

<p>Title: Post Implementation Review: The Merchant Shipping (International Load Line Convention) (Amendment) Regulations 2018</p> <p>PIR No: DfTPIR0077</p> <p>Original IA/RPC No: DfT00353</p> <p>Lead department or agency: Maritime and Coastguard Agency</p> <p>Other departments or agencies: N/A</p> <p>Contact for enquiries: LoadLine@mcga.gov.uk</p>	Post Implementation Review
	Date: 08/02/2024
	Type of regulation: Domestic
	Type of review: Statutory
	Date measure came into force: 09/03/2018
	Recommendation: Keep
	RPC Opinion: N/A

Recommendation and Summary of Justification

This is a review of the Merchant Shipping (International Load Line Convention) (Amendment) Regulations 2018 (S.I. 2018/155) (**'2018 Regulations'**)¹.

The scope of this post implementation review (**'PIR'**) is set out in the 2018 Regulations, requiring a review of the regulatory provision contained in the 2018 Regulations. However, it should be noted that Schedule 1 of the 2018 Regulations makes amendments to the Merchant Shipping (Load Line) Regulations 1998 (S.I. 1998/2241) (**'1998 Regulations'**)², which includes adding a review provision to those regulations. The review for the 1998 Regulations is dealt with separately from this document.

The 2018 Regulations implement the International Convention on Load Lines, 1966 (**'the Convention'**), as modified by the Protocol of 1988 relating to the Convention (**'the Protocol'**), and all amendments to the Convention and the Protocol into the United Kingdom's (**'UK'**) domestic law (see Annex A for further detail).

The 2018 Regulations were not considered high profile or contentious but sought to address international updates to the Convention/Protocol on load line requirements, which regulate technical detail in relation to the loading, stability and watertight integrity of ships as well as including provision for the survey, certification and inspection of ships in order to ensure compliance with the 2018 Regulations. Furthermore, the 2018 Regulations were intended to meet the demands of industry, to whom the Convention/Protocol applied, who requested that future amendments to the Convention/Protocol be incorporated into UK law by ambulatory referencing (see Annex B for further details).

Overall, the evidence gathered for this PIR regarding the efficacy of the 2018 Regulations indicate that they achieve their objectives and implement international updates to the Convention/Protocol. They act as part of a harmonised approach to safety at sea and align the UK's standards with international standards. The Maritime and Coastguard Agency (**'MCA'**) conclude that the 2018 Regulations are fit for purpose and recommend that they should be **kept**.

¹ <https://www.legislation.gov.uk/uksi/2018/155/contents/made>

² <https://www.legislation.gov.uk/uksi/1998/2241/contents/made>

1. What were the policy objectives of the measure?

The policy objectives of the 2018 Regulations were divided into two distinct areas:

- (i) transposition of outstanding amendments to the Convention/Protocol into UK law; and
 - (ii) introduction of ambulatory referencing (see Annex B for further detail).
- (i) The 2018 Regulations made provision that applies to all merchant ships of 24 metres or more in registered length (or of 150 gross tons or over if built before 21st July 1968) which operate internationally, other than certain categories which are specifically excepted. These categories include warships, ships engaged only on governmental non-commercial service, pleasure vessels, fishing vessels and ships navigating certain limited routes specified in the Convention.

These objectives were implemented in the 2018 Regulations by amending the 1998 Regulations, ostensibly removing the provisions that apply to those vessels to which the Convention/Protocol apply (as defined in the Convention/Protocol) and updating and recasting them. In making provision for international shipping in this way, the 2018 Regulations transposed the outstanding amendments that had been made to the Convention/Protocol into UK law. Overall, the amendments to the Convention/Protocol constitute, in essence, a large number of technical amendments (see Annex A for further detail).

