a signatory, the UK has an obligation to implement any amendments to MARPOL in UK law.
6. Annex V of MARPOL prohibits the discharge of garbage from ships into the sea, providing exceptions regulating the circumstances under which garbage may be discharged, and the treatment of garbage onboard ships. Consequently, it has great significance for the protection of the environment.
7. Annex V is regularly amended to protect the environment by improving the measures with which ships must comply. Given the number of amendments to Annex V since the 2008 Regulations came into force, and the entry into force of requirements related to the discharge of garbage in polar waters (via the Polar Code), a new set of UK regulations is proposed to ensure that UK domestic legislation reflects current international requirements.

Use of ambulatory reference

8. At the moment, each time an amendment is made to the Annex, UK legislation must be updated. The process to update legislation takes a minimum of 12 months – but can be 2 years plus - and requires significant administrative and parliamentary time and resources. Against a backdrop of competing priorities for limited resources within Government, a new approach to transposing international requirements into UK legislation was vital.
9. On 26 March 2015, the Deregulation Act 2015 received Royal Assent. The Act introduced a new power to make ambulatory references to international instruments under a new section 306A of the Merchant Shipping Act 1995 (“MSA 95”).
10. It is proposed that the draft Regulations (**Annex A**) will make use of this ambulatory reference power. The power has already been used in a number of Merchant Shipping regulations.²
11. An ambulatory reference for the purposes of this consultation is a reference in domestic legislation to a specific provision in an international instrument which is to be interpreted as a reference to the international instrument as modified from time to time (and not simply the version of the instrument that exists at the time the domestic legislation is made). This means that the reference will always be to the current international requirement.
12. The draft Regulations implement many of the technical requirements in Annex V by means of an ambulatory reference to the international instrument.
13. From a legal perspective, this will mean that future amendments to requirements in Annex V and the Polar Code which are subject to an ambulatory reference will automatically become UK law when they enter into force internationally. No new or

² See the Merchant Shipping (Prevention of Pollution from Noxious Liquid Substances in Bulk) Regulations 2018 (S.I. 2018/68), the Merchant Shipping (International Load Line Convention) (Amendment) Regulations 2018 (S.I. 2018/155), and the Merchant Shipping (Prevention of Oil Pollution) Regulations 2019 (S.I. 2019/42).

amending regulations will be required to bring such amendments into force in the UK as is currently the case. However, A Ministerial Statement will be provided to Parliament in advance of any future amendment being incorporated into UK law by ambulatory reference.

14. From a practical perspective, this means that shipowners, shipbuilders, and other interested parties can refer directly to the text of Annex V to determine both the UK and international requirements. Where the text of the Annex is unclear or needs amplification - for instance, where it is stated that something is done “as determined by the administration”, - a Marine Guidance Note (“MGN”) will provide the additional clarity required. The MGN will be kept under review and amended if necessary. A draft of the proposed MGN is included at **Annex C** of this consultation package. At present the above-mentioned parties need to refer both to UK legislation (which may be out of step with international requirements and phrased differently from the Annex) and the text of the Annex to be sure they are in compliance with international requirements.
15. The main benefits of using the ambulatory reference power are:
 - a) simplification - it will make things easier for shipowners, shipbuilders, other industry professionals and other interested parties, as they will only have to refer to one set of legal text in relation to the technical requirements of Annex V - the international text – instead of having to refer also to the UK version of those provisions;
 - b) legal clarity - industry professionals and others mentioned above will have the final legal text of any amendments to Annex V requirements at an earlier stage; i.e. they will not have to await transposition into UK secondary legislation, which can take several years to complete;
 - c) a level playing field – the automatic incorporation of technical amendments to Annex V means that the UK will be able to take enforcement action against the most up-to-date international requirements. Therefore, foreign ships visiting the UK that are not compliant with the latest international requirements will be subject to the appropriate regulatory measures;
 - d) cost saving - it will result in a saving to the public purse, because resources which would be required in the time of government lawyers, economists, policy officials, Ministers and Members of Parliament to create a new Statutory Instrument every time the Annex is amended will be significantly reduced;
 - e) better regulation – by reducing the number of amending Statutory Instruments it will further the government’s aim to reduce the amount of secondary legislation, thus furthering the Government’s Better Regulation Agenda;
 - f) compliance with international obligations - it will assist the UK in complying with its international obligation to transpose amendments to MARPOL promptly.
16. Further information on the application and benefits of using ambulatory references is contained in section 3 and 5 of the De Minimis Assessment (**Annex B**).
17. Several questions relating to the impact of using ambulatory references are posed to consultees in Section 5 of this consultation.
18. The Secretary of State will still have the power to make regulations to prevent an unwanted amendment to the Annex from becoming UK law. Such an event is thought to be extremely unlikely as the measures in Annex V concern the protection of the environment, are agreed internationally (with the involvement of the UK government and industry) and will invariably be international obligations which the UK has to fulfil,

