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| --- | --- |
| ***Dept:*** | Maritime and Coastguard Agency |
| ***Name of measure:*** | ***The Merchant Shipping (Port State Control) Regulations 2025*** |
| ***RP Register ref:*** | *[RPC to complete]* Not applicable |

**Please provide evidence supporting the consideration and discounting alternatives for regulation**

The policy option that has been chosen for these regulations is a regulatory option. This policy option of replacing the 2011 Regulations in order to bring them up to date by including references to International Conventions and removing references to EU legislation is the preferred option. These amendments are identified as requiring consideration under the Retained EU Law (Revocation and Reform) Act 2023. As such they are not creating any new provisions as they are simply being restated/replaced as UK domestic legislation. Without having these Regulations in place, the transparency of UK’s legislative framework for fulfilling our obligations as a Member State of the Paris Memorandum of Understanding (Paris MoU) may be questioned. The UK remains a committed and active member of the Paris MoU, despite leaving the European Union. There is no other viable alternative to Regulation. Other options have been considered, such as withdrawing from the PSC (Port state control) inspections and the creating of a UK control process alternative to the Paris MoU instead of implementing the amendments. However, these would not be the best outcome as effective Port State Control relies on collaboration with other Member States and there would be a loss of information sharing, duplication of inspection effort and ineffective targeting. This could result in pollution, operational and reputational damage to the UK and the policy objectives would not be achieved.

**Please provide consideration of any relevant past evaluation (including PIRs)**

The 2011 Regulations have been subject to Post Implementation Reviews (PIR), the most recent of which was completed in April 2024[[1]](#footnote-2). This review identified that the Regulations were fit for purpose and recommended that they should remain in place, but with minor amendment to bring in line with updated Paris MOU requirements and remove EU referencing. To that end, the replacement will not change the operation or the effect of the Regulations.

For the 2016 PIR of these Regulations 159 stakeholders were consulted. No new information was provided from the 8 respondents to indicate that significant change to the 2011 Regulations would be required. As a result, the MCA concluded that further consultation at that time would be disproportionate due to the limited evidence base provided by and the absence of quantitative responses to the 2016 PIR stakeholder engagement. The MCA maintains open, ongoing and regular contact with UK stakeholders through the survey and inspection regime together with the system of MCA Customer Service/Key Account Managers that are assigned to shipowners with vessels registered on the UK flag. However, these regulations deal exclusively with foreign flagged ships, and the owners and managers of those ships are those who most affected by these regulations. They, like the owners and managers of UK flagged ships will provide input about the implementation of the agreement to their own jurisdiction’s regulatory authority who will then relay that to the Paris MoU who is the body charged with amending that agreement.

**Please provide an assessment (or estimate) of direct business impacts (EANDCB) justifying the application of de minimis**

  The equivalent annual net direct cost to business (EANDCB) is anticipated to be -£0.0m in the central scenario, which is within the EANDCB threshold for a de minimis assessment (DMA) of +/-£10m. The estimate for the high scenario is -£0.0m, which shows that the policy is unlikely to exceed the de minimis threshold. The policy is not controversial and is not likely to have disproportionate impacts on specific groups, including small or micro businesses. This regulation therefore meets the criteria for a DMA.

**Please provide a short qualitative summary of the wider impacts on the new regulatory scorecard**

  There will be an impact to the public sector due to transition costs and a non-monetised benefit of reducing the risk of incidents of pollution and injuries on the UK coastline and ports. There have been no direct costs to UK business identified for the analysis, all other impacts will be unmonetized benefits to business and society, such as reduced disruption from less frequent spills and discharges of harmful substances at UK ports and reduced risk of accidents and injuries. No adverse impact on the environment, the safety of personnel or vessels, or individuals are anticipated as a result of this policy.

# De-Minimis Options assessment

…The Merchant Shipping (Port State Control) Regulations 2025

Title:

Secondary

Type of measure:

Department for Transport: Maritime and Coastguard Agency

Department or agency:

DMA number:

**DfTDMA352o.**

…

RPC Register Reference:

HQ\_Inspectionops@mcga.gov.uk

Contact for enquiries:

Date:

23/10/2024

## 1. Summary of proposal

The 2011 regulation apply to foreign ships calling at a port or anchorage in the UK. The policy proposal of these regulations is to update the 2011 Regulations in line with the Paris Memorandum of Understanding (MOU) instructions by adding the following International Conventions: the Nairobi International Convention on the Removal of Wrecks (Nairobi WRC 2007): the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001, the International Convention for the Control and Management of Ships’ Ballast Water Management and Sediment, 2004 (BWM) and the Maritime Labour Convention (MLC) 2006, and making clarification amendments. As the EU Directive references in the current Regulations are based on the Paris MOU text, the draft SI replaces those references with references to equivalent text in the Paris MOU with negligible effect on the practical application of the revised provisions.