The 1998 Regulations continue to apply (subject to certain limited exceptions) to UK ships to which the 2018 Regulations do not apply, i.e. to UK ships on domestic voyages and on international voyages but under 24 metres or under 150GT (as the case may be), and to non-UK ships in UK waters which are operating internationally but which do not meet the size or weight criteria in the Convention or are on domestic voyages (in UK waters). Thus, two independent regimes were created by the 2018 Regulations.

- (ii) The inclusion of ambulatory referencing in the 2018 Regulations requires ships to comply with the Convention/Protocol in its up-to-date form which ensured the UK is always up to date with the transposition of the Convention/Protocol.

This approach means that international updates to the Convention/Protocol automatically have effect in UK domestic law and will not require the UK to make amending regulations to update UK law. However, ahead of any amendment coming into force in UK law through an ambulatory reference, it will be publicised in advance through a Parliamentary Statement to both Houses, and through a Marine Guidance Note (See Annex A for further detail).

The benefits of ambulatory referencing include providing a transparent, accessible and up to date legal regime which, ultimately, will reduce legal uncertainty and red tape for industry. It also reduces the administrative burden of implementing future technical changes to the Convention/Protocol, thus saving time and resources for the UK Government.

Furthermore, by ensuring that the UK is always up to date with the transposition of the Convention/Protocol, ambulatory referencing provides the UK with the legal authority to certify its own ships to the relevant standards. Timely implementation will mean that UK ships plying internationally can properly be issued with certificates that confirm compliance with relevant international rules. This will mitigate the risk of UK ships being detained in non-UK ports for non-compliance, avoiding expensive delays and inconvenience for UK flagged ships trading internationally, and shoring up the UK's status as a leading maritime nation. At the same time, it enabled the UK to take enforcement action against non-compliant ships, ensuring that UK owners and operators, most of which comply as a matter of course with Convention/Protocol requirements could continue their global operations and were not at a disadvantage.

The UK, as a signatory to both the Convention and its Protocol, has an obligation to implement any changes to the Convention/Protocol. Ambulatory referencing allows future technical changes to the Convention to be implemented in a timely manner. This has avoided a poor audit performance under the mandatory International Maritime Organization ('IMO') audit scheme, shoring up the UK's "low risk

status” and thereby avoiding any increase in the frequency, and associated cost, of inspections for UK flagged vessels in foreign ports.

At the same time, improving the way international law is implemented will reflect the UK's ambition to make its flag a more attractive place to do business, as well as protecting the UK's reputation as a world-class maritime administration, both with industry and the international institutions with responsibility for maritime policy (such as the European Union ('EU') and the IMO).

2. What evidence has informed the PIR?

Based on the proportionality criteria in the Better Regulation Framework Manual ('BRFM') and Magenta Book, a low level of resource has been used to inform a “light-touch review” of the evidence base.

The PIR uses the following evidence:

- The impact assessment that was undertaken at the time of the implementation of the 2018 Regulations ('2018 IA')³. The level of analysis undertaken was in line with the depth of available information.
- IHS World Fleet data for UK registered vessels⁴

Taking account of the low evidence base, previous discussions with industry stakeholders that agreed it would be difficult to monetise the impacts given the insignificance of the majority of changes due to the fact that, as a whole, the Convention imposes largely minor obligations at a highly technical level and is primarily designed to provide information to ship operators on the safe operation of vessels (as noted in the 2018 IA), the MCA consider it disproportionate to undertake a consultation exercise to inform this review that will most likely yield little to no new information.

Additionally, the MCA regularly engages with industry using a variety of methods and channels. These include participation by industry in various working groups, UK surveyors surveying UK ships, liaison between MCA Customer Service Managers and UK shipbuilders and ship operators, and various other channels.

Although questions relating to the 2018 Regulations and 1998 Regulations may not be specifically asked, industry has various and regular opportunities to ask questions or to raise concerns with the MCA and, to date, the MCA has received no feedback that the 2018 Regulations depart from international standards or place undue burdens on UK ships.

3. To what extent have the policy objectives been achieved?

Overall, the MCA concludes that the 2018 Regulations have been implemented effectively and are in widespread compliance.