as well as internationally applicable standards with which UK ships will have to comply regardless of whether they pass into domestic law or not.

19. A De Minimis Assessment (“DMA”) is completed for all but the simplest forms of new legislation. This is an iterative process of analysis (i.e. it is developed over time, re-visited regularly and updated when new information becomes available). For future amendments to the Annex, a consideration of impacts will be developed during the process of negotiating the new Resolutions at the IMO, but it will be possible for it to be consulted upon with industry, interested parties and the public at an earlier stage than if domestic legislative instruments had to be developed. This is advantageous because it will better inform any negotiating process and will involve industry bodies and other stakeholders at an earlier stage. Public consultation will be made simpler as a consultee will have only the international text and UK guidance to consider, rather than also having to examine UK regulations, which by their nature are not always easy for a person who is not legally qualified to understand.

Updates to bring UK requirements up to date with international ones

20. Below is a summary of all the Resolutions which have been passed since the 2008 Regulations and relate to Annex V. Those which need to be implemented into UK law are identified in the 4th column.

Resolutions Considered	Adopted	In Force	To be implemented
MEPC.201(62)	15/7/2011	1/1/2013	Yes
MEPC.216(63)	2/3/2012	1/8/2013	Yes
MEPC.246(66)	4/4/2014	1/1/2016	Yes
MEPC.264(68)	15/5/2015	1/1/2017	Yes
MEPC.265(68)	15/5/2015	1/1/2017	Yes
MEPC.277(70)	28/10/2016	1/3/2018	Yes
MEPC.219(63)	2/3/2012	Now revoked	Guidelines (now revoked)
MEPC.220(63)	2/3/2012	2/3/2012	Current Guidelines
MEPC.221(63)	2/3/2012	2/3/2012	Current Guidelines
MEPC.239(65)	17/5/2013	Now revoked	Amendments to Guidelines (now revoked)
MEPC.295(71)	7/7/2017	7/7/2017	Current Guidelines
MEPC.312(74)	17/5/2019	17/5/2019	Current Guidelines
MEPC.314(74)	17/5/2019	1/10/2020	Yes

21. In assessing the impacts of any amendments to Annex V, several assumptions have been made in the DMA. To challenge the assumptions, several questions are posed to consultees within the DMA and replicated in Section 5 of this consultation.

22. There is currently no EU legislation covering the subject matter of Annex V, and EU legislation is in any case outside the scope of the ambulatory reference power in s.306A of the MSA 95.

Application

23. The application of the draft Regulations is specified in regulation 4. They apply to:

- all UK ships, wherever they may be; and
- all other ships within UK waters or controlled waters.

They do not apply to:

- warships;
- naval auxiliaries; or
- other ships owned or operated by a State and used, for the time being, only on government, non-commercial service.

Part 2 of the draft Regulations contains regulations covering Placards, Garbage Management and Garbage Record Keeping. These have different application provisions which depend on ship size, weight, operation or number of persons carried.

