

Merchant Shipping (Code of Safe Working Practices) Regulations 2015

Department for Transport

RPC rating: validated

Description of proposal

UK ships are currently required to carry on board a specified number of copies of the code of safe working practices for merchant seamen (“the code”). The Department proposes to replace this requirement with a non-prescriptive duty on businesses, which still ensures that all seafarers still have access to the code whilst on board vessels.

The Department had originally proposed to revoke the code regulations and rely on more generic health and safety regulations to ensure that seafarers still have access to the code. The Maritime and Coastguard Agency (MCA) would enforce this requirement. Following consultation with stakeholders, the Department has revised its proposal. Stakeholders stated that, while they were in favour of revocation of the code in the interest of reducing costs, they were concerned about the removal of explicit statutory requirements as:

- the code would be less accessible on board some ships;
- revocation would undermine the status of the code as the authoritative guide on health and safety on ships; and
- it would make it harder to enforce carriage of the code on UK ships.

As a result of these concerns, the Department revised the proposals to provide ship owners with the flexibility either to continue carrying hard copies of the code or to have access to the code via a digital CD or an on-line version. This provides a reassurance to fishing crews that they will have access to the code without being too prescriptive on which version to hold.

Impacts of proposal

Stakeholders commented that carrying hard copies of the code, particularly on smaller vessels, would be more realistic than maintaining internet access at sea or using CD copies. The Department, however, expects that the proposals will result in some cost savings from:

- reducing the number of copies of the code that need to be carried;
- switching from hard copies to lower cost digital versions;
- not having to purchase loose-leaf updates; and
- saving staff time as fewer hard copies will need updating.

The IA states that the costs of holding hard copies of the code will fall over time, as the reliability of internet access at sea improves. The Department expects further savings when a more user-friendly digital version is made available.

Overall, the Department estimates an average annual saving of £20 per ship for approximately 5,000 ships. Hence, the Department estimates a total equivalent annual net benefit to business of £0.1 million. The IA combines data from the MCA and UK Ship Register to reach these estimates.

Quality of submission

The IA explains clearly how the Department has revised its proposals following the stakeholder responses to consultation. While there appears to be a degree of uncertainty on the size of the impact, due to potential flexibility offered by the proposal, the assumptions made appear reasonable. The IA would benefit from further discussion of the demands of installing and maintaining an electronic version on shipboard systems, particularly in relation to why this would be more problematic for smaller vessels.

Initial departmental assessment

Classification	OUT
Equivalent annual net cost to business (EANCB)	-£0.10 million
Business net present value	£1.10 million

RPC assessment

Classification	OUT
EANCB – RPC validated	-£0.10 million
Small and micro business assessment	Not required (deregulatory)

Opinion: Validation IA
Origin: Domestic
RPC reference number: RPC-3072(2)-DfT
Date of implementation: October 2015



Michael Gibbons CBE, Chairman