The objective of the 2018 Regulations was to enhance safety by implementing the Convention/Protocol, which contain technical requirements in relation to the loading, stability and watertight integrity of ships. Compliance with the 2018 Regulations is measured via the MCA's survey, certification and inspection regimes.

Limited data is available on UK ship inspections at foreign ports, as provided by the Paris MOU website. This showed that there were 19 deficiencies found on UK ships relating to the International Load Line

³ https://www.legislation.gov.uk/ukia/2018/33/pdfs/ukia_20180033_en.pdf

⁴ Provided by Department for Transport maritime freight statistics team.

Convention (implemented by the 2018 Regulations) in the period 9 March 2018 to 21 February 2023. During the period 2018 to 2022, a total of 1,116 inspections were carried out on UK flagged vessels under the Paris MOU regime.⁵ This suggests that the level of compliance is relatively high. However, information on Load Lines prior to the introduction of the regulations is not available, and therefore no comparison can be made with data recorded prior to the introduction of the policy.

The 2018 Regulations also introduced the use of ambulatory referencing to keep UK law up to date with changes to the Convention/Protocol without the need for amending the UK legislation. No technical changes to the Convention/Protocol came into force internationally for some time after the 2018 Regulations were made. However, a new technical amendment to the Protocol came into force on 1 January 2024, with no negative impacts or difficulties identified. This amendment, and, by extension, the use of ambulatory reference, will be fully overseen by the MCA and reviewed and reported upon in the next PIR review cycle.

By way of further background to the use of ambulatory referencing, Government intervention was required to ensure the UK meets its obligations as a signatory to the Convention, provide legal certainty and maintain a level playing field for UK shipowners/operators by enabling enforcement for non-compliance of non-UK ships in UK waters.

Sign-off for Post Implementation Review: Director, UK Maritime Services and Minister

I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.

Signed: Katy Ware

Date: 05/02/24

Signed: Davies of Gower

Date: 16/04/24

⁵ Paris MOU annual reports, https://parismou.org/publications?field_news_category_target_id=4

4. What were the original assumptions?

The 2018 IA⁶ considered three policy options:

- Option 0: do nothing.
- Option 1: Bring UK law in line with recent updates to the Convention/Protocol requirements by transposing them into UK law via traditional statutory instruments and without including an ambulatory reference provision for future amendments and
- Option 2: Bring UK law in line with recent updates to Convention/Protocol requirements and introduce ambulatory referencing to refer UK industry to the most up to date international Load Line legislation.

'Do nothing' was not considered an option as the UK, as a signatory to the Convention/Protocol, has an obligation to implement any changes to the Convention/Protocol into UK law.

Option 1 would have implemented outstanding amendments to the Convention/Protocol by transposition into secondary legislation, i.e., without ambulatory reference. This option was considered to take longer to implement than Option 2, would fail to address industry's concerns and only be a temporary fix as any new updates to the Convention/Protocol would not immediately have effect and thus render the regulations in UK Law out of date and in need of amending. The MCA concluded that this option would therefore lack effectiveness, be resource intensive and continue the cycle of spending public money on implementing legislation inefficiently.

Option 2 would have incorporated the outstanding international amendments into UK law and introduce ambulatory referencing by which future amendments would be introduced more efficiently, and at lower cost to the taxpayer. Additionally, this option has the support of the UK shipping industry.

Option 2 was the preferred option and the 2018 IA explored the costs/benefits of implementation against the baseline of the 'Do Nothing' option.

The 2018 IA attempted to qualitatively assess the additional costs and benefits of the 2018 Regulations over a ten-year appraisal period, reporting costs and benefits as "non-quantified" (NQ).

The impact assessment used the assumption that the trend for ships joining and leaving the UK flag continued as it had for the 24 months prior to the impact assessment for the 2018 Regulations being carried out. No detail of the assumption used was given. However, IHS World Fleet data provided by the Department of Transport showed that between 2017 and 2018 the flag grew at a rate of -1.7%, whilst the flag grew at an average rate of -2.1% over 2018 to 2021.⁷ This suggests that the assumption was reasonable, as growth has remained at approximately -2%.