Part 3 (regulation 9) of the draft Regulations requires that shippers of solid bulk cargo on a ship to which the draft Regulations apply must make a declaration to the owner or master as to whether the solid bulk cargo is harmful to the marine environment.

There is provision in the draft Regulations (regulation 14) to exempt certain ships from one or more of the requirements of Garbage Record Keeping and entries in garbage record books.

Consultees are invited to review the application of the draft Regulations to assess whether the MCA has successfully determined the extent of application for the Annex V requirements.

Penalties and offences

24. The MCA has undertaken a thorough review of the existing offences and penalties to assess whether they should be replicated in the draft regulations. Existing offences are being re-made with some minor adjustments. The main adjustment to the offences and penalties which exist in relation to garbage under the 2008 Regulations are that the latest version of Annex V imposes a general prohibition on the discharge of all garbage, subject to 4 categories of exceptions (as opposed to specifying what may not be discharged, which was previously the case). The scope of the type of garbage which may not be discharged has been widened. In the new Regulations the offences will be re-configured to reflect this.
25. In addition, there will be 4 new obligations with associated offences, namely:
- a) an obligation to report the accidental loss or discharge of fishing gear (regulation 8(3));
 - b) a requirement that shippers classify solid bulk cargoes and declare to the owner, master or forwarder if they are harmful to the marine environment (regulation 9(1) and 9(3)(a));

- c) a requirement that forwarders of solid bulk cargo pass the shipper's declaration to the owner/master of the ship (regulation 9(3)(b));
- d) a requirement for ships without a garbage record book to record to record exempt discharges/the accidental loss of garbage in their ship's log-book (regulation 15(2)).
26. It is also proposed that the available penalties for two offences are reduced. This is the penalty for the offence of failure to display warning placards and the offence of failing to provide placards in the working language of the ship's crew (regulation 31 of the 2008 Regulations and regulation 10 in the draft Regulations). It is proposed that, under the draft Regulations, the option of bringing an action on indictment is removed, leaving them as a summary only offences.
27. Offences in the draft Regulations are as shown in the Table below.

OFFENCES AND PENALTIES – MARPOL ANNEX V

Summary	Offence	New Reference	New or amended	Ref. 2008 Regulations	Offence by		
					Owner	Master / Manager	Other
Prohibition on the discharge of garbage	The discharge of garbage from a ship to the sea is prohibited unless permitted by regulations 4, 5 or 6 of Annex V, section 5.2 of chapter 5 of part II-A of the Polar Code or regulation 8 of the UK Regulations	Reg. 5(1)	New	N/A	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Restriction on a UK ship entering the Antarctic area	It is an offence for a UK ship to enter the Antarctic area unless it has sufficient capacity for the retention onboard of all garbage whilst operating in that area and arrangements have been concluded to discharge retained garbage at a reception facility outside of the Antarctic area.	Reg. 7	No	Reg. 30	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Report on the discharge of fishing gear	It is an offence to fail to report the discharge of fishing gear which poses a significant threat to the marine environment or navigation to (a) the ship's flag State and (b) any coastal state who has jurisdiction over the waters where the loss or discharge occurs.	Reg. 8(3)	New	N/A	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Declaration re solid bulk cargoes	It is an offence for a shipper of solid bulk cargoes on a ship to which the Regulations apply to fail to make a declaration to the owner/master/forwarder as to whether solid bulk cargo is harmful to the marine environment	Reg. 9(1) and (3)(a)	New	N/A	x	x	Shipper
Declaration re solid bulk cargoes	It is an offence for a forwarder who has been provided with a declaration re solid bulk cargoes by a shipper	Reg.9(3)(b)	New	N/A	x	x	Forwarder

