

HELEN MCCORMICK I DECEMBER 2023

New UK Workboat Code enters into force

Entry into force on December 13 of the UK's new code of practice for the safety of small workboats and pilot boats completes a process that was initiated to draw together regulations on small commercial vessel safety and support advances in technology across the sector, writes <u>Helen McCormick</u>.

<u>The Workboat Code Edition 3</u> entered into force on December 13, given legal effect by <u>The Merchant Shipping (Small Workboats and Pilot Boats) Regulations 2023.</u>

The new Code provides a revised framework for certification of the UK's fleet of commercial support craft. It will apply to existing vessels previously certificated under the 'Brown Code' (Workboat Code Edition 2) from their next renewal examination or three years after entry into force - whichever is later-unless explicitly waived. New vessels whose keels are laid after entry into force of the Code must meet Workboat Code Edition 3 requirements in full.

Authored by the Maritime and Coastguard Agency, the Code Edition 3 merges three necessary regulations into one document, so workboat owners and operators have a single source for the safety requirements expected of them. It also prepares the sector for emerging technologies by including the world's first maritime safety legislation for the development of remotely operated unmanned vessels and workboats using alternative fuels.

Edition 3 was completed in collaboration with an Industry Working Group including the British Marine International Institute of Marine Surveying, Lloyd's Register, Mecal, the Royal Yachting Association, the Society of Consulting Marine Engineers and Ship Surveyors, The Workboat Association, and the Yacht Designers and Surveyors Association.

While the drafting process did not always run smoothly (reported HERE), industry qualms over the new Code were largely muted by the time of the British Tug Owners' Association annual safety seminar in London (at Insurance Hall, London, November 16). A subsequent presentation by the MCA's Rob Taylor at the Workboat Association AGM (Oulton Hall, Leeds, November 21-22) on the Workboat Code 3 and its transition arrangements was well received.

In comments given to coincide with entry into force of the new Code, MCA Chief Executive Virginia McVea said: "Months of consultation, study and refinement have delivered a unified set of clear workboat rules, which operators can rely on to run their activities safely and securely.

We now have a code that is more easily accessible, simpler to understand and better able to drive forward the safety and prosperity of the UK's workboat sector and wider marine economy."

In the last week before the Christmas break, The Workboat Association hosted meetings focusing on the fine details of the statutory guidance. Topics covered including a range of equipment issues, safety and pollution, alternative fuels, manning, and (in Appendix 9) transitional arrangements. By way of supplement, the MCA also issued Marine Information Notice 698 offering best practice guidelines for small workboats and pilot boats certified under Workboat Code Edition 3.

For further information, please contact:



Helen McCormick

Managing Associate and Director of CTRL Marine Solutions and Senior Associate at CJC

Helen@CJCLaw.com

Campbell Johnston Clark Limited (CJC) is an international law firm specialising in shipping and international trade. With almost 70 staff worldwide, CJC has offices in London, Newcastle, Singapore and Miami. The firm has a strong presence in the London and overseas shipping markets with clients and fellow practitioners alike.

CJC advises on all aspects of shipping and international trade law, from ship finance to dry shipping and comprehensive casualty handling, and everything in between. Our clients are based around the globe and include leading operators, ship owners, Fortune 500 and FTSE listed companies, start-up ventures, investment banks, private equity houses, P&I clubs, hull & machinery, and liability insurers.

© 2023 Campbell Johnston Clark Limited. All rights reserved.