The other key assumption was that operators have already complied with the latest revisions of the Convention and the Protocol. This meant that the cost was considered neutral as it had already been incurred. This assumption was supported by port State control ('PSC') (the inspection regime utilised by the MCA to inspect vessels calling at UK ports) data and the fact that ships' operators will comply to mitigate the potential for delays at PSC which can be very costly due to the logistical implications.

To inform the 2018 IA, the MCA consulted a major classification society⁸ to seek their views on the cost implications of the identified amendments and place each in a 'cost category'. Nine of the ten identified amendments were considered 'cost neutral' with one being considered 'change was cost saving which cannot be quantified' (see 2018 IA Annex A for full breakdown⁹).

⁶ https://www.legislation.gov.uk/ukia/2018/33/pdfs/ukia_20180033_en.pdf

⁷ IHS World Fleet. Data includes UK registered vessels only, 2017 to 2021.

⁸ Classification societies are private organisations that establish and maintain technical standards for the construction and operation of ships. They also carry out regular surveys of ships on behalf of the flag stat in order to ensure compliance with the Convention standards.

⁹ https://www.legislation.gov.uk/ukia/2018/33/pdfs/ukia_20180033_en.pdf

As previously stated, the MCA regularly engages with industry using a variety of methods and channels, including participation by industry in various working groups and since the 2018 Regulations were made, the MCA has not received any information that suggests that the assumptions that ships were already compliant and that any costs and benefits were negligible and already incurred prior to implementation were inaccurate.

5. Were there any unintended consequences?

The MCA have not been made aware of any unintended consequences in the 2018 Regulations. The 2018 Regulations are considered to have little substantive impact as ships were already complying with the international standards which had been in force for some time before entering into UK law.

The use of ambulatory reference was a new innovation when the 2018 Regulations were made, and no issues have been reported to the MCA relating to its use in this or in other UK statutory instruments ('SI'). As mentioned above, the first time the ambulatory reference provision in the 2018 Regulations has had an impact is the international amendments that came into force on 1 January 2024 (to Annex I of the Load Line Convention). The MCA will continue to monitor the impact of this change. Prior to the international amendments coming into force (and at the same time entering into force in domestic law) the MCA will issue guidance and make a written statement to Parliament; this is in accordance with the commitment given by the Secretary of State in the Explanatory Memorandum which accompanied the Load Line Regulations.

Three responses were received in the consultation for the 2018 Regulations from stakeholders and stakeholder representative groups. None of the respondents disagreed with the MCA's interpretation of the application of the Convention and Protocol, nor did they disagree with the MCA's interpretation of the post-1988 Amendments to the Convention/Protocol.

6. Has the evidence identified any opportunities for reducing the burden on business?

The MCA has not identified any opportunities for reducing the burden on business. Shipping is an international industry and the reflective regulatory framework, as set out in international conventions such as the International Load Line Convention, allows industry to operate on a globally level playing field where fair and open competition is not favoured by substandard vessels.

However, further consideration should be given as to whether it would simplify things for industry to combine the 1998 Regulations and 2018 Regulations into one piece of legislation covering the requirements of the Convention/Protocol. However, the 2018 IA did originally discount this as being an approach that is potentially confusing for industry.

Furthermore, Government intervention was deemed to be necessary to ensure the UK meets its obligations as signatory to the Convention/Protocol, provide legal certainty and maintain a level playing field for UK shipowners/operators by enabling enforcement for non-compliance of non-UK ships in UK waters.

7. How does the UK approach compare with the implementation of similar measures internationally, including how EU member States implemented EU requirements that are comparable, or now form part of retained EU law, or how other countries have implemented international agreements?

