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To those on the attached list

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Your ref:
Our ref:

27 March 2014

Dear Colleague

Draft Marine Guidance Notes -

Ship Construction and Equipment: Use and Application of IMO Codes and Guidelines for offshore vessels Special Purpose Ships (SPS) Code – Application to Offshore Vessels

What is this Consultation about?

This consultation seeks comments on the two draft Marine Guidance Notes that are attached. It is intended to replace MGN 390 with these two new documents both of which may be applied to vessels that operate in the offshore sector – one being concerned specifically with the application of the SPS Code, while the other provides guidance on the application of International Maritime Organization (IMO) codes and guidelines other than the SPS Code e.g. the MODU Code.

Background

The IMO has developed a range codes and guidelines containing standards of ship construction and equipment for cargo ships providing equivalent levels of safety to those contained in the regulations of the international conventions (principally SOLAS). The overall aim is to enable and facilitate operations and alternative vessel designs and construction, within acceptable, prescribed limits.

The SPS Code is given a separate note in view of differences in the approach to the subject, and the need to recognise the expansion in the range of specialist industrial activities that require the transport and accommodation on board ship of persons that are not passengers or members of the ship's crew. e.g. Walk to Work operations. In

some respects the SPS Code is an alternative to compliance with passenger ship safety standards, but with recognition and credit given for the additional training, fitness, certification and status of such personnel.

The purpose of these two Marine Guidance Notes is to provide guidance and interpretation of the IMO codes and guidelines in the context of the UK – that is to UK-flagged vessels wherever they may be operating, and non-UK vessels whilst operating in UK waters.

How to respond

The MCA welcomes responses to this consultation which will run during the period commencing on 27 March until 9 May 2014. Please tell us your views on the issues which you wish to comment on. If you would like further copies of this consultation document, please refer to www.dft.gov.uk/mca under “Current Consultations” in the Ships and Cargoes section of the website.

Please send responses to:

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Please tell us:

Are you responding as an individual or representing the views of an organisation or business?

If the response is on behalf others, then:

- Who do you represent?
- What type and size of organisation or business it is?
- How were your views gathered?
- What types of operations does your organisation or business undertake?
- Are you a company or sole operator and if employing others, then how many?

A list of consultees has been provided to you separately. If you know of others who may wish to be consulted on this proposal, please forward a copy of this letter to them or refer them to the MCA website address given above. You may be our only contact in your organisation so please ensure that the consultation is circulated to the relevant individuals in your organisation.

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, 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 assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your own 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. 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. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation.