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Our ref:

19 May 2014

Dear Consultees

PUBLIC CONSULTATION ON THE PROPOSED REVOCATION OF MERCHANT SHIPPING LEGISLATION

FOLLOW-UP TO THE RED TAPE CHALLENGE

I am writing to invite your views on proposals to revoke three sets of health and safety legislation for ships. The intention is that the same standards of safety would be maintained through general health and safety duties under the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997, as amended.

The consultation period will run for a period of 8 weeks. Please send your responses to MCA by e-mail to rosemary.nelson@mcga.gov.uk or to the address at the head of this letter, by **19 July 2014**.

The proposals are explained in the consultation document. The consultation document has eight Appendices:

- Appendix 1 – Draft Impact assessment for revocation of Means of Access Regulations and the Safe Movement on Board Ship Regulations
- Appendix 2 – Draft Impact assessment for revocation of the Merchant Shipping (Code of Safe Working Practices for Merchant Shipping) Regulations 1998
- Appendix 3 – Summary of requirements of Merchant Shipping (Safe Movement on Board Ship) Regulations 1988
- Appendix 4 – Summary of requirements of Merchant Shipping (Means of Access) Regulations 1988
- Appendix 5 – Draft MGN on Safe Movement on Board Ship
- Appendix 6 - Draft MGN on Means of Access



INVESTORS IN PEOPLE



GB06/68827.00



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Department for
Transport

Appendix 7 – Summary of requirements of Merchant Shipping (Code of Safe Working Practices for Merchant Seamen) Regulations 1998

Appendix 8 - Draft MGN on the status of the Code of Safe Working Practices for Merchant Seamen

The consultation documents are available via the MCA website under Ships and Cargoes/Consultations.

If you require hard copies, please contact us at mlc@mcga.gov.uk or at the address above.

The Statutory Instruments in question can be viewed at

The Merchant Shipping (Means of Access) Regulations 1988
<http://www.legislation.gov.uk/ukSI/1988/1637/contents/made>

The Merchant Shipping (Safe Movement on Board Ship) Regulations 1988
<http://www.legislation.gov.uk/ukSI/1988/1641/contents/made>

The Merchant Shipping (Code of Safe Working Practices for Merchant Seamen) Regulations 1988
<http://www.legislation.gov.uk/ukSI/1998/1838/contents/made>

The Merchant Shipping (Health and Safety at Work) Regulations 1997
<http://www.legislation.gov.uk/ukSI/1997/2962/contents/made>

If your address details require any amendment, or you consider there are other persons who should be consulted or if you do not wish to be consulted on future changes to merchant shipping health and safety legislation, please could you advise accordingly, using the contact details as above.

IMPACT ASSESSMENTS

In preparing impact assessments on proposals for legislation, we are required to produce a detailed assessment of any costs and benefits arising from the proposals. The impact assessments published as part of this package are based on information held by MCA and or available in published documents, as well as some kindly provided in response to requests to industry. However, this information is only partial and we would appreciate any additional information that you are able to provide in response to the questions in the impact assessments. Any well-founded information, whether quantified or not, would be welcome. If there are published sources for this information, please quote these.

NEXT STEPS

In the light of any comments received, the proposals and draft Marine Guidance Notes will be reviewed. Assuming we proceed with revocation of the Regulations, it is intended to make the necessary legislation before the end of the year.

FREEDOM OF INFORMATION ACT

Please also note that 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.

The consultation is being conducted in line with the Government's key consultation principles which are listed below. Further information is available at

<https://www.gov.uk/government/publications/consultation-principles-guidance>

Should you have any comments or complaints about how this consultation has been conducted please direct them to the MCA's Consultation Co-ordinator:

Consultation Coordinator
Office of the Chief Executive
MCA
Bay 3/29, Spring Place
105 Commercial Rd
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SO15 1EG

consultation.coordinator@mcga.gov.uk Tel: 02380329189

Yours sincerely,

Julie Carlton
Seafarer Safety and Health Manager