The 2018 Regulations do not form part of Retained EU Law. Instead, they implement an international convention developed at the IMO, to which the UK is a signatory. It is therefore not considered necessary

to compare them extensively with the implementation in EU countries. Instead, a comparison has been made against a number of different countries, including one EU member State.

Canada has implemented the Convention/Protocol through the Load Line Regulations 2007 made under the Canada Shipping Act 2001. This does not apply to Canadian domestic ships. Canada does not have ambulatory referencing to keep their regulations up to date¹⁰.

Australia has implemented the Convention/Protocol through the Marine Order 16 (Load Lines) 2014. However, this Order does not apply it to Australian domestic ships. Additionally, Australia does not have ambulatory referencing to keep their regulations up to date¹¹.

Ireland has implemented the Convention/Protocol through the Merchant Shipping (Load Line) Rules 2001. This does appear to include Irish domestic ships. It also does not implement ambulatory referencing to keep the regulations up to date¹².

In comparison, the UK has an effective approach as the inclusion of an ambulatory reference provision means it is simpler for the 2018 Regulations to be kept up to date with international amendments to the Convention and its Protocol.

¹⁰ <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2007-99/FullText.html>

¹¹ <https://www.legislation.gov.au/Details/F2019C00889>

¹² <https://www.irishstatutebook.ie/eli/2001/si/424/made/en/print>

Summary

➤ Post Implementation Review:

The obligations to be met in this post implementation review are contained in the 2018 Regulations. However, the 2018 Regulations also amend the 1998 Regulations and insert a separate review provision into those Regulations. The review of the 1998 Regulations has been addressed elsewhere.

➤ Territorial Extent and Application of the Regulations:

This instrument applies to all United Kingdom ships. The territorial application of the instrument (subject to any limited exceptions in relation to categories of ship) is to all United Kingdom ships of 24 metres or more operating internationally, and to non-United Kingdom ships of 24 metres or more while in United Kingdom waters and which are operating internationally.

➤ Recommendation:

Keep - The MCA recommend that the 2018 Regulations are fit for purpose and should be kept. The MCA monitor all avenues of feedback regarding the implementation, adoption, and continual applicability of these regulations (and other regulations) through, for example:

- the MCA host various stakeholder meetings that give a broad section of industry and representative bodies the opportunity to feed back on the efficacy of various aspects of maritime legislation;
- liaison between MCA Customer Service Managers and UK shipbuilders and ship operators;
- contact with surveyors through the survey and certification system;
- enforcement branch where applicable;
- the post implementation review process, including, where applicable, data analysis and consultation.

➤ Cost Summary:

The underpinning assumption that implementing the 2018 Regulations was effectively cost neutral appears to be reliable.

➤ Proportionality:

Low – The MCA have adopted a proportionately light touch approach to this review. The 2018 Regulations implement international standards that were already in effect and being adhered to. At the time of implementation, they were not contentious, introduced a relatively low cost / benefit and no other Department had a vested interest.

➤ Lessons Learned:

No particular lessons have been identified as part of this review.

➤ Next Steps:

The post implementation review process is a cyclical mechanism resulting in a published recommendation every 5 years. The next review is due to be published before 9 March 2028.

Annex A – Load Lines

Load Lines

Load line rules are based on Samuel Plimsoll's historic work (the "Plimsoll Line") and were adopted for the first time internationally in the early part of the 20th Century. They enhance the safety of ships and their crews and cargo globally. Load lines marked on a ship indicate the maximum safe loading of a ship in specific conditions. They are calculated by reference to the load line mark (a ring with a horizontal line across its diameter) and the (higher) deck line, taking into account the density of the water, which may vary according to the zone or area the ship is in. The freeboard is, in simple terms, the distance between the deck line and the load line.

The rules also cover watertight integrity and drainage issues which affect a ship's stability. Such safety standards also mean a lower risk of damage to the environment from spillage of oil and other materials due to a ship foundering or being compromised in some way.

