



# Maritime & Coastguard Agency

## Consultation on MSN XXX (M+F) Vessel Traffic Monitoring Notification and Reporting Requirements for Ships and Ports

### Aim

1. This consultation seeks your views on the proposed new Merchant Shipping Notice (MSN) which combines the information contained in the existing MSN 1831 and Marine Information Note (MIN) 540.
2. MSN 1831 and MIN 540 provide information on the obligations set out in *The Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) Regulations 2004 (as amended)*. MSN 1831 was published in 2011 and provides guidance for ships and port authorities who are required to provide ship related information under the Regulations. MIN 540 was published in 2017 and explains subsequent revised process and the introduction of the “CERS Workbook”. The UK Consolidated European Reporting System (CERS) is an information management system which has been developed by the MCA to comply with the UK reporting obligations under the provisions of the Regulations and overarching EU Directive. MIN 540 expired on 6<sup>th</sup> February 2018 but the information contained therein is still relevant and up to date.
3. It is our intention to combine the information provided in MSN 1831 and MIN 540 into a single new Merchant Shipping Notice. This is because some of the information in MSN 1831 has been updated by MIN 540 and it would make sense to incorporate the instructions on the CERS Workbook (contained in MIN 540) into the new MSN, thereby limiting the number of documents operators need to consult.

### Overview

4. Your views are therefore sought on the proposal of merging the two existing documents and the merged content of the new MSN.
5. This consultation will run for two weeks from 1 November 2019 until 15 November 2019.

### Next steps

6. Once this consultation closes, we will review all responses and look to publish the new MSN online shortly.

### Stakeholder involvement

7. We recognise that responding to consultations can be time-consuming but we would really value your feedback to confirm you are satisfied with the proposal.

### **Consultation Questions**

8. When responding to the consultation we would be grateful if your response could include responses to the specific questions in Annex A.

### **Responding to this consultation**

9. Anyone may respond to this consultation and consideration will be given to all responses. We will be particularly interested to hear from users of CERS (Consolidated European Reporting System).

10. This consultation is open for two weeks from 1 November 2019 to 15 November 2019.

11. On 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union (EU). Until exit day, the UK remains a full member of the EU and all the rights and obligations of EU membership remain in force. During this period the Government will continue to negotiate, implement and apply EU legislation.

12. Consultation responses should be emailed to [cers3@mcga.gov.uk](mailto:cers3@mcga.gov.uk). Any questions on the consultation should also be sent to this email address. When responding, representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions. Comments on the conduct of the consultation (i.e. how it has been run, presented, etc.) are also welcome, but should be sent to [consultation.coordinator@mcga.gov.uk](mailto:consultation.coordinator@mcga.gov.uk). Please note that the Consultation Co-ordinator is not a subject-matter expert and cannot answer questions on the content of the consultation or consider consultation responses.

### **Freedom of information**

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or 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 MCA or the Department for Transport (DfT).

The MCA will process your personal data in accordance with the data protection framework and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

## **Data Protection**

The MCA is carrying out this consultation to gather evidence to inform the development of policy. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as an executive agency of a government department. If your answers contain any information that allows you to be identified, under data protection law, the MCA as an executive agency of the DfT will be the Controller for this information.

The MCA will use your contact details to send you information about the consultation, for example if we need to ask follow-up questions. You do not have to give us this personal information but if you do choose to provide it, it will not be used for any other purpose without your permission.

To find out more about how the MCA looks after personal data, your rights, and how to contact our data protection officer, please go to:

<https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/personal-information-charter>

Your personal information will be kept securely on the MCA's IT system and any written responses will be held in a secure cabinet and destroyed within 1 month after the consultation has been completed.

