Question 1 – Please provide your views on this general approach to implementing the Directive. If you do not agree with this approach, please provide your reasons.

Question 2 – Your comments are invited concerning our continuation of the policy to not provide a survey and certification regime for UK vessels wishing to operate in mainland Europe and continuing the approach of providing the ENI through the RYA.

Question 3 – If you represent a navigation authority, please can you provide any information you hold concerning how many vessels are operating within your area of jurisdiction carry Union (or Rhine) certification.

Question 4 – Do you have any additional comments to add to the response?

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| Organisation | Comment | MCA response |
| Canal and River Trust |  |  |
| Q1 | Canal and River Trust are content with the proposed implementation | Noted |
| Q2 | Canal and River Trust operate two safety schemes for vessels operating on our waterways. For large commercial freight carrying traffic there is a requirement for operators to provide a Fitness for Purpose certificate along with insurance and transit plan (risk assessment). For leisure vessels and small-scale traders there is a requirement for a Boat Safety Scheme certificate and insurance. Traders are required to submit a business plan which includes a risk assessment of the operation. | Noted |
| Q3 | At present, there are no vessels operating with a Union or Rhine certificate on waterways under our jurisdiction. | Noted |
| Q4 | Canal and River Trust as a principal UK inland waterway navigation authority welcomes the improvement in clarity with the new draft MSN. We have considered the proposals carefully and we have no further comments. | Noted |
| The Barge Association |  |  |
| Q1 | We are content with the general approach | Noted |
| Q2 | We are unhappy with this policy as it adds significant cost to certifying our ships. Our members have to depend on Dutch surveyors and certify their ships in the Netherlands. This is effected by flying surveyors in from the Netherlands or by taking their ships to the Netherlands.  The Belgian authorities will only certify Belgian-flagged vessels. France is in the throes of setting up a certification scheme and it is unclear whether it will be available to UK flagged ships.  The absence of a UK certification scheme means that UK surveyors are disadvantaged as they are barred from surveying for a European certificate.  We want a UK certification scheme to be effected as our ships will continue to cruise EU waterways after Brexit.  The issue of ENI by the RYA is satisfactory. | Thank you for providing this information on the practical application of Directive 2006/87/EC and (now) Directive (EU) 2016/1629. To date, less than 100 ENI’s have been issued in accordance with either of these Directives. We therefore continue to remain of the view that setting up and administering a certification scheme by the MCA is not justified on a cost-benefit basis.  The MCA is not opposed in principle to surveyors from other Member States attending vessels in the UK to in order to carry out the survey in accordance with the Directive. |
| Q3 | N/A |  |
| Q4 | Members of our organisation currently own over 300 UK flagged ships that are over 20m and require a European certificate. All of these are or have cruised in Europe or they have an intention to do so in the future. | Please see above |
| Port of London Authority |  |  |
| Q1 | In the absence of a UK national survey and certification regime, the MCA’s proposed approach towards implementation of the Directive will not alter the position of UK non-passenger commercial vessels wishing to operate in categorised waters which are under the jurisdiction of the Port of London Authority (PLA), which are required to comply with the PLA’s own “Thames Freight Standard” unless such vessels are already certificated to a higher or seagoing standard or are exempt by the provision of Section 124 of the Port of London Act 1968 (as amended). | Noted |
| Q2 | The PLA has no involvement in UK vessels wishing to operate in mainland Europe, therefore it is not appropriate for us to respond on this question. |  |
| Q3 | The PLA is aware of 13 vessels holding Union inland navigation certificates that currently operate on Category C waters of the tidal Thames, of which 12 are dumb craft and one is a powered vessel.  Part of the PLA’s jurisdiction includes Category D waters which are analogous to Zone 1 EU inland waters. None of the EU certificated vessels operating within the PLA’s jurisdiction hold certificates that are valid on Zone 1 waters, therefore a number of vessels have been required to obtain PLA licences to allow them to operate within this area. | Noted. It would be of interest to know how many vessels are operating on Cat D waters on the Thames, that also hold an EU certificate.  More generally, feedback from other harbour authorities would have been of benefit in order to inform UK policy concerning the recognition EU certificates in the UK. |
| Q4 | No comment |  |
| Royal Yachting Association |  |  |
| Q1 | The RYA agrees with the MCA intention to implement Directive (EU) 2016/1629 in full, but then to allow an exemption for vessels which remain solely in the UK so that they do not need to comply with the Directive. | Noted |
| Q2 | Should the MCA so wish, the RYA also agrees to continue to act as the competent authority in the UK responsible for assigning European Vessel Identification Numbers (ENI’s) in accordance with Article 18(4) of Directive (EU) 2016/1629. This is subject to continued access to the EHDB once the UK is a Third Country | Noted – with thanks. |
| Q3 | Not applicable |  |
| Q4 | No comment |  |