International Convention on Load Lines

It has long been recognised that limitations on the draught to which a ship may be loaded make a significant contribution to the safety of the ship. These limits are given in the form of freeboards, which constitute, besides external weathertight and watertight integrity, the main objective of the Convention.

The first International Convention on Load Lines, adopted in 1930, was based on the principle of reserve buoyancy, although it was recognized then that the freeboard should also ensure adequate stability and avoid excessive stress on the ship's hull as a result of overloading.

On 5 April 1966, the new International Convention on Load Lines was adopted. It entered into force on 21 July 1968.

In the 1966 Load Lines Convention makes provision for determining the freeboard of ships by subdivision and damage stability calculations.

The regulations take into account the potential hazards to ships present in different zones and different seasons. The technical annex contains several additional safety measures concerning doors, freeing ports, hatchways and other items. The main purpose of these measures is to ensure the watertight integrity of ships' hulls below the freeboard deck.

All assigned load lines must be marked amidships on each side of the ship, together with the deck line. Ships intended for the carriage of timber deck cargo are assigned a smaller freeboard as the deck cargo provides protection against the impact of waves.

The Convention includes three annexes.

Annex I is divided into four Chapters:

- Chapter I - General;
- Chapter II - Conditions of assignment of freeboard;
- Chapter III - Freeboards;
- Chapter IV - Special requirements for ships assigned timber freeboards.

Annex II covers Zones, areas and seasonal periods.

Annex III contains certificates, including the International Load Line Certificate.

Various amendments were adopted in 1971, 1975, 1979, and 1983 but they required positive acceptance by two-thirds of Parties and never came into force.

The 1988 Protocol, adopted in November 1988, entered into force on 3 February 2000. As well as harmonizing the Convention's survey and certification requirement with those contained in the SOLAS and

MARPOL conventions, the 1988 Protocol revised certain regulations in the technical Annexes to the Load Lines Convention and introduced the tacit amendment procedure, so that amendments adopted will enter into force six months after the deemed date of acceptance unless they are rejected by one-third of Parties. Usually, the date from adoption to deemed acceptance is two years.

All amendments to the Load Line Convention and Protocol are negotiated in the IMO, and the UK will make any proposals it thinks fit during those negotiations. Although no undesirable outcomes are expected at negotiation stage, if the agreed text of an amendment is deemed unacceptable, the UK can reject it in accordance with Article 29 of the ILLC/ILLP. Regardless of whether the UK rejects an amendment, the Secretary of State will have the power to prevent such an amendment coming into force in the UK or revoke it if already in force. However, the likelihood of this is thought to be remote because the amendments will have been negotiated between IMO member states, including the UK, and industry and union representatives, before coming into force.

Annex B – Ambulatory Reference

Definition of ambulatory reference

An ambulatory reference for the purposes of the Regulations is a reference in domestic legislation to an international instrument which is interpreted as a reference to the international instrument as modified from time to time (and not simply the version of the instrument that exists at the time the domestic legislation is made).

What does an ambulatory reference achieve?

Once an ambulatory reference to an international Convention, or part of an international Convention, is included in a Statutory Instrument (SI), new amendments to the Convention (or the referenced part of the Convention, if only part of it is referenced) will automatically become UK law. No additional SIs/ amendments to existing SIs will be required to bring such amendments into force.

Enabling Power to make Ambulatory Reference

The Deregulation Act 2015 included a new power to make ambulatory references to international instruments by inserting new section 306A of the Merchant Shipping Act 1995 (MSA 95). This power is most useful for “technical”, and therefore non-controversial, aspects of the Convention.

What assurances are in place to prevent undesirable amendments to international conventions automatically coming into force?

