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## **CONSULTATION ON MGN 588 AMENDMENT NO. 1 (F)**

This consultation seeks comments on a draft Marine Guidance Notice (MGN), MGN 588 Amendment No.1 (F): Compulsory Provision and Wearing of Personal Floatation Devices on Fishing Vessels. This is intended to replace MGN 588 (F).

Statistics show that there is a significant risk of fishermen working on open decks falling overboard. Personal protective equipment must be provided and used where risks cannot be reduced to a safe level by other measures.

This amendment specifies that personal floatation devices (PFDs) must meet minimum acceptable performance levels required by MSN1870. Where alternatives to the minimum performance levels for PFDs are allowed, this must be documented in a written risk assessment, demonstrating how an equivalent level of safety is achieved. PFDs must be worn in accordance with the manufacturer's instructions.

The amendment also reminds of the important of following manufacturer's instructions when wearing PFDs, with particular reference to crotch straps.

The consultation period will run for four weeks. The Consultation has one appendix, which is the draft MGN which forms the subject matter of the Consultation.

The consultation documents are available with this consultation letter on [WWW.GOV.UK](http://WWW.GOV.UK). We would welcome your comments about the proposed MGN.

### **Submitting your response**

The preference is for consultation responses to be emailed to [fishing@mcga.gov.uk](mailto:fishing@mcga.gov.uk). Any questions should also be sent to this email address. You can also send in your response by post. During the current COVID-19 pandemic we are working away from the office and the collection of post is limited.

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.

This consultation will close on 9 July 2021. A summary of consultation responses will be posted on the same page as the consultation in due course, and normally within 3 months of completion of the consultation.

## **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 Department/MCA.

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 and implementation of policy and legislation. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain information that allows you to be identified, under data protection law, the MCA, as an Executive Agency of the Department for Transport, 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.

Details about how the MCA looks after personal data, your rights, how to complain, and how to contact our Data Protection Manager can be found on gov.uk at:

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

Your information will be kept securely on the MCA's IT system and any written responses will be held in a secure file and cabinet and kept for up to five years, until a post-implementation review has been completed.

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

### **Conduct of this consultation**

This consultation has been conducted in accordance with the Cabinet Office Consultation Principles.

### **Consultation principles**

The Cabinet Office Consultation Principles can be found at:

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

### **Feedback on conduct of consultation**

If you have any comments regarding the conduct of this consultation, 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. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation.

If you require this consultation in an alternative format, please contact either the Consultation Coordinator or the named official conducting this consultation.

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