	not to provide this to the owner or master.						
Placards on ships	On a ship to which the regulation applies it is an offence not to display placards which specify the requirements for the disposal of garbage.	Reg. 10(1)	Amended	Reg. 31(1)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Placards on ships (Language)	On a ship to which the regulation applies it is an offence not to have placards written in the working language of the ship's crew and in certain cases also in English, French or Spanish.	Reg. 10(2)	Amended	Reg. 31(2)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Garbage management plan	On a ship to which the regulation applies it is an offence not to carry a garbage management plan which complies with the requirements of regulation 10.2 of Annex V:	Reg. 11(1)	Amended	Reg. 32(1)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Garbage management plan (master/manager)	On a ship to which the regulation applies it is an offence for the master of the ship/manager of a fixed or floating platform to fail to ensure that the crew of the ship follow the garbage management plan relating to the ship.	Reg. 11(2)	Amended	Reg. 32(3)	x	✓	Manager of Platform
Garbage record book	On a ship to which the regulation applies it is an offence not to be have a garbage record book which is in the format specified in regulation 10.3 of Annex V and in the form specified in Appendix II to Annex V.	Reg. 12(2)	Amended	Reg. 33(1)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Garbage record book (storage requirements)	It is an offence not to keep the garbage record book for the ship and receipts from reception facilities in a place where it is available for inspection at any reasonable time.	Reg. 12(3)(a)	Amended	Reg. 33(3)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Garbage record book (owner)	It is an offence not to preserve the garbage record book for the ship and receipts retained from reception facilities for a period of 2 years from the date of the final entry made in it.	Reg. 12(3)(b)	Amended	Reg. 33(4)	✓	x	Owner of Platform
Garbage record book (entry following discharge/accidental loss/incineration)	It is an offence not to promptly make an entry in the garbage record book in respect of a discharge, accidental loss or incineration and for the officer in charge of the operation not to sign it.	Reg. 13(1)	Amended	Reg. 34(1)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform Officer in charge of the discharge/accidental loss/incineration

Garbage record book (inclusion of information)	It is an offence not to include the information specified in Annex V, reg.10.3.2, reg.10.3.3 or reg.10.3.4 in an entry in the garbage record book.	Reg. 13(2),	Amended	Reg. 34(2)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform Officer in charge of the discharge/incineration operation
Garbage record book (other)	It is an offence not to record the circumstances of and reasons for a discharge or accidental loss under reg.10.3.6 of Annex V.	Reg. 13(2)	Amended	Reg. 34(3)	✓	✓	Demise Charterer Owner of Platform, Manager of Platform Officer in charge of the discharge/accidental loss/incineration
Language of garbage record book entries (English)	It is an offence not to record entries in the garbage record book in English on a UK ship.	Reg. 13(3)	No	Reg. 34(4)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Language of garbage record book entries (English, French, Spanish)	It is an offence not to record entries in the garbage record book in one-of English, French or Spanish where the ship is not a UK ship.	Reg. 13(3)	No	Reg. 34(5)	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform
Garbage record book (each completed page to be signed by master/manager)	It is an offence for the master of the ship/manager of a fixed or floating platform not to sign each completed page of the garbage record book.	Reg. 13(5)	No	Reg. 37(7)	x	✓	Manager of Platform
Log-books - recording exempt discharge in log-book	It is an offence not to record the information specified in Regulation 10.3.6 of Annex V in a ship's log-book when an exempt discharge or accidental loss of garbage occurs from a ship not required to have a garbage record book.	Reg. 15(2)	New	N/A	✓	✓	Demise Charterer, Owner of Platform, Manager of Platform

Penalties

For all except an offence relating to Placards: On summary conviction in England and Wales, by a fine; On summary conviction in Scotland and Northern Ireland by a fine not exceeding the statutory maximum; On conviction on indictment, by a fine.

