# **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 | | | Size of Organisation | | |
|  | Classification Society | |  | Large business (over 250 staff) |
|  | Government Agency/Department | |  | Medium business (50 to 250 staff) | |
|  | Individual | |  | Micro business (up to 9 staff) | |
|  | Legal representative | |  | Small business (10 to 49 staff) | |
|  | Protection & Indemnity | |  |  | |
|  | Seafarer | |  |  | |
|  | Ship Operator | |  |  | |
|  | Ship Owner | |  |  | |
|  | Trade Union | |  |  | |
|  | Other | |  |  | |
|  | (please describe) |  | | | |

**Section 5.1 Consultation Questions**

|  |  |  |
| --- | --- | --- |
| a) | Do you agree that the Impact Assessment represents a true reflection of the impact of the proposals? | |
|  |  | Yes, I agree |
|  |  | No, I don’t agree |
|  | If no, please add further details in the comment box below. If yes, you are welcome to add further details in the comment box below. | |
|  |  | |

**Section 5.2**

|  |  |  |
| --- | --- | --- |
| a) | Do you think that the draft Regulations will implement the requirements of the BWM Convention accurately and appropriately? | |
|  |  | Yes, I agree |
|  |  | No, I don’t agree |
|  | If no, please add further details in the comment box below. | |
|  |  | |

**Section 5.3**

|  |  |  |
| --- | --- | --- |
| a) | Do you consider that you have received sufficient notification of the requirements to which you will have to comply? | |
|  |  | Yes, I agree |
|  |  | No, I don’t agree |
|  | If no, please add further details in the comment box below. | |
|  |  | |

**Section 5.4**

|  |  |  |
| --- | --- | --- |
| a) | Do you agree that the Penalties and Offences as set out in the draft Regulations are necessary, fair and proportionate? | |
|  |  | Yes, I agree |
|  |  | No, I don’t agree |
|  | If no, please add further details in the comment box below. | |
|  |  | |
| b) | Is there a way that the penalties can be further streamlined? | |
|  |  | Yes |
|  |  | No |
|  | If so, please add further details in the comment box below. | |
|  |  | |
| c) | Do you feel that the proposed penalties will act as an effective deterrent for non-compliance with the requirements of the Regulations? | |
|  |  | Yes |
|  |  | No |
|  | If no, please add further details in the comment box below. | |
|  |  | |

**Section 5.5**

|  |  |  |
| --- | --- | --- |
| a) | Do the proposed MSNs (technical requirements) and MGN (guidance) meet your needs in terms of (i) format; and (ii) content? | |
|  |  | Yes |
|  |  | No |
|  | If no, please add further details in the comment box below. | |
|  |  | |

|  |  |  |
| --- | --- | --- |
| b) | Do you feel there is a better way of providing guidance for the Regulation requirements?  Please provide reasoning for your answer. | |
|  |  | Yes |
|  |  | No |
|  | If yes, please add further details in the comment box below. | |
|  |  | |

**Section 5.6**

|  |  |  |
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| a) | Are you able to provide possible estimates of the costs of complying with the Regulations? Primarily evidence is required in areas such as;   * costs to fishing vessels; * costs of survey and certification to ships below 400GT and fixed and floating platforms to which the Regulations apply; * costs to harbours and terminals regarding facilities for the reception of sediments; * ballast water management systems, commissioning and installing costs; * costs to transfer and treat ballast water to reception facilities; * costs of any training of personnel required; * costs associated with the changing of maintenance plans and operation books; * any other costs associated with this legislation; and * any cost savings and or benefits associated with the Regulations. | |
|  |  | Yes, I can provide cost estimates. |
|  |  | No, I can’t provide cost estimates. |
|  | If yes, please add further details in the comment box below. | |
|  |  | |

**Section 5.7**

|  |  |  |
| --- | --- | --- |
| a) | Do you agree that areas in which the UK has some discretion under the BWM Convention have been implemented appropriately? | |
|  |  | Yes |
|  |  | No |
|  | If no, please add further details in the comment box below. | |
|  |  | |

**Section 5.8**

|  |  |  |
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| a) | Can you provide any additional evidence relating to the benefits of this Convention? There are significant evidence gaps pertaining to the future cost avoidance benefits this Convention might bring to the UK economy. Furthermore, can you provide any evidence relating to direct benefits of this Convention and what value that may have for the UK economy? | |
|  |  | Yes |
|  |  | No |
|  |  |  |
|  | If yes, please add further details in the comment box below. | |
|  |  | |

**Section 5.9**

|  |  |  |
| --- | --- | --- |
| a) | At MEPC75, amendments to regulation E-1 of the BWM Convention were adopted. These amendments introduce requirements for Commissioning Testing during Initial and Additional surveys. These amendments are to be accepted on the 1st December 2021 and enter into force on the 1st June 2022. Depending on the timing of the making of the UK’s Regulations, the MCA may incorporate the E-1 amendments into the final Regulations. Are you content with this approach? | |
|  |  | Yes |
|  |  | No |
|  |  |  |
|  | If No, please add further details in the comment box below. | |
|  |  | |

**Section 5.10**

|  |  |  |
| --- | --- | --- |
| a) | Are you content that Type Approval for Ballast Water Management Systems is dealt with as a stand alone procedure (separate from the Marine Equipment Regulations 2016 (S.I. 2016/1025) within the Ballast Water legislative package? | |
|  |  | Yes |
|  |  | No |
|  |  |  |
|  | Please add further details in the comment box below. | |
|  |  | |

**Section 5.11**

Do you have any additional comments to add to the response?

**Please return completed response forms to** [environment@mcga.gov.uk](mailto: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