The impact on the foreign shipping industry for this intervention is expected to be very low, as no new regulatory requirements are being introduced other than what is already necessary under the Paris MoU. Familiarisation costs for PSC inspectors are expected to be negligible, as the detail of the Conventions we are explicitly including in the new SI are already covered under the domestic legislation of other signatory Member States of the Paris MoU. The default position for ships of non-EU Paris MoU members is that the applicable Port State Control requirements that will apply will be those under the Paris MoU so there is no change there. .

These Regulations will not implement any new obligations, it is therefore expected that there no direct costs to UK business and the only monetised costs will be ‘familiarisation costs for MCA PSC inspectors which are expected to be low as stakeholders and surveyors will already be fully conversant with the existing text of the Paris MoU and the International Conventions.

The risks associated with this intervention are considered to be very low.

The UK’s departure from the EU was implemented by the European Union (Withdrawal) Act 2018 (as amended). The Retained EU Law (Revocation and Reform) Act 2023 (the REUL Act) provides legal continuity and certainty by minimising any substantive changes in UK domestic law at the point of the transition period (and dynamic alignment with EU law) ended at the end of 2023. This was achieved by preserving domestic legislation that had implemented EU obligations as “Assimilated law“ and by converting parts of EU law into a domestic equivalent. One of the REUL Act aims was to confer broad powers on relevant national authorities to be able to restate, replicate, revoke and replace REUL/Assimilated law: those powers will expire after 23 June 2026. These Regulations  are being made under those powers to revoke, restate or replace Assimilated law

## 2. Strategic case for proposed regulation

The Paris Memorandum of Understanding on Port State Control (Paris MoU) is an administrative agreement between 28 Maritime Authorities, comprised from 22 European Union coastal states, the UK, Canada, Norway, Iceland and Montenegro. The Russian Federation’s membership of the Paris MoU is suspended indefinitely. Port State Control is a regime of inspections for foreign flagged seagoing ships and their crews calling at UK ports or anchorages within the jurisdiction of a port to engage in a ship/port interface, meaning that the ship is directly affected by the movement of persons or goods or the provision of port services to or from the ship.

The Merchant Shipping (Port State Control) Regulations 2011 (SI 2011/2601) (“the 2011 Regulations”) were implemented when the United Kingdom was a member of the European Union and was required to transpose EU Directive 2009/16/EC (“the 2009 Directive”). As the UK is no longer a member of the EU but remains committed to and a respected authority in the Paris MoU, the 2011 Regulations need to be recast so that the provisions are aligned to the requirements of the Paris MoU.

Replacing and updating these Regulations will ensure that the UK can continue to meet the requirements and obligations of the Paris MoU for Port State Control.

The 2011 Regulations were identified as part of REUL reform. We will revoke and replace the 2011 Regulations before the powers to do so under the REUL Act 2023 expire on 23 June 2026.

Without these Regulations the UK’s Port State Control legislation will be less transparent and subject to challenge which may make it less able to fulfil its international obligations as a member of the Paris MoU, in carrying out Port State Control inspections in ports and UK waters. The MCA as the Maritime Administration for the UK may suffer reputational damage if it is unable to maintain its regime of Port State inspections. The inspection regime of the Paris MoU helps to ensure that high safety standards are applied proportionally throughout the Paris MoU Region, and allows intelligence sharing and therefore effective targeting, allowing the MCA to ensure the highest risk vessels are inspected, reducing risk.

The economic rationale for the new regulations is based on a government failure due to outdated legislation, under the current scenario, there is also persistence of a market failure with respect to safety and pollution. Regarding safety, there is a negative externality: vessel owners do not bear all the costs from incidents to crew, as there are some costs (the social costs) which are taken by society (e.g. loss of production and consumption), leading to an underinvestment in safety. An effective inspection system is crucial to enforce high safety standards, which requires coordination between neighbouring states. Also, an ineffective inspection regime increases the likelihood of incidents of pollution in UK ports since it also creates an incentive for vessel owners to underinvest in measures which protect the maritime environment. Therefore, Government must intervene to being current legislation up to date and resolve the market failure. A Market solution would not solve these market failures as it could not correct the stakeholders’ incentives (in terms of private costs and benefits), which means that an intervention is justified.

