



Maritime &
Coastguard
Agency

Consultation Report:

THE MERCHANT SHIPPING (MARINE EQUIPMENT) REGULATIONS 2025

June 2025

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Section 1: Introduction

This consultation sought views on the proposed Merchant Shipping (Marine Equipment) Regulations 2025 (the “proposed Regulations”). The consultation was open for comments from 14 April 2025 and closed on 26 May 2025.

Section 2: Background

2.1 International Maritime Organization (IMO) Conventions require ships to carry marine equipment (safety equipment and counter pollution equipment) that has been approved by the ship’s Flag Administration.

2.2 The UK’s marine equipment requirements are currently set out in the Merchant Shipping (Marine Equipment) Regulations 2016 as amended (the 2016 Regulations). These set out the requirements and procedures for marine equipment to be placed on board a UK ship following the UK’s exit from the EU.

2.3 The 2016 Regulations were amended in 2019. The amending regulations were:

2.3.1 the Merchant Shipping (Marine Equipment) (Amendment etc.) (EU Exit) Regulations 2019 (SI 2019/470); and

2.3.2 the Merchant Shipping (Marine Equipment) (Amendment) (UK and US Mutual Recognition Agreement) (EU Exit) Regulations 2019 (SI 2019/1304)

2.4 The amendments were made to ensure that the law continued to operate effectively following the UK’s exit from the EU. As part of this, the first amending instrument introduced the UK conformity assessment regime in respect of marine equipment to be placed on board a UK ship. The second amending instrument implemented the UK-US Mutual Recognition Agreement for marine equipment to allow certain equipment which has been approved by the US Coast Guard to be placed on board a UK ship.

2.5 The Merchant Shipping (Control and Management of Ships’ Ballast Water and Sediments) Regulations 2022 (the 2022 Regulations) incorporate requirements introduced on 29 July 2022 regarding ballast water management systems - an item of marine equipment. The requirements for UK approval for Ballast Water Management Systems as detailed in the 2022 Regulations are currently aligned with other equipment categories covered by the 2016 Regulations and detailed in Annex 2 of Merchant Shipping Notice (“MSN”) 1874 (i.e., that requiring approval by a ship’s Flag Administration) but are not currently within the scope of the UK’s conformity assessment for marine equipment.

Section 3: Proposed Changes

3.1 To simplify the regulations by providing a clear and consolidated set of regulations for marine equipment.

The existing regulatory framework around marine equipment has become complex due to the amendments to the 2016 Regulations. The proposed Regulations would revoke the 2016 Regulations along with its two amending Statutory Instruments (SI) and replace them with a single SI providing greater clarity.

3.2 To amend the 2022 Regulations to remove the approval of Ballast Water Management Systems from the 2022 Regulations and to consolidate the approval of them with the rest of marine equipment.

Ballast Water Management Systems (BWMS) require approval by UK Nominated Bodies designated by the Secretary of State (SoS) to test and certificate these pieces of equipment. BWMS are unique in that the process and requirements for their approval is not set out in the 2016 Regulations, unlike other items of marine equipment requiring approval by UK Nominated Bodies. This proposal would mean that the process for gaining BWMS type approval would fall within the scope of the proposed Regulations. It would do this by removing the relevant approval provisions from the 2022 Regulations and by moving the standards from MSN 1908 'The Merchant Shipping (Control and management of ships' ballast water and sediments) regulations 2022', to the updated MSN 1874 that will accompany the proposed Regulations. The aim of this is to make it easier to find the relevant processes for obtaining marine equipment approval, and the relevant standards to which equipment must conform. In addition, it will reduce the potential risk of divergence between the approval procedure for BWMS and that for other marine equipment. The intention is that this should make it clearer for industry.

3.3 Introduce an equivalence provision (Letters of Acceptance).

This would enable ship owners and ship operators to apply for approval for an equivalent piece of non-UK approved marine equipment to be placed onboard a vessel in specified circumstances.

