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Your ref:  
Our ref: **MS 108/10/0029**

2 December 2015

Dear Consultee

## **CONSULTATION ON THE PROPOSED CODE FOR HIGH SPEED OFFSHORE SERVICE CRAFT OF UP TO 500GT CARRYING UP TO 60 PERSONS ON BOARD**

To meet industry requests to be able to transport larger numbers than the current mandatory limit of 12 persons in addition to the crew, the proposed Code for High Speed Offshore Service Craft (HS-OSC Code) has been developed with industry to provide an appropriate level of safety for high speed craft carrying industrial personnel, primarily for vessels operating in the offshore renewable energy sector.

The proposed HS-OSC Code is based on the requirements in the HSC Code for cargo-carrying vessels and in recognition that the personnel being carried on vessels in the offshore renewable sector are not passengers in the normal sense, being better regarded as “industrial personnel” who comply with safety training and medical fitness standards more akin to normal seafarers.

The Merchant Shipping (High Speed Craft) Regulations implements the 1994 and 2000 High Speed Craft Codes (HSC Code) developed by the International Maritime Organization (IMO). The Regulations allow for exemptions to be granted from the requirements of the HSC Code, subject to an equivalent level of safety being provided.

The objective of this proposed HS-OSC Code therefore, is to provide a level of equivalence to the HSC Code. To achieve this, a General Exemption from the requirements of the HSC Code for cargo craft has been developed with additional requirements reflecting the additional personnel on board. To qualify for the General Exemption, a vessel must comply with the proposed HS-OSC Code and must be certificated accordingly by a Recognised Organisation.

### **Actions for consultees**

Attached is a draft Marine Guidance Note which incorporates the proposed HS-OSC Code and the General Exemption. Please consider this document and provide comments.

The MCA is required to assess the impacts of any new guidance, therefore, please give consideration and provide information to the questions listed below. These impacts are being assessed both from an operational perspective, and in terms of design and construction.

### Assessment of impacts – background

The proposed HS-OSC Code has been developed on the basis of requirements set out in the High Speed Craft Code for cargo-carrying vessels, with certain exemptions. It is considered that the safety standards set differ from those for high speed cargo craft envisaged for Convention or non-offshore voyages. This is in recognition, that windfarm technicians being transported and transferred at sea will be able-bodied and appropriately trained in basic safety procedures to meet the risks they may be exposed to during a voyage, and so that they are better able to facilitate safe evacuation from the craft, should that eventuality arise.

The MCA anticipates industry will benefit through greater operational efficiency by being able to transport up to 60 persons on board (POB) leading to cost savings, as well as increased access to markets within and beyond the UK. In addition, with the added flexibility, there may be safety benefits from a reduction in the number of voyages. However, we recognise there will be additional costs involved to meet the additional requirements. We also consider that if the benefits are insufficient to outweigh the costs of construction and operation, then operators may choose not to invest in the newly developed standard.

In order to explain and quantify the benefits of the proposed HS-OSC Code we would appreciate your expert judgement based upon the knowledge and experience of the industry and some anticipation of future events e.g. market growth and opportunities in the wind farm industry, renewables or other offshore construction or maintenance projects.

In addition to the potential benefits to operators referred to above, the impacts may act to encourage or increase the feasibility of existing and future offshore wind farm projects, taking into account the importance of manpower logistics to the success of such projects.

Taking account of the comments above, the following questions are looking to try and quantify the actual costs and benefits that the proposed HS-OSC Code may bring:

### Operational impacts

1. Please provide an overview of what you see as being the operational impact on business of being able to operate vessels with up to 60 persons on board. In doing so, by making a comparison with what happens now, compared with how the position might look in two and five years from now would be particularly useful. You might like to consider the following potential impacts:

- (a) Trading patterns/time savings;
- (b) Fuel costs;

(c) What will be the financial (including operational) impact of the manning and crew training requirements set out in the proposed HS-OSC Code be, compared with the current position?

(e) Any other potential impacts.

#### Vessel design and construction

2. The proposed HS-OSC Code addresses a number of design, construction and equipment aspects which differ from the HSC Code. Please assess the proposed Code against the current statutory requirements e.g. small passenger ships including passenger HSC or cargo ships including workboats (limited to 12 passengers), and highlight any aspects where you feel the proposed HS-OSC Code will offer costs savings, or conversely, where costs will be greater. Please quantify the costs and benefits, where possible.

3. Will you, as a vessel owner/operator, choose to invest by building and operating to the proposed HS-OSC Code? If so, please quantify, preferably based upon your own company's position; or if not then from a general industry perspective.

4. Do you consider it will be more costly to build vessels to the proposed HS-OSC Code compared to the standards that are currently available? If so, please quantify costs.

5. Please comment on the flexibility and likelihood that the proposed HS-OSC Code might provide for vessels built to this standard to operate in other States, outside of the UK.