For an offence relating to Placards (regulation 10): On summary conviction in England and Wales, by a fine; On summary conviction in Scotland and Northern Ireland by a fine not exceeding the statutory maximum;

Guidance for the Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020

28. The Marine Guidance Note (“MGN”) drafted to supplement the Regulations is included in this consultation package. The purpose of the MGN is to:
- a) explain the function of the Regulations, including the ambulatory reference approach;
 - b) provide clarification/ amplification to the international text of Annex V where this is considered necessary, e.g. where the text states that something is to be “as determined by the administration”;
29. The MGN can be updated much more quickly than regulations, therefore it will be possible for the UK government to be more responsive in issuing guidance to

industry, and this approach will also not preclude flexibility required to accommodate innovative solutions where appropriate.

Section 3: Responding to this consultation

30. There are specific questions highlighted in section 5 of this document, which provides a structured way to respond to this consultation document.

Audience

31. Anyone may respond to this consultation and we will consider all responses. We will be particularly interested to hear from: ship owners, shipping companies, protection and indemnity clubs and other parties with an interest in shipping and the marine environment.

Duration

32. This consultation is open for **8 weeks from 3 February 2020**. The deadline for responses is **30 March 2020**.

Submitting your response

33. The response form is available at Section 5 of this document. Completed response forms should be emailed to environment@mcga.gov.uk. Any questions should be sent to this email address prior to the end date of the Consultation in paragraph 32 above, or you can telephone Lorraine Weller at the Maritime and Coastguard Agency on 0203 81 72448. It may not be possible to consider comments received after the closing date.
34. When responding, representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions.

Freedom of information

35. Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004).
36. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

Data Protection

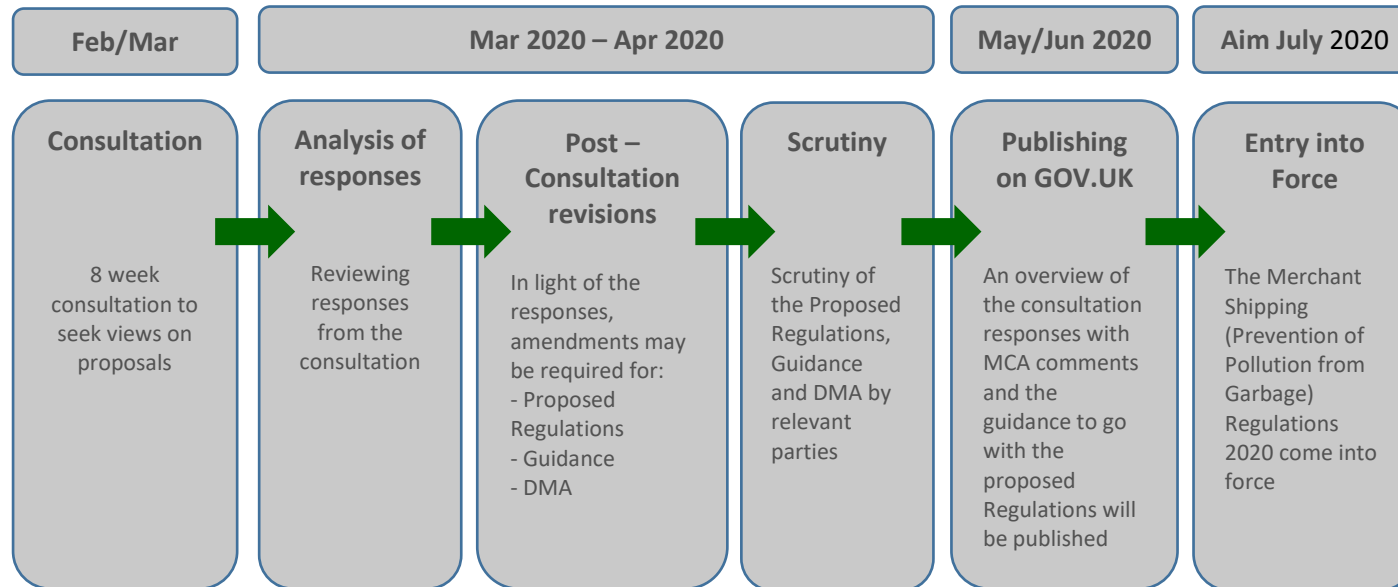
37. The MCA is carrying out this consultation to gather evidence to inform the development and implementation of policy and legislation under the enabling provisions of the Merchant Shipping Act 1995 Part IV Section 128. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain information that allows you to be identified, under data protection law, the MCA, as an Executive Agency of the Department for Transport, will be the Controller for this information.
38. The MCA will use your contact details to send you information about the consultation, for example if we need to ask follow-up questions. You do not have to give us this personal information but if you do choose to provide it, it will not be used for any other purpose without your permission.
39. Details about how the MCA looks after personal data, your rights, how to complain, and how to contact our Data Protection Manager can be found on gov.uk^[1].
40. Your information will be kept securely on the MCA's IT system and any written responses will be held in a secure cabinet and destroyed with 1 month after the consultation has been completed.
41. If you do not wish to remain on this list, please reply and let us know environment@mcga.gov.uk