3.4 Ensure government ships are out of scope.

The proposed Regulations would ensure Government ships are out of scope of this marine equipment regime. This is due to a broader change in approach to government ships triggered in part by the limited legal powers available post-EU Exit to apply future changes to merchant shipping regulation to government ships. Although Government ships would be out of scope, they are still expected to adhere to marine equipment standards to maintain safety and uphold industry best practices. Following the repeal of the European Communities Act 1972, and in the absence of appropriate powers in the Merchant Shipping Act 1995, the removal of Government ships from the marine equipment regime would be completed using the Retained EU Law (Revocation and Reform) Act 2023, but these powers are only available until June 2026.

Section 4: Summary of Comments and MCA responses

There was a total of 4 responses received to the consultation from a variety of industry stakeholders, including British Marine, TUV SUD BABT and North Lighthouse Board.

Below is a summary of the comments received, together with the responses provided by the Maritime and Coast Guard Agency (MCA).

Q1. Does revoking the Merchant Shipping (Marine Equipment) Regulations 2016 as amended and replacing it with a single set of regulations and guidance improve regulatory clarity and usability for stakeholders?

Summary Comments

- All respondents agree that replacing the Merchant Shipping (Marine Equipment) Regulations 2016 with a single set of regulations and guidance improves regulatory clarity and usability for stakeholders.

MCA Response

- It is noted that all respondents support revoking and replacing the Merchant Shipping (Marine Equipment) Regulations 2016 as amended with a single framework to enhance clarity and usability for stakeholders.

Q2. Do you agree with the inclusion of ballast water management systems as a category of marine equipment under the new regulations?

Summary Comments

- Three respondents support the inclusion of ballast water management systems. One respondent provided no reply to this question.

MCA Response

- The inclusion of ballast water management systems under the new regulations is supported.

Q3. Will Government ships not being in scope present any unintended consequences in the new regulations?

Summary Comments

- No intended consequences were identified.
- Two respondents supported excluding government ships, citing that the flexibility allows government operators to optimise the supply chain based on availability and cost.
- One respondent stated that this exemption creates a double standard, as industry operators must comply with costly marine equipment regime approved equipment. They stated that it would be useful to know if this applies to all government vessels and if not, why some of them are outside of the scope of the marine equipment regime. While acknowledging the need for some military exemptions, they added that a blanket removal sets a lower standard for government.
- The fourth respondent did not provide comments on this point.

MCA Response

- MCA reiterates that government vessels already operate under standards higher than those prescribed by these regulations, which serve as a minimum threshold. This ensures government operators maintain operational flexibility while upholding rigorous safety standards.
- Stakeholder concern about a potential double standard have been noted, and MCA emphasises that the exclusion of government vessels does not lower expectations as these vessels adhere to more stringent requirements beyond compliance with the legal marine equipment regime.

Q4. What economic impacts, positive or negative do you anticipate as a result of the proposed regulations?

Summary Comments

- Two respondents provided feedback on the economic impacts of the proposed regulations.
- One respondent anticipates no change to current status, while another highlighted that if Government vessels are out of scope there may be a reduction in demand for UK regulated marine equipment by the public sector, which may impact on investment made by equipment suppliers.
- One respondent provided no reply to this question.

MCA Response

- Feedback indicates that the economic impact of the proposed changes will be limited for most stakeholders. However, concerns have been raised regarding potential decline in demand for regulated marine equipment for Government ships which could affect investment decisions by suppliers.
- MCA does not foresee a significant risk, as the legal marine equipment regime remains the baseline standard for government vessels, ensuring continued demand.
- MCA maintains ongoing engagement with stakeholders and will monitor economic effects, intervening where necessary to address challenges.

Q5. Are there any unintended consequences of the proposed regulations? If yes, please provide details.

Summary Comments

- Three respondents stated they did not identify any unintended consequences of the proposed regulations.
- One respondent provided no reply to this question.

MCA Response

- No unintended consequences were identified by respondents. Nevertheless, the MCA remains committed to ongoing dialogue with industry stakeholders to ensure the regulations function effectively without creating unforeseen challenges.

Q6. Do you know if your business will be disproportionately affected by the proposed regulations? If yes, please provide details.

Summary Comments

- Three respondents stated they did not anticipate any disproportionate impact due to the proposed regulations. One respondent provided no reply to this question.