6. Any other points you would wish to raise.

#### Small and Micro Business Assessment

Micro – 10 or less employees

Small – 11-49 employees

Medium – 50-249 employees

7. If you operate a business, is it a micro, small or medium-sized? If you represent the wind farm sector (say) as a trade association, please give consider this question in the context of your membership.

8. How many vessels do you currently operate in the wind farm sector, and in accordance with what standard are they built?

9. What are your fleet projections for the next two and five years and how many of those vessels do you expect to be built to the proposed HS-OSC Code?

10. If you represent the wind farm sector, what is your expectation concerning fleet projections for the next two and five years?

11. What impact do you see the proposed HS-OSC Code having on micro and small businesses? Will the impact on them be greater than on medium and large firms?

## Consultation deadlines

This consultation will run from 2 December to 15 January 2016. Please provide any comments to the dedicated email address – [consultationsdmss@mcga.gov.uk](mailto:consultationsdmss@mcga.gov.uk) by **15 January 2016**.

The consultation is also available on-line at [www.gov.uk](http://www.gov.uk) > government > organisations > Maritime and Coastguard Agency.

A list of consultees is attached at Annex A. If you know of anyone else who should be notified of this consultation, please let me know or forward this request directly to them.

## Freedom of Information Act

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), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

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.

The Department will process your personal data in accordance with the DPA and in the majority of circumstances; this will mean that your personal data will not be disclosed to third parties.

## Consultation Criteria

This consultation has been conducted in accordance with the [Cabinet Office Consultation Principles Guidance](#).

## Feedback

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). We are continually trying to improve the way in which we conduct consultations and appreciate your views, so we would also be grateful if you could complete and return the attached feedback form, Annex B. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation.

David Unsworth  
Policy Manager

## **Annex A: List of Consultees**

### **Classification Societies and Code Vessel Certifying Authorities**

American Bureau of Shipping  
Bureau Veritas  
Burness Corlett Three Quays (Southampton) Ltd  
Det Norske Veritas-Germanischer Lloyd  
International Institute of Marine Surveying  
Lloyds Register of Shipping  
Mecal Ltd  
Port of London Authority  
Registro Italiano Navale  
Royal Yachting Association  
Seafish Industry Authority  
Society of Consulting Marine Engineers and Ship Surveyors  
Torridge Council  
Yacht Designers and Surveyors Association

### **Consultants and Surveyors**

AMC Survey BMT Group  
BMT Nigel Gee (Ltd)  
C P Heath  
Euromarine Surveys  
McColl Associate  
McGruer Boats  
Moray Firth Marine Surveys Ltd  
Nic Crawford  
Ross Hunter  
Rossiter Yachts  
David Greening Naval Architects  
Spheredawn Ltd  
R J Marine Surveys

### **Devolved Government Depts**

National Assembly for Wales  
Northern Ireland Assembly  
Scottish Parliament

### **Learned Bodies**

Institute of Marine Engineers Scientists and Technologists  
Royal Institution of Naval Architects

### **Marine Insurance**

British Marine Mutual  
Scottish Boatowners Mutual Insurance Association  
Sunderland Marine Mutual Insurance  
The Shipowners Club

**Other UK Government Depts**

Marine Accident Investigation Branch  
Marine Management Organisation

**Red Ensign Group**

Bermuda  
British Virgin Islands  
Cayman Islands  
Gibraltar  
Guernsey  
Isle of Man  
Jersey

**Ship and Boatyards**

Macduff Shipyards  
Southboat IOW

**Trade Associations**

British Marine  
G9  
International Marine Contractors Association  
Professional Boatman's Association  
National Workboat Association  
Renewables UK  
Shipbuilder and Ship Repairers Association  
UK Chamber of Shipping  
UK Maritime Pilots Association

**Trade Unions**

Nautilus  
RMT  
TGWU

## Annex B

### MCA CONSULTATION FEEDBACK FORM

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

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

*Please cross one box*

Yourselves as an Individual	<input type="checkbox"/>	A Trade Association	<input type="checkbox"/>	A Company	<input type="checkbox"/>	A Government Organisation	<input type="checkbox"/>
A Trade Union	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>				

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

*Please cross one box*

Post	<input type="checkbox"/>	Email	<input type="checkbox"/>	Website	<input type="checkbox"/>
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3. Please rate the quality of this consultation regarding accuracy, good English and spelling:

*Please cross one box*

Very good	Good	Average	Poor	Very Poor
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

*Please cross one box*

Very good	Good	Average	Poor	Very Poor
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

*Please cross one box*

Very good	Good	Average	Poor	Very Poor
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 Coordinator  
Office of the Chief Executive  
Maritime and Coastguard Agency  
Bay 3/29, Spring Place  
105 Commercial Rd  
Southampton  
SO15 1EG

Tel: +44 (0) 2380 329469

Fax: +44 (0) 2380 329105

Email: [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.**