



Maritime & Coastguard Agency

Consultation on implementation of the Merchant Shipping (Bridge Visibility Regulations) (Small Passenger Ships) 2017

Purpose of this consultation

1. This consultation concerns proposed changes to the small passenger ship bridge visibility requirements (which are currently implemented via Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005, Statutory Instrument (SI) 2005/2286). These changes are necessary to address:-
 - A regulatory lacuna that exists for vessels with a registered length of 45m or more.
 - A perceived lack of clarity within the definition of enclosed passenger deck and the use of visual aids when determining sight lines.
2. The changes will be implemented through a new SI which will revoke and replace the 2005 Regulations.

Background

3. The 2005 Regulations made provision for bridge visibility for passenger ships of under 45 metres registered length; the proposed Regulations extends that scope to passenger ships of under 55 metres length overall. This amends an inadvertent regulatory gap that has arisen following changes to the international requirements.
4. The proposed Regulations also amend the concept of “enclosed passenger deck”, so that relevant sight lines are not permitted to pass through any deck space where side or end screens can be fitted, either to the deck or any other part of the ship. This amendment is required to address a perceived lack of clarity resulting from a change to the definition between revisions of earlier Bridge Visibility Regulations.
5. The proposed Regulations further clarify that lines of sight for the purposes of all round visibility must be direct and cannot rely on the use of mirrors or cameras. This amendment is required as the presence of visual aids on ships has increased since the 2005 Regulations were implemented and limitations on their use were not formally clarified.
6. The present Regulations do not differentiate between passenger ships constructed before 31 October 1992 and non-passenger ships constructed before this date but converted to passenger ships after this date. In order to align with other applicable passenger ship Regulations the proposed Regulations clarify that such

conversions are treated as new ships with a date of construction being the date on which they were converted to passenger ships.

7. The proposed Regulations will apply to UK passenger ships under 55m in length overall (those with a length overall of 55m or more should comply with SOLAS Chapter V Regulation 22). The Regulations do not apply to vessels certificated under Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010, S.I. 2010/680, and its related Merchant Shipping Notice (MSN) 1823: The Safety Code for Passenger Ships Operating Solely on UK Categorised Waters, or vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.

8. The only change in the application of these Regulations is to the length.

Impact of the changes on the UK Domestic Passenger Ship Industry

9. It is considered that the amendments are minor in nature and there are no significant impacts across the fleet as a whole arising from the proposed Regulations. A Regulatory Triage Assessment has been carried out to provide supporting evidence.

10. Although the proposed Regulations may seem to extend the scope of application by 10 metres, the difference in the way registered length is calculated and the overall length is measured means the extended scope will be much shorter than 10 metres.

Consultation questions

11. We would be grateful for your views on the proposed amendments and also to the answer of the following question:

Will the proposed amendments have any impact on your fleet and hence to your operation? If so please provide an estimate of the financial impact.

How to Respond

12. A twelve-week consultation will be held between 08 November 2016 and 31 January 2017. The consultation is available on the Gov.UK website [link]; hard copies are available on request. NOTE: On 17 January 2017 this consultation was extended by one week. The closing date is now 07 February 2017.

13. Please send your responses, marked for the attention of Joanna Dormon

consultationsdmss@mcga.gov.uk or

Vessel Standards Branch
Bay 2/30, Spring Place
105 Commercial Road
Southampton
SO15 1EG

By 31 January 2017. NOTE this consultation has been extended by one week to 07 February 2017.

About this consultation

This consultation document is issued by the Maritime & Coastguard Agency (MCA) in compliance with its duty to consult under section 86 of the Merchant Shipping Act 1995.

The MCA tries to make its consultation procedures as thorough and open as possible. Responses to this consultation document will be published on www.gov.uk after the close of the consultation period, where they can be inspected by members of the public.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004 (EIR)).

If you want us to treat any of the information you provide, including personal information, 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, among other things, with obligations of confidence. It would be helpful if you could explain to us in your response why you regard the information as confidential. If we receive a request for disclosure of the information you have provided, 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.

The MCA will process all personal data in accordance with the DPA and in the majority of circumstances, this will mean that personal data will not normally be disclosed to third parties.

Code of Practice on Consultation

This consultation is conducted in accordance with the Cabinet Office Consultation Principles Guidance.

Feedback

If you have any feedback about the way the consultation has been conducted, please address them to:

The Consultation Co-ordinator
Office of the Chief Executive
MCA
Bay 3/29, Spring Place
105 Commercial Rd
Southampton
SO15 1EG

Consultation.coordinator@mcga.gov.uk

We are continually trying to improve the way in which we conduct consultations and appreciate your views. We would also be grateful if you would complete and return the attached feedback form. These should be returned to the consultation co-ordinator. This form is affected by the deadline for this consultation.