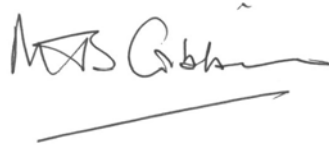
 <b>Regulatory Policy Committee</b>	<b>OPINION</b>	
<b>Impact Assessment (IA)</b>	Proposed Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Asbestos)(Amendment) Regulations 20XX (the “Amendment Regulations”)	
<b>Lead Department/Agency</b>	Department of Transport	
<b>Stage</b>	Final	
<b>Origin</b>	European	
<b>IA number</b>	DFT00171	
<b>Date submitted to RPC</b>	10/01/2013	
<b>RPC Opinion date and reference</b>	01/02/2013	RPC12-DFT-1503(2)
<b>OIOO Assessment</b>	<b>GREEN</b>	
<p>The IA states that the amendments to the 2010 Regulations make two changes. First, to “<i>address EC concerns over under implementation of EC Directive 1983/477/EEC by reinstating wording... which had originally been omitted on the grounds of lack of clarity</i>” (Paragraph 12.1). As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of ‘One-in, One-out’ in accordance with the current One-in, One-out Methodology (paragraph 16; ii).</p> <p>Second, “<i>inclusion of the second CAS (Chemical Abstract Service) number for Chrysotile asbestos for purposes of completeness</i>” which “<i>follows the EC “REACH” Regulation which already applies to all Member States. This change would bring the 2010 Regulations in line with the scientific definition of chrysotile asbestos in the EC REACH Regulation, and would not impose any new restrictions</i>” (paragraph 12.2). Whether this change is an EU requirement is less clear, but this proposal would appear to have no direct impact on business and would therefore be out of scope of ‘One-in, One-out’ in accordance with the current One-in, One-out Methodology (paragraph 16; i).</p> <p>The IA estimates an Equivalent Annual Net Cost to Business (EANCB) of £0.00m. Given that the amendments only clarify existing wording in the Regulations and that the use of asbestos is already “<i>effectively prohibited</i>” (paragraph 8.7.1), this appears a reasonable estimate based upon the evidence provided.</p> <p>The IA also says that the one provision in the 2010 Regulations which represents existing “gold-plating” (i.e. by being a tighter requirement than that in the Directive) is being retained (paragraph 9.2). However, the IA explains (paragraph 9.2) why this “gold plating” was included in the 2010 Regulations and these points appear to remain valid. The IA states that “<i>because this is not introducing any new requirements, this is also outside the scope of OIOO</i>” (paragraph 12.3). This appears reasonable based upon the evidence provided and is in accordance with the current OIOO methodology (paragraph 22).</p>		

**Overall quality of the analysis and evidence presented in the IA**

The IA states that only four responses to the consultation were received. This perhaps reflected the relatively minor nature of the amendments. There is also no information from the responses which conflicts with the assumptions or analysis used in the IA. However, the IA could usefully have provided some more information on the consultation process to show explicitly that the main organisations potentially affected were reached by the consultation.

**Signed**

A handwritten signature in black ink, appearing to read "Michael Gibbons", with a long horizontal line underneath it.

**Michael Gibbons, Chairman**