1. A new SI must be created to introduce an ambulatory reference to an international convention. The suitability of the international convention will be assessed (taking into consideration the nature of amendments and the likelihood of whether they will be controversial) prior to the use of ambulatory reference being approved.
2. The United Kingdom may block international measures with which the UK does not agree coming into force domestically by objecting to them in the IMO. This right will be exercised only in exceptional circumstances; however, this “opt-out” it is not expected to be used frequently, if at all, because:
 - any UK arguments deemed necessary to shape the amendments will have been put forward at the international negotiation stage;
 - the amendments, being of a technical nature, are not expected to be politically controversial;
 - the amendments, once agreed, will in any case be binding on the international community and therefore it will be necessary for UK ships wishing to operate internationally without hindrance to comply in any event.
3. The final step to ensuring the amendment does not become incorporated into domestic law after the UK has objected to it, is to make an amendment to the legislation in which the amended obligations are contained in order to exclude that particular provision.

Regulatory process supported by the Better Regulation Executive for ambulatory reference measures

In brief, the process will require:

- an ambulatory reference provision to be included in secondary legislation which will follow the full Parliamentary and regulatory processes;
- subsequent technical amendments during the international negotiation process will continue to be subject to:
 - consideration of high level impacts
 - stakeholder engagement

- full Post Implementation Review to be undertaken to evaluate whether the policy has achieved its goal and is still valid, and also evaluate the costs and benefits of all the technical amendments enacted since the previous review (or impact assessment)

The proposed approach streamlines the traditional regulatory process and directs it where the greatest influence can be achieved - the negotiation stage. The principles of Better Regulation are still captured:

- Alternatives to regulation – prior to work commencing on any proposal at the IMO, a case for action must be demonstrated against the following criteria: practicality, feasibility and proportionality; costs and benefits to industry, including legislative and administrative burdens; and alternatives to regulation.
- Consultation – industry is represented at the IMO through non-governmental organisations, which are heavily involved in early stage policy development, contributing to working and drafting groups where policy is designed, as well as participating in plenary where policy is examined. Industry representatives are invited to meetings hosted by the MCA prior to IMO sessions to assist with the development of the UK's negotiating position.
- Assessment of Impact – a high level consideration of impact is undertaken at proposal stage to inform the UK's negotiation position. Post Implementation Reviews will be used to assess the robustness of the original assessment and will be timed to ensure they can feed into negotiations for future rounds of amendments.

How does ambulatory reference support economic growth?

The UK's ability to implement international agreements efficiently and effectively is important to the commercial shipping sector for a number of reasons:

- timely implementation means that UK ships plying internationally can properly be issued with certificates that confirm compliance with relevant international rules. Recent experience with the Maritime Labour Convention has highlighted a risk that current implementation practice could result in the UK delaying ratification of major agreements, potentially restricting the participation of UK shipping in international trade;
- the uniform implementation of international rules in all contracting States is vital in order to achieve a level playing field for UK ships that trade internationally. The UK must be capable of certifying its own ships to the relevant standards; failure to do so makes it much more likely that a UK ship will be detained in a non-UK port for non-compliance. We must also be able to enforce those same standards against non-UK ships in UK ports, to ensure that compliant UK ships are not disadvantaged;
- current implementation practice has created a complicated and disjointed regulatory regime that diverges significantly from the international structure. This creates administrative burden for industry, because of the needless duplication of effort needed to ascertain the domestic legal position, and because of the unnecessary complexity of the domestic regime;
- a transparent, accessible and up-to-date legal regime is a vital component of a quality flag. Improving the way we implement international law will reflect the UK's ambition to make its flag a more attractive place to do business, as well as protecting our reputation as a world-class maritime administration, both with industry and the international institutions (such as the EU and the IMO) with responsibility for maritime policy;
- when discussing technical matters with overseas clients or shipyards and designers, it helps to have a common source of reference. Those working within the UK regime will be familiar with the UK's implementation, but those in other States will have no knowledge of it;
- when an owner wishes to change flag to the UK, the ship will have been constructed to the international requirements. Differences in UK law (occasionally deliberate gold-plating, but mostly differences in legislative drafting styles and delays in implementing amendments) make

assessing a ship's compliance unnecessarily complicated and may create additional hurdles capable of discouraging owners from transferring to the UK.