

 <b>Regulatory Policy Committee</b>	<b>OPINION</b>	
<b>Impact Assessment (IA)</b>	The Merchant Shipping (International Safety Management (ISM) Code) Regulations 2013 (“the proposed UK Regulations”)	
<b>Lead Department/Agency</b>	Department for Transport	
<b>Stage</b>	Final	
<b>Origin</b>	European	
<b>IA number</b>	DfT0002	
<b>Date submitted to RPC</b>	30/04/2013	
<b>RPC Opinion date and reference</b>	16/05/2013	RPC11-DfT-0943(2)
<b>OITO Assessment</b>	<b>GREEN</b>	
<p>The IA is fit for purpose. The IA states that the proposal is out of scope on the basis of implementing EU regulation and, where it goes further than the EU regulation, it represents no change on existing UK regulation (section 12, page 8 of the IA). On the basis of the information provided, this appears to be a reasonable assessment and is consistent with the current One-in, Two-out Methodology (paragraphs 2.9.8 ii and 2.9.8 i of the Better Regulation Framework Manual).</p> <p>The IA describes (section 12.1, page 8) how the higher UK requirements are being examined as part of the Red Tape Challenge. A satisfactory justification is provided for why these requirements are being retained for the present.</p>		
<b>Overall quality of the analysis and evidence presented in the IA</b>		
<p><i>Costs and benefits.</i> The proposed UK regulations create the powers to enforce EU regulation 336/2006. The EU regulation goes beyond existing UK requirements by bringing in an additional c30 vessels. However, a survey by the Maritime Coastguard Agency (MCA) shows that all 30 vessels are fully compliant with the requirements of the EU regulation and the MCA expect any new ships joining the UK flag would also be fully compliant. The assessment that the proposed UK regulations will not have any additional impact therefore seems reasonable.</p>		
<p>The proposed UK regulations include requirements for High Speed Craft, which are not covered by the EU regulation. However, these craft are covered by existing UK regulation, which already has a sanction regime in line with that proposed in the new UK regulations. The assessment that the proposed UK regulations will not have any additional impact therefore seems reasonable.</p>		
<b>Signed</b>	<b>Michael Gibbons, Chairman</b> 	