



Maritime &
Coastguard
Agency

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Your ref:
Our ref:

11 September 2015

Dear Consultee

STATUTORY CONSULTATION – UPDATING OF SCHEDULES IN TWO MERCHANT SHIPPING REGULATIONS

This consultation seeks your views on the updates to the list of statutory instruments in the schedules in:

- Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations
- Merchant Shipping (Small Workboats and Pilot Boats) (Amendment) Regulations

The two existing Regulations (the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998 and the Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998) implement four Codes of Practice for the construction and safe operation of small commercial vessels (motor and sailing), large yachts, workboats and pilot boats. They dis-apply the requirements of a number of other Regulations listed in the schedules if owners follow the relevant Codes of Practice.

The schedules have become out of date due to the introduction of newer legislation such as the crew accommodation standards of the Maritime Labour Convention, 2006. The updates will show amendments to some of the existing Regulations already listed, remove Regulations which are no longer relevant and include some additional Regulations which have been introduced since the schedules were compiled.

This is a simple updating exercise which does not make any substantive changes to the current regime. Owners of any vessels not certificated under the Codes of Practice are already required to comply with the most up-to-date requirements therefore an impact assessment has not been undertaken.



HM Coastguard



INVESTORS
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**Please provide any comments and feedback to Alison Leighton
(Alison.Leighton@mcga.gov.uk) at the above address by 9 October 2015.**

The consultation is available on-line at www.gov.uk > consultations > Maritime and Coastguard Agency. Hard copies are available upon request.

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 with, 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. 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.



PP

Alison Leighton
Deputy Legal Services Manager

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

Yourself as an Individual		A Trade Association		A Company		A Government Organisation	
A Trade Union		Other (please specify)					

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

Please cross one box

Post		Email		Website	
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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

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

Please cross one box

Very good	Good	Average	Poor	Very Poor

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

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:

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Office of the Chief Executive
Maritime and Coastguard Agency
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105 Commercial Rd
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Tel: +44 (0) 2380 329469

Fax: +44 (0) 2380 329105

Email: 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.

List of Consultees

Angling Trust
Association of Sail Training Organisations
British Marine Federation
BMT Group
British Sub Aqua Club
Canal River Trust
Dart Boats
Holyhead Towing
International Jack up Barge Operators Association
International Marine Contractors Association
Institute of Marine Engineering, Science and Technology
MA Marine Services
Maritime Craft Services
McGruer Boats
Hook Marine
David Greening Naval Architects
Spheredawn Ltd
RJ Marine Surveys Ltd
Euromarine Surveys
Moray Firth Marine Surveys Ltd
Noble Marine
National Workboat Association
UK Chamber of Shipping
Padstow Harbour
National Harbour Masters Association
Professional Boatman's Association
Port of London Authority
Rossiter Yachts
Torbay Council
Torrige Council
Trinity House
Northern Lighthouse Board
Commissioners of Irish Lights
UK Maritime Pilots Association
National Federation of Fishermen's Organisations
Scottish Fishermen's Federation
Northern Ireland Fishermen's Organisation
Welsh Fishermen's Federation
Shipbuilder and Ship Repairers Association
Renewables UK
Southboats IOW
Damen Group
Sail Training International
American Bureau of Shipping
Registro Italiano Navale
Bureau Veritas
Det Norske Veritas – Germanischer Lloyd
Lloyds Register of Shipping

Seafish Industry Authority
Royal Institute of Naval Architects
Associated British Ports
British Ports Association
Royal National Lifeboat Institute
Burness Corlett Three Quays (Southampton) Ltd
International Institute of Marine Surveying
MECAL Ltd
Royal Yachting Association
Society of Consulting Marine Engineers and Ship Surveyors
Yacht Designers and Surveyors Association
Department of Environment, Food and Rural Affairs
Marine Management Organisation
Welsh Assembly Government
Marine Scotland
Department of Agriculture and Rural Development – Northern Ireland
Marine Accident Investigation Branch
British Marine Mutual
Sunderland Marine Mutual Insurance
Scottish Boatowners Mutual Insurance Association
The Shipowners Club
Government of Jersey
Government of Guernsey
Government of Isle of Man
Government of Gibraltar
Government of Cayman Islands
Government of Bermuda
Government of British Virgin Islands
Falkland Islands Government
Nautilus
Railway, Maritime & Transport Workers Union, RMT
Transport and General Workers Union, TGWU