The intervention would address the government and market failure, by ensuring high safety standards are followed by ship owners, addressing the out-of-date legislation and negative externalities.

The 2011 Regulations have been subject to Post Implementation Reviews (PIR) in the first of which was in 2016 and most recently in April 2024. The 2024 review identified that the Regulations were fit for purpose and recommended that subject to the updating of the Convention list and other minor tweaks to align with the Paris MOU text, that they should remain in place. For the 2016 PIR for these Regulations 159 stakeholders were consulted. No new information was provided from the 8 respondents that indicated significant change to the 2011 Regulations would be required. As a result, the MCA concluded that further consultation at that time would be disproportionate due to the limited evidence base provided by and the absence of quantitative responses to the 2016 PIR stakeholder engagement.

## 3. SMART objectives for intervention

## This policy is specific, measurable, achievable, relevant and timely (SMART).

The main policy objective of the new Regulations is the continuation of the Port State Control regulatory framework to ensure the ongoing participation of the UK in port operations is conducted to ensure maritime safety. The intended outcomes are the continued improvement of safety of maritime crew, vessels, resources and the environment through the targeted inspection of vessels on a risk basis as they enter UK ports. These are specific as they are linked to our obligations as set out in the Paris MoU.

The objective is measurable, asthe UK as a member of the Paris MoU must carry out its quota and proportion of annual inspections and it can identify deficiencies and flag these to other Paris MoU member states and if appropriate demand their rectification. The requirements are achievable through a regulatory approach by revoking the 2011 Regulations and replacing or restating its provisions more suitably to fulfil the UK’s obligations as a signatory of the Paris MoU on Port State Control. The preferred option can be achieved through use of powers in the REUL Act before they expire in June 2026. The regulations are relevant to maintain an effective Port State Control regime in the UK.

This will be time bound with a clearimplementation timeframe, the aim is for the objectives to be completed by the time Retained EU Law powers expire in 2026. A 10-year appraisal period implemented for cost and benefit analysis. The purpose of this SI is to ensure the continuation of a successful policy regime. A seamless transition between the current Regulations and the proposed Regulations would be an indicator of success.

Safer maritime operations and participation in multinational maritime initiatives support continued and sustainable growth by ensuring maritime operations are made safer and maritime business environment has certainty and support. This also aligns with the Maritime and Coastguard Agency’s objective of reducing fatalities at sea and its core responsibility of preventing maritime pollution.

## 4. Description of proposed intervention options and explanation of the logical change process whereby this achieves SMART objectives

Option 1 Do nothing. Business as usual (BAU), Business as usual in this context means the Regulations will remain unamended and appear inconsistent with the text and requirements of the Paris MoU. Continuing to conduct PSC operations without updating the list of Conventions and Protocols under the Paris MoU could cause significant reputational and credibility damage to MCA and HMG. It could also potentially result in ships refusing to comply with directions of PSC officers and significant exposure to lawsuits for unlawful detention. The MCA is required to action the changes included in and by the Paris MoU and, unactioned changes will not reflect well on the Department and is not considered a realistic option.

Option 2 Preferred option: Replace current regulations with new Regulations that are aligned to the Paris MoU. Would be negligible cost to HMG and business. Would provide certainty and continuity in business operations.

Option 3 Withdraw from PSC operations. Would provide a small cost reduction but not a significant amount in comparisons with overall cost of surveyors. Would irreparably damage UK maritime reputation, negatively impact maritime business and risk exposure to pollution, criminal and costly operational damage. Once it became known to industry that Port State Control was no longer taking place in the UK, which would be established quite quickly due to the obvious nature of the (in)action, substandard ships would be encouraged to enter UK waters with increased risk of harm.

Option 4 Start up UK port control process in competition with Paris MoU. Very high start-up costs, reputational damage, loss of maritime business. Would also lose the intelligence sharing and risk targeting that the Paris MOU provides, rendering any attempts by the UK ineffective.

The options will have a negligible impact on all businesses, including small or micro businesses. And therefore, a disproportionate negative impact on those businesses is not expected.

The objectives are specific (The purpose of this SI is to ensure the continuation of a successful policy regime), measurable (via monitoring volume and performance), achievable (via an SI and a MSN), relevant to the shipping industry and the UK’s reputation as a well performing coastal state and the MCA, and timely (set timeframe for implementation).