MCA Response

- Responses indicated that the proposed regulations are not expected to disproportionately impact their businesses.
- The MCA will continue to assess the regulatory impacts to ensure it remains proportionate.

Q7. What further guidance or support from the MCA would help stakeholders comply with the proposed regulations?

Summary Comments

- Three respondents provided input on further guidance from the MCA. One respondent provided no reply to this question. Of these, one respondent stated that no additional support was required, while another emphasized the importance of adhering to the published timescales for implementing these proposed regulations.

MCA Response

- The MCA notes that industry stakeholders have emphasised the importance of adherence to published timescales for implementation.
- MCA acknowledges this concern and will maintain clear, timely communication to support compliance.

Section 5: Additional Comments and MCA responses

Summary Comments

- One respondent stated that they had faced significant challenges in obtaining regulated marine equipment, including limited UK stock, long lead times, and restricted delivery options. Higher-quality versions exceeding SOLAS minimum standards are often unavailable or unapproved. They noted that while they understand post-Brexit supply issues, they stress the need for a Mutual Recognition Agreement (MRA) with the EU to broaden supplier options and improve stock availability. They also welcome the MCA's proposed equivalent process and advocate for its flexible application in relevant cases.

MCA Response

- The MCA acknowledges the concerns regarding marine equipment availability and logistical challenges. The MCA welcomes support for the proposed equivalence provision to allow the installation of non-UK approved equipment in specified circumstances and will continue to support applications where

appropriate. While post-Brexit supply chain shifts have impacted availability, MCA remains committed to exploring solutions that expand supplier options while maintaining regulatory integrity. The UK's membership of the Comprehensive and Progressive Trans Pacific Partnership (CPTPP) will provide additional market supply of UK approved marine equipment, while also providing manufacturers greater opportunities to export to CPTPP member States.

- The suggestion for an MRA is noted. The MCA will maintain close engagement with stakeholders to monitor ongoing challenges and assess the need for further interventions to support the industry in obtaining necessary equipment efficiently.

Summary Comments

- One respondent expressed concerns that the EU Marine Equipment Directive (MED) and UK Marine Equipment Regulations (MER) add unnecessary red tape, cost, and time burdens to the industry without improving safety over IMO standard type approved equipment. They added that post-Brexit, equipment suppliers face additional burdens of retesting for a smaller market leading to higher costs or reduced availability of equipment in the UK. They noted their acceptance for MCA's proposed equivalence provision but stated that the scope remains unclear and appears limited. They also suggested that MED, MER or type approved equipment certified by recognised organisations like International Association of Classification Societies (IACS) should be widely accepted as standard practice, citing precedent set by the Red Ensign Group (REG) group. They further added that given the UK's current drive to reduce regulatory burdens, the necessity of the UK Marine Equipment Regulations should be reconsidered.

MCA Response

- To reduce unnecessary costs to industry, the MCA has granted UK Approved Bodies who are also EU Notified Bodies for marine equipment, the ability to issue certification in both territories based on a single test process.
- To address supply gaps, a Letter of Acceptance for equivalent, non-UK approved equipment will be provided to a vessel on a case-by-case basis, where necessary and where the conditions specified in the regulations are met.
- This approach ensures flexibility while maintaining regulatory integrity.

Summary Comments

- One respondent stated that introducing audits for Nominated Bodies may lead to reassessment of appointments due to infrequent approval route and added costs.

MCA Response

- The MCA notes the comment regarding audits for Nominated Bodies. However, this is not a new introduction and already forms part of the existing regulations and Nominated Body Agreements.

Next Steps

The MCA will proceed to replace the Merchant Shipping (Marine Equipment) Regulations 2016 as amended. The proposed new regulations will include:

- Revoking the 2016 Regulations along with its two amending Statutory Instruments (SI) and replace them with a single SI providing greater clarity.
- Amending the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022 to incorporate the approval process for Ballast Water Management Systems within the broader marine equipment framework.
- Introducing an equivalence provision that will allow ship owners and operators to apply for equivalence approval for non-UK approved marine equipment to be placed on board UK vessels.
- Ensuring Government ships are out of scope of the Marine Equipment Regulations.

The regulations will apply to any UK ship wherever it may be.