^[1] <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/personal-information-charter>

Section 4: Outline plans beyond this consultation

42. Once this consultation closes, we will review all responses. In considering the responses we will apply appropriate weight to those from organisations and individuals with specialist knowledge of the subject area.
43. We will be analysing the responses during **March/April 2020**. Our aim is to publish an overview of the responses and the MCA's comments **May/June 2020**, which will be available from: www.gov.uk/government/publications
44. Where appropriate the draft Regulations, accompanying guidance and DMA will be revised to take into consideration the consultation responses.
45. Our aim is for the draft Regulations to come into force during **July 2020**. The Regulations will be published on www.legislation.gov.uk
46. Accompanying guidance will be published on GOV.UK in advance of the Regulations coming into force.
47. A DMA of the effect that the draft Regulations will have on the costs of business will be published with the Explanatory Memorandum on www.legislation.gov.uk
48. An overview timetable is below for reference:

Overview Timetable –



Section 5: Response form

What is your name? _____

What is your email address? _____

What is your job title? _____

When responding please state whether you are responding as an individual or representing the views of an organisation:

- I am responding as an individual
- I am responding on behalf of an organisation

(name of organisation) _____

Please check the box that best describes you as a respondent and the size of your organisation:

Respondent Type

- Classification Society
- Government Agency/Department
- Individual
- Legal representative
- Protection & Indemnity
- Seafarer
- Ship Operator
- Ship Owner
- Trade Union
- Other

(please describe) _____

Size of Organisation

- Large business (over 250 staff)
- Medium business (50 to 250 staff)
- Micro business (up to 9 staff)
- Small business (10 to 49 staff)

Section 5.1 Questionnaire

a) Do you agree that the approach of using ambulatory references to implement Annex V will make familiarisation easier?

- Yes, I agree
- No, I don't agree

b) Can you see any other benefits or drawbacks of using ambulatory referencing in UK legislation, for implementing international conventions?

We particularly welcome the views of ship owners in relation to ambulatory referencing – what benefits/drawbacks would this approach mean for you?

c) On average, how many hours each year does your company spend reading and understanding the requirements of Annex V?

Reading international text: _____ Hours
Reading related UK legislation: _____ Hours
Reading related UK guidance: _____ Hours

Section 5.2

a) Do you agree with the government's interpretation of the latest amendments to Annex V?

- Yes
- No

If no, please provide reasoning.

b) Do you feel that the costs and benefits assessment outlined in the DMA is a reasonable reflection of the costs and benefits?

- Yes
- No

If no, please provide reasoning.

c) Consultees are requested to provide estimates of cost savings resulting from having to refer only to the technical standards in the international text rather than also referring to UK text transposing the standards, and to comment generally on this approach (the “Familiarisations Costs” paragraph of section 5 of the DMA refers)?

d) Do you agree with the costs identified in section 6 of the DMA? If not, please provide alternative evaluations (section 6 of the DMA refers)?

