

Consultation Document:

Amendments to the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015 (SI 2015 No. 782)

14 June 2021

# **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**

**2017 and 2018 STCW Amendments**

1. IGF training requirements and Polar Code training requirements

Do you have any additional evidence about the number of experienced seafarers who may be affected by the Polar or IGF Code requirements in general? (Referenced/Contained in MSN 1866 Amendment 1)

Do you agree with the assumption that ship owners will pay for training courses for their seafarers?

Do you agree with the assumption that there will be a growing demand for both Polar and IGF vessel CoCs? (Please provide any evidence regarding this assumption)

1. Clarifying the definition of ‘seafarer’:

Do you agree that the following statement is a reasonable expectation? ‘Privately owned yachts of 24 metres or over, not in commercial use, should meet the training requirements for a UK Certificate of Competence’ (If not please provide any relevant information)

Do you have any evidence about the number of seafarers who may be affected by this?

1. MCA course approval procedure

The MCA, on behalf of the Secretary of State, approves training providers to run ‘short courses’ and ‘long courses’.

* ‘short courses’ are provided by private enterprises and nautical colleges; and
* ‘long courses’ are only permitted to be run by nautical colleges.

These courses enable UK seafarers to undertake safety critical training and meet the competency requirements for a UK CoC. (Contained in MSN 1856 (Amendment 1) Annexes G-K, MSN 1865 (Amendment 1) Annex F, MSN 1866 (Amendment 1) Annex D and MIN 643).

If an MCA approved training provider was found to have major non-conformities that impact on safety, do you agree with the MCA introducing provision to allow the cancellation of a course/a training provider’s approval?

If your answer to the above is yes, in what circumstances would you expect this to occur?

If your answer to the above is no, please detail why and what other recommendations you would propose instead?

Does the new course/training provider approval process clearly define what the MCA expects from training providers to ensure the quality of training delegated to training providers? If not, how could it be improved?

1. Simulator time in lieu of seagoing service

Do you support the proposal to allow the use of structured and approved simulator time in lieu of some of the seagoing service requirements for a Deck Officer’s first CoC? (Contained in MSN 1856 (Amendment 1)). (Please provide any relevant evidence)

Can you provide the cost and/or benefits this could have to you and/or your seafarers, associated with this change? (Please provide any relevant evidence)

1. Engineer Officer Small Vessel CoC (yacht, tugs, fishing, workboat etc)

Please provide feedback on the proposed new targeted Small Vessel Engineering certification route. (Contained in MSN 1904 and MIN 642)

If this route applies to you as Small Vessel Engineer or an employer of Small Vessel Engineers, how would this change cost and/or benefit you? (Please include any relevant evidence)

Please provide any positives and challenges you believe may arise from implementing this provision. (Please provide any relevant evidence)

1. Cost recovery for course approval and re-assessment

Short courses

Please indicate which example in **Annex B** is most applicable model to your organisation, if any.

Do the examples in **Annex B** seem reasonable to short course providers as an estimation of time spent with surveyors conducting course re-approvals, ranging between three to five days?

Long courses

‘MCA will audit existing long course providers once every three years, for an average of three to five days’. Is this a reasonable expectation when estimating costs for long course providers?[[1]](#footnote-2)

1. Best practice assumptions

The following assumptions, outlined below, are assumed to pose no extra cost to UK business or industry as they are deemed to be best practice or already known by industry:

|  |  |
| --- | --- |
| 1. **Passenger ship training** -Referenced/contained in MSN 1866 Amendment 1 | **Zero cost to UK industry** |
| 1. **The Maritime and Coastguard Agency’s (MCA) approval process for safety training delegated to training providers (in relation to the provision to cancel a training course)** - Contained in MSN 1865 (Amendment 1) Annex F, MSN 1866 (Amendment 1) Annex D and MIN 643 | **Zero cost to UK industry (*as zero courses are expected to be cancelled*)** |
| 1. **Amendments to the definition of seafarer** - i.e. Those who operate privately owned yachts not in commercial use of 24 metres and over to meet the training requirement for a UK Certificate of Competence - Contained in amended regulation 3 of the 2015 Regulations (amended by *the proposed amending Regulations*) | **Zero cost to UK industry (*as it is already best practice in the industry for vessels of 24m or over to have an appropriately qualified crew*)** |
| 1. **Optional Premium Oral exams** -Provision contained in the *Merchant Shipping (Fees) Regulations 2018 (as amended by the proposed amending Regulations)* | **Zero cost to UK industry** |
| 1. **Engineer Officer Small Vessel Certificate of Competency (CoC)** - Contained in MSN 1904 and MIN 642 | **Zero cost to industry + familiarisation costs** |
| 1. **Modernising the UK seafarer training and certification system by allowing some simulator time in lieu of sea time** - Contained in MSN 1856 (Amendment 1) | **Zero cost to industry + familiarisation costs** |

Do you agree with these assumptions? (Please provide relevant detail and evidence)

1. Small and Micro Businesses Questions

Are you/ do you know of a small and/or micro business(es) who will be disproportionally affected by any of the measures outlined? (If so, please provide relevant detail and evidence)

1. Unintended consequences

Do you foresee any unintended consequences of the proposed amendments to the 2015 Regulations that have not been mentioned in this document? (If so, please provide any relevant insight and/or evidence)

**Section 5.2**

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

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

Alternatively, responses may be posted to:

Maritime & Coastguard Agency

Bay 2/13

Spring place

105 Commercial Road

Southampton

SO15 1EG

# **Section 6: Conduct of this consultation**

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

## Consultation principles

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

[Consultation Principles 2018](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1_.pdf)

## Feedback on conduct of consultation

6.3. If you have any comments regarding the conduct of this consultation, please contact the Consultation Co-ordinator at [consultation.coordinator@mcga.gov.uk](mailto:consultation.coordinator@mcga.gov.uk).

6.4. 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.

6.5 If you require this consultation in an alternative format, please contact either the Consultation Co-ordinator or the named official conducting this consultation.

**MCA CONSULTATION FEEDBACK FORM**

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

***……………………………………………………………………………***

|  |  |  |  |
| --- | --- | --- | --- |
| 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) |  |

2b. If you are representing a company, please indicate the size of your company:

☐ Micro (1-9 employees)

☐ Small (10-49 employees)

☐ Medium (50-249 employees)

☐ Large (250+ employees)

|  |  |  |  |
| --- | --- | --- | --- |
| 2c. 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 | |

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| 4. | Please rate the format of the consultation presentation (layout, Annexes etc.): | |
|  |  | Very good |
|  |  | Good |
|  |  | Average |
|  |  | Poor |
|  |  | Very Poor |

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| 5. | Please rate the consultation in terms of how clear and concise you felt it was: | |
|  |  | Very good |
|  |  | Good |
|  |  | Average |
|  |  | Poor |
|  |  | Very Poor |

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| 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](mailto: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.**

1. The hourly costs will be £147 per hour for two surveyors (Deck & Engineering). It is expected that this process will cost between £7,000 and £12,000 every three years. [↑](#footnote-ref-2)