## 5. Summary of long-list and alternatives

No further options have been considered. There is a successful policy regime in place and that policy regime is grounded in the Paris MoU agreement and this limits the realistically available options. The only other options are set out in the short list. No non-regulatory options have been considered in the long list of alternatives, Publishing only guidance would also not fulfil our international obligations under the Paris MoU agreement as a highly respected member. Without having these Regulations in place, it will severely restrict the UK’s ability to fulfil our obligations as a Member State of the Paris Memorandum of Understanding (Paris MoU). The UK remains a committed and active member of the Paris MoU, despite leaving the European Union. There is no other viable alternative to Regulation.

There are limited disproportionate burdens on medium or small businesses as the overall impact is expected to be negligible for businesses. Because the policy regime remains the same and is consistent with other jurisdictions within the Paris MoU area familiarisation costs will be negligible

Implementation costs are assumed to be one-off and incurred in the implementation year of 2025.

The ships impacted by the proposed regulations are foreign flagged ships calling at UK ports and anchorages to verify that the condition of the ship and its equipment comply with the requirements of international regulations and that the ship is manned and operated in compliance of those rules.

Based on data from the MCA’s Consolidated European Reporting System (CERS) The number of unique foreign callers at UK ports is 2023 was 8,624, this represents a -0.77% decline from the previous year with 8,691 unique foreign callers at UK ports reported in the year 2022. The datapoints observed for the analysis of the number of unique foreign callers to UK ports are between 2016 and 2023, it should be noted that it is the number of unique callers that are observed for our analysis rather than the number of ships, as some ships might call at UK ports several times in a given year. The number of unique callers has increased overall from a total of 5,420 in 2016, with the year-on-year growth rates ranging between -5.44% and -7.67% (excluding the outlier growth rates of 17.55% for 2016/2017 and 32.78% for 2020/2021). To calculate the growth rates the analysis focused on observations 2021 to 2023, this was due to the outliers being present in prior observations which were caused by changes in reporting methods.

The growth rates were estimated by calculating the average of the year-on-year growth rates of the number of unique foreign callers excluding the outlier growth rate, resulting in an average annual growth rate of 3.45%, to account for uncertainty a 50%+/- range factor has been applied resulting in a growth rate of 1.72% and 5.17% in the low and high scenarios respectively. The growth rate will result in the total number of unique foreign callers to UK ports being 9,229 in the central scenario in the implementation year 2025.

MCA Port state control inspectors will need familiarisation to ensure that they are aware of the changes in the regulations. According to the MCA’s Inspections operations and Policy teams there are currently 120 active port state control inspectors in the Agency and the intention is to recruit 15 more inspectors in 2025/2026, thus bringing the total to 135 in the implementation year of 2025. It is assumed that no retraining is needed for MCA PSC inspectors who have been trained as the new regulations are not imposing any changes or new obligations to the existing inspection regime. Indeed, the checks performed by PSC inspectors for these regulations are consistent with the conventions and are relatively routine requirements which are quite constant. This is not a cost to businesses as this will be paid by the MCA; therefore, it will not be included in the EANDCB.

## 6. Description of shortlisted policy options carried forward

Option 2, Replace the Merchant Shipping (PSC) regulations 2011 with new Regulations. There would likely be negligible costs to HMG and business. It would provide certainty and continuity in business operations; hence it was identified as the preferred option as it is the most likely to meet the policy objectives. This is the only option costed in the analysis below, as the costs would be the same or lower in Option 3, but with lower benefits overall due to lower levels of take up and greater long term operational and reputational damage.

Option 2 is the lowest risk option, with minimal risk of uncertainty or misinterpretation compared to the uncertainty which would result from withdrawing from the PSC process as proposed under Option 3.

The only other option considered, Option 4, would not result in lower costs than option 2 or option 3 but would result in outcomes similar to option 3, which are uncertainty, reputational damage and adverse effects on the UK maritime business, which is a suboptimal outcome when evaluated against the objectives of these amendments.

## 7. Regulatory scorecard for preferred option

The Department for Transport (DfT) has not published an impact assessment for this measure as the direct impacts on business have been assessed at under £10m per year. Instead, light-touch internal analysis has been conducted, the findings of which are presented below.