If you do not wish to remain on this list, please let us know at [cers3@mcga.gov.uk](mailto:cers3@mcga.gov.uk)

## **Conduct of this consultation**

This is about how the consultation was run, rather than what is being proposed in the consultation. This consultation has been conducted in accordance with the Cabinet Office Consultation Principles which can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/492132/20160111\\_Consultation\\_principles\\_final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492132/20160111_Consultation_principles_final.pdf)

## **Feedback on conduct of consultation**

If you have any comments regarding how this consultation was run (not the subject matter of the proposals) please contact the Consultation Co-ordinator at [consultation.coordinator@mcga.gov.uk](mailto:consultation.coordinator@mcga.gov.uk).

We are continually trying to improve the way in which we conduct consultations and appreciate your views. We would be grateful if you could complete and return the attached feedback form at Annex B. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation. *Please note that the Consultation Co-ordinator does not have in-depth subject matter on the consultation, and therefore cannot act on subject-specific suggestions or respond to subject-related queries. All subject related responses to this consultation should be sent to the [dpv@mcga.gov.uk](mailto:dpv@mcga.gov.uk) address.*

If you require this consultation in an alternative format, please contact either the Consultation Co-ordinator or e-mail the [dpv@mcga.gov.uk](mailto:dpv@mcga.gov.uk) address.

### **List of Annexes and attachments**

Attachments:

1. Draft MSN

Annex A: Questionnaire on the subject matter of the consultation

Annex B: MCA Consultation Feedback Form

## ANNEX A

### **QUESTIONNAIRE ON THE SUBJECT MATTER OF MSN XXX VESSEL TRAFFIC MONITORING NOTIFICATION AND REPORTING REQUIREMENTS FOR SHIPS AND PORTS**

(to be returned to cers3@mcga.gov.uk)

#### ***About you***

Your Name \_\_\_\_\_

Your e-mail address \_\_\_\_\_

Your Job Title \_\_\_\_\_

Are you responding as:

- an individual
- an organisation (if so, please provide name of organisation

\_\_\_\_\_

Please check the box that best describes you and the size of your organisation:

<u>Respondent type</u>	<u>Size of organisation (in number of persons)</u>
<input type="checkbox"/> Vessel owner	<input type="checkbox"/> Large business (over 250 staff)
<input type="checkbox"/> Vessel operator	<input type="checkbox"/> Medium business (50 to 250 staff)
<input type="checkbox"/> Crew member	<input type="checkbox"/> Small business (10 to 49 staff)
<input type="checkbox"/> Individual	<input type="checkbox"/> Micro business (up to 9 staff)
<input type="checkbox"/> Government Agency/Department	
<input type="checkbox"/> Legal Representative	
<input type="checkbox"/> Trades Union	
<input type="checkbox"/> Domestic Passenger Vessel Representative Organisation (Please list members)	
<input type="checkbox"/> Other (please describe)	

1. Do you agree with the proposed merging of information contained in MSN 1831 and MIN 540 in order to reduce the number of documents operators need to consult?

- Yes, I agree
- No, I disagree

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Do you believe that the merging of these two M-Notices will result in any additional costs for your organisation?

Yes (please give details)

No

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**ANNEX B**

**MCA CONSULTATION FEEDBACK FORM**

(to be returned to [consultation.coordinator@mcga.gov.uk](mailto:consultation.coordinator@mcga.gov.uk))

1. Please indicate on which Consultation you are providing feedback:

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2a. Please indicate whether you are responding on behalf of:

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

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

- Post
- Email
- Website

3. Please rate the quality of this consultation regarding accuracy, good English and spelling:

- Very good
- Good
- Average
- Poor
- Very Poor

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

- Very good
- Good
- Average
- Poor
- Very Poor

5. Please rate the consultation in terms of how clear and concise you felt it was:

- 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:

Consultation Co-ordinator,  
Maritime and Coastguard Agency,  
Spring Place, Bay 3/13, 105 Commercial Road  
Southampton SO15 1EG  
Or e-mail it to: [consultation.coordinator@mcga.gov.uk](mailto: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.**