- Yes
- No

If no, please provide reasoning.

e) Do you agree with the above assumptions (which are contained in section 6 of the DMA and relate to the monetary analysis)?

- Yes
- No

If not, please provide full reasoning and any applicable evidence.

Section 5.3

- a) Do you feel that the MCA has successfully determined the extent of application for the Annex V requirements?

- Yes
 No

If no, please provide reasoning.

Section 5.4

- a) Do you feel that the new and re-made offences and penalties are necessary, fair and proportionate?

- Yes
 No

If no, please provide reasoning.

- b) Is there a way that the penalties can be further streamlined?

- Yes
 No

If so, please provide amplification:

- c) Is there a way through which the offences can be 'future proofed' to allow enforcement action to be taken without changing the legislation?

- Yes
 No

If yes, please amplify:

d) Do you feel that the proposed penalties will act as an effective deterrent for non-compliance with the requirements of the Annex V?

- Yes
- No

If no, please provide reasoning:

Section 5.5

a) Does the proposed guidance meet your needs in terms of (i) format; and (ii) content?

- Yes
- No

If no, please provide reasoning:

b) Do you feel there is a better way of providing guidance for the Annex V requirements? Please provide reasoning for your answer.

- Yes
- No

If yes, please amplify:

Please return completed response forms to environment@mcga.gov.uk

Alternatively, responses may be posted to:

Clean ship Operations Team
Maritime & Coastguard Agency
Bay 2/23 Spring Place
105 Commercial Road
Southampton
SO15 1EG

Section 6: Conduct of this consultation

48. This consultation has been conducted in accordance with the Cabinet Office Consultation Principles.

Consultation criteria

49. The Cabinet Office Consultation Principles can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492132/20160111_Consultation_principles_final.pdf

Feedback on conduct of consultation

50. If you have any comments regarding the conduct of this consultation, please contact the Consultation Co-ordinator at consultation.coordinator@mcga.gov.uk.
51. We are continually trying to improve the way in which we conduct consultations and appreciate your views. We would be grateful if you could complete and return the attached feedback form. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation.

MCA CONSULTATION FEEDBACK FORM

1. Please indicate on which Consultation you are providing feedback:

The Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations to reflect up to date requirements as contained in the International Convention for the Prevention of Pollution from Ships ("MARPOL")

2a. Please indicate whether you are responding on behalf of:

- Yourself as an Individual
- A Trade Association
- A Company
- A Government Organisation
- A Trade Union
- Other
(please specify) _____

2a. Please indicate whether you accessed this consultation package through:

- Post
- Email
- Website

3. Please rate the quality of this consultation regarding accuracy, good English and spelling:

- Very good
- Good
- Average
- Poor
- Very Poor

4. Please rate the format of the consultation presentation (layout, Annexes etc.):

- Very good
- Good
- Average
- Poor
- Very Poor

5. Please rate the consultation in terms of how clear and concise you felt it was:

- Very good
- Good
- Average
- Poor
- Very Poor

6. Did you feel that the consultation was conducted over a sufficient period of time?

- Yes
- No

7. Were any representative groups, organisations or companies not consulted who you felt should have been?

Yes

No

If yes, who? _____

8. Please let us have any suggestions for improvement or other comments you wish to make about this consultation below:

Thank you for your time. Please return this form to:

Consultation Co-ordinator,
Maritime and Coastguard Agency,
Spring Place, Bay 3/26, 105 Commercial Road
Southampton SO15 1EG

Or e-mail it to: consultation.coordinator@mcga.gov.uk

If you are happy to supply your name in case, we need to contact you to discuss your views further, please enter it below (this is optional and your feedback will still be taken into account if you wish to remain anonymous):

Name _____

Tel. No. _____

Please note that the deadline for responses to the Consultation itself does not apply to the return of this form.