The costs or benefits for the analysis were calculated using 2023 prices, 2025 present value. This was then adjusted to 2019 prices and 2020 present value by the impact assessment calculator for the purposes of wider reporting on better regulation. As such, the Business net present value, Net present social value and EANDCB below are given in 2019 prices and 2020 present value. The discount rate applied was 3.5%, in line with Green Book[[2]](#footnote-3) guidance.

### Part A: Overall and stakeholder impacts

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| **(1) Overall impacts on total welfare** | | **Directional rating** |
| **Description of overall total welfare impact** | The new regulations have no significant impact on the public sector nor businesses, charities or voluntary bodies. Businesses are not expected to incur any additional costs as a result of the changes in the regulations. This is not expected to have any negative impacts on the safety of the vessel, personnel or natural environment. There are likely to be additional costs on the MCA, which is a public sector cost, to account for MCA PSC inspector’s familiarisation costs.  No impact on households have been anticipated as part of this policy. There will however be some unmonetized benefits from preventing injuries to crew as well as pollution of UK ports and the maritime environment. | **Positive**  **Based on all impacts (incl. non-monetised)** |
| **Monetised impacts** | The total net social present value is estimated to be -£8,400 in the central scenario, ranging from -£4,200 to -£12,600 in the low and high scenarios.  These costs are predominately made up of training costs for MCA PSC inspectors which are a cost to the MCA. | **Negative**  **Based on likely £NPSV** |
| **Non-monetised impacts** | Port State Control is the inspection of foreign ships in national ports to verify that the condition of the ship and its equipment comply with the requirements of international regulations and that the ship is manned and operated in compliance of those rules. If a ship does not comply, the UK coastline is at risk of being polluted by harmful substances which can destroy the environment. Due to limitations in data it is difficult to estimate the benefits in the reduction of such incidents to the UK maritime environment, as such this categorized as a non-monetized impact, there is also a safety impact if the ships which call at UK ports are not compliant with international safety requirements this not only presents a risk of incidents to the crews of ships but also the Port state officers who carry out the inspections and workers at UK ports, thus implementing the necessary requirements reduces that risk . | **Positive** |
| **Any significant or adverse distributional impacts?** | No impact | **Neutral** |

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| **(2) Expected impacts on businesses** | | |
| **Description of overall business impact** | The new Regulations will not have any significant impacts of UK business as Port state controls are targeted at foreign flagged ships which call at UK ports, thus UK flagged vessels are not in scope of the inspections | **Neutral** |
| **Monetised impacts** | As there are no costs to business anticipated the business net present value is estimated at £0m in the central scenario, Low scenario and high scenario  This results in an equivalent annual net direct cost to business of £0m in under each scenario. | **Neutral**  **Based on likely business £NPV** |
| **Non-monetised impacts** | UK businesses might benefit from a cleaner maritime environment as incidents of oil spills and discharges of other harmful substances can impede on the operations particularly businesses which operate within or in close proximity to UK coastal areas. | **Positive** |
| **Any significant or adverse distributional impacts?** | No impact | **Positive** |

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| **(3) Expected impacts on households** | | |
| **Description of overall business impact** | No expected monetary impact on households (or individuals if more appropriate) directly impacted by the Regulations. | **Neutral** |
| **Monetised impacts** | As no impacts are anticipated, the household NPV and EANDCH are expected to be £0. No pass-through costs are anticipated. | **Neutral**  **Based on likely household £NPV** |
| **Non-monetised impacts** | No non-monetised costs or benefits to households have been identified. | **Neutral** |
| **Any significant or adverse distributional impacts?** | As no impacts have been identified, no adverse distributional impacts are expected. | **Neutral** |

### Part B: Impacts on wider government priorities

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| --- | --- | --- |
| **Category** | **Description of impact** | **Directional rating** |
| **Business environment:**  Does the measure impact on the ease of doing business in the UK? | The measure will make the UK relatively more attractive as a Maritime state which can contribute to maintaining its reputation as an appealing place for foreign investment. The measure has no significant impact on market concentration, competition for business, or barriers to entry. | **Supports** |
| **International Considerations:**  Does the measure support international trade and investment? | This measure is likely to support trade, as pollution and disruption from accidents at UK port is disruptive to trade operations. | **Supports** |
| **Natural capital and Decarbonisation:**  Does the measure support commitments to improve the environment and decarbonise? | Some impact on commitment for a cleaner coastal areas and maritime environment | **Supports** |

## 8. Monitoring and evaluation of preferred option

There is no proposal at present to carry out a formal post implementation review of the draft Regulations as the cost to business is below the +/- £10 million threshold. Furthermore, the policy follows the Paris MoU and there is no scope for adjustment outside of that agreement. The proposed Regulations do not implement any new arrangements as they are being made as part of the REUL reform work and are being made in compliance with the requirements of the Paris MoU and relevant International Conventions. In addition to monitoring the volume of visiting foreign ships through the CERS, the Paris MoU secretariat collects performance data from member states and monitors the compliance of ships with its regime and therefore its effectiveness. This is simply a restatement/replacement of the legislation on this matter and is not making any substantive changes to the Port State Control policy or its implementation.

The Paris MoU secretariat compiles ongoing data reflecting the effectiveness of its procedures and based on that information procedures can be adjusted with the appropriate level of approval from Member States. The Paris MoU collects all necessary data on ship compliance and shares with member states. A dramatic change in the volume of foreign ships visiting UK ships would lead to a review or a dramatic increase in marine incidents within the Paris MoU area which are identified as being caused by non-compliant ships would trigger close examination and review within the Paris MoU.

## 9. Minimising administrative and compliance costs for preferred option

No opportunities to reduce the burden on industry have been identified. The primary objective of the 2011 Regulations were to reduce the burden on low-risk ships (DEFINE) whilst focussing resource on the high-risk ships and to ensure that foreign flagged vessels are held the same standards in UK ports as UK vessels are held to in foreign ports. If the UK were to consider reducing the inspection requirement further, whilst it may reduce the burden on business, this approach would not be acceptable as it would not achieve the policy objective of ensuring that high-risk vessels are inspected regularly to ensure compliance with safety standards.

Any reduction in compliance required under the 2011 Regulations would lessen the defence against sub-standard ships and result in an increased risk. The MCA therefore considers that there is no scope for reducing the burden on business. No lessons were learnt from the implementation of the 2011 Regulations and no issues were raised by stakeholders via the stakeholder engagement that was taken to inform the 2016 PIR.

## Declaration

Department for Transport: Maritime and Coastguard Agency

Department:

Contact details for enquiries:

HQ\_Inspectionops@mcga.gov.uk

Prasad Panicker

Director responsible:

I have read the Options Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Prasad Panicker

Signed:

3/3/2025

Date:

## Summary: Analysis and evidence

# For Options Assessment, it is not a requirement to complete all the below, but please complete as much as you can where possible.

### Price base year:

### PV base year:

|  |  |  |
| --- | --- | --- |
| This table may be reformatted provided the side-by-side comparison of options is retained | **1. Business as usual (baseline)** | **3. Preferred way forward (if not do-minimum)** |
| **Net present social value**  (with brief description, including ranges, of individual costs and benefits) | … £0, as this is the counterfactual against which other options are assessed. | The net social present value is estimated at between -£4.2k to -£12.6k, with a central estimate of -£8.4k. |
| **Public sector financial costs**  (with brief description, including ranges) | … £0, as this is the counterfactual against which other options are assessed. | Public sector costs are (in 2023 prices, undiscounted) estimated to be between £5.7k and £17.0k, with a central estimate of £11.3k. This is due to familiarisation and administrative costs. |
| **Significant un-quantified benefits and costs**  (description, with scale where possible) | … £0, as this is the counterfactual against which other options are assessed. | …Higher safety standards mean there would be fewer injuries and fatalities from accidents on ships. The UK businesses might benefit from a cleaner maritime environment as incidents of oil spills and discharges of other harmful substances can impede on the operations particularly businesses which operate within or in close proximity to UK coastal areas. |
| **Key risks**  (and risk costs, and optimism bias, where relevant) | Risk of significant reputational and credibility damage to MCA and HMG and potentially result in ships refusing to comply with directions of PSC officers and in significant exposure to lawsuits for unlawful detention. Risk and cost would be very high | The risks associated with this intervention are considered to be very low. The introduction and implementation of Ambulatory Reference provisions will ensure that the new Regulations remain up to date. |
| **Results of sensitivity analysis** | None | Low, central and high scenarios have been included in the analysis. The EANDCB is estimated to be £0m which shows that it is very unlikely to exceed the +/-£10m EANDCB threshold. |

1. [The Merchant Shipping (Port State Control) Regulations 2011 (legislation.gov.uk)](https://www.legislation.gov.uk/uksi/2011/2601/resources) , Under “More Resources” [↑](#footnote-ref-2)
2. <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-governent/the-green-book-2020> [↑](#footnote-ref-3)