EXPLANATORY MEMORANDUM TO

THE MERCHANT SHIPPING (STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING) REGULATIONS 2022

[2022] No. [XXXX]

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Transport ("the Department") and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 This instrument revokes and replaces the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015 (S.I. 2015/782) ("the 2015 Regulations"). The instrument implements the most up to date version of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 ("the STCW Convention") into United Kingdom law as at the date of the instrument. The instrument makes provision not included in the 2015 Regulations, including provision relating to the approval of training providers, provision for the charging of a fee for such approvals and an extension of the application of the requirements for seafarers operating large pleasure vessels, as well as consequential amendments.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 This instrument revokes subordinate legislation made under section 2(2) of the European Communities Act 1972. It therefore engages the procedural and publication requirements of paragraphs 13 to 15 of Schedule 8 to the European Union (Withdrawal) Act 2018, which have been complied with.

3.2 The Secondary Legislation Scrutiny Committee, in its 21st Report of Session 2017-19, included an exchange of correspondence between the Committee and the Department in relation to the implementation backlog of international maritime conventions. The Committee, in its 17th Report of Session 2019-21 and in its 11th Report of Session 2021-22, included further correspondence from the Department which described the steps it was taking to address the backlog. These Regulations are one of the statutory instruments, identified in that correspondence, which implement outstanding international obligations to which the Department referred in that correspondence. On 19th October 2021, Robert Courts MP appeared before the Committee to provide a further update on the backlog and to explain how it will be discharged by the Department and the Committee reported on the outcome in its 17th Report of Session 2021-22. Further correspondence from Robert Courts MP and Trudy Harrison MP, providing detail on the progress made to clear the backlog, was included in the Committee's 37th Report of Session 2021-22.

3.3 The Hovercraft (Application of Enactments) and Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Amendment Order 2022 (S.I. 2022/844)

amended the Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996 (S.I. 1996/282) ("the 1996 Order") to permit regulations made under that Order to provide for custodial sanctions. This instrument is the first use of the amended power in the 1996 Order.

4. Extent and Territorial Application

4.1 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales, Scotland and Northern Ireland.

4.2 The territorial application of this instrument (that is, where the instrument produces a practical effect) is to United Kingdom trained seafarers and to other seafarers when on board seagoing ships and hovercraft registered in the United Kingdom and, in relation to manning, to seagoing ships and hovercraft registered in the United Kingdom ships and to other ships and hovercraft in United Kingdom waters.

5. European Convention on Human Rights

5.1 The Secretary of State for Transport, Mark Harper MP, has made the following statement regarding Human Rights:

"In my view the provisions of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022 are compatible with the Convention rights."

6. Legislative Context

6.1 The latest amendments to the STCW Convention came into force on 1st January 2017 and 1st July 2018. The amendments relate to new requirements for seafarers serving on ships subject to the International Code of Safety for Ships Using Gases or Other Low-Flashpoint Fuels (IGF), those that operate in polar waters, and passenger ships, and are contained in IMO Resolutions MSC.396(95), MSC.397(95), MSC.416(97) and MSC.417(97). These amendments, apart from the new requirements for seafarers working in polar waters, are implemented into United Kingdom law by this instrument, which replaces the 2015 Regulations. The training and manning requirements for those seafarers working in polar waters are implemented in the Merchant Shipping (Polar Code) (Safety) Regulations 2021 (S.I. 2021/1401).

6.2 The former implementation of the STCW Convention into United Kingdom law has an EU context. The STCW Convention was incorporated into European law by way of Directive 94/58/EC of 22nd November 1994, which was subsequently recast as Directive 2008/106/EC. Following substantial amendments made to the STCW Convention in 2010 (the Manila Amendments), Directive 2012/35/EU was adopted and which member States were required to implement in order to implement the updates to the STCW Convention. The obligation to implement any further EU law requiring implementation of the STCW Convention ceased at 11 p.m. on 31st December 2020 but the obligation in international law to implement the STCW Convention remains.

6.3 Future amendments to provisions of the STCW Convention, the Seafarers' Training, Certification and Watchkeeping Code, the International Convention for the Safety of Life at Sea, 1974, the Radio Regulations[1], the International Code of Safety for High

[1] The "Radio Regulations" are the Radio Regulations annexed to, or regarded as being annexed to, the Constitution and Convention of the International Telecommunication Union, 1992.

Speed Craft 2000, the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, the International Code of Safety for Ships Using Gases or Other Low-Flashpoint Fuels ("the IGF Code") and the International Ship and Port Facility Code referred to in the Regulations, will be automatically incorporated into the Regulations pursuant to an ambulatory reference provision contained in the Regulations (regulation 4).

6.4 The United Kingdom will, nevertheless, be able to continue to scrutinise and assess the impact of an amendment (and, if necessary, object to it) well before any amendment is due to come into force, which will inform decision making. United Kingdom industry and workers' representatives will also be involved at the stage that the United Kingdom negotiating strategy is being formulated and will be able to influence it. If an amendment is objected to by the United Kingdom but will come into force internationally, the Secretary of State will make amending secondary legislation to prevent that amendment having effect domestically. An amendment that is accepted will be publicised in advance of its in-force date by means of a Parliamentary Statement to both Houses of Parliament and by way of a Marine Guidance Note, which will be available from the Maritime and Coastguard Agency (MCA) of Spring Place, 105 Commercial Road, Southampton SO15 1EG and on https://www.gov.uk.

7. Policy background

What is being done and why?

7.1 This legislation is being made in order that the United Kingdom can meet its international obligations in respect of the STCW Convention. As well as replacing the 2015 Regulations, this instrument implements amendments to the STCW Convention that have come into force since the 2015 Regulations were made. The instrument implements the requirements of International Maritime Organization (IMO) Resolutions MSC.396(95), MSC.397(95), MSC.416(97) and MSC.417(97) for seafarers serving on ships subject to the IGF Code and passenger ships. The requirements for seafarers working on ships operating in polar waters that are contained in MSC.416(97) and MSC.417(97) are implemented in the Merchant Shipping (Polar Code) (Safety) Regulations 2021 (S.I. 2021/1401).

7.2 The STCW Convention came into force in 1984. The STCW Convention was the first international treaty to establish the minimum basic requirements and qualification standards of training, certification and watchkeeping for seafarers.

7.3 The United Kingdom is a member of the IMO and is a party to the STCW Convention, of which there are a further 164 parties, estimated to represent over 99% of global shipping. Being a party allows the United Kingdom to issue internationally recognised seafarer certification, which enables United Kingdom ships to trade internationally and United Kingdom seafarers to take up employment opportunities on ships that operate internationally. As a party to the Convention, the United Kingdom is required to implement any amendments to the Convention that it has accepted into United Kingdom law.

7.4 Implementing these amendments to the STCW Convention ensures seafarers on these types of specialised ships can undertake the required additional training and be issued with the necessary certification to demonstrate the appropriate level of competency. This will allow United Kingdom seafarers to take up employment on these particular

ships. Implementation will also ensure that training providers approved by the Maritime & Coastguard Agency (MCA), on behalf of the Secretary of State, can train and certify United Kingdom seafarers and those outside of the United Kingdom.

7.5 The instrument also makes provision that was not contained in the 2015 Regulations. The definition of "seafarer" has been clarified to ensure that all persons, including non-employed crew, and engaged in the operation or navigation of a pleasure vessel to which the instrument applies (24 metres in length or over or 80 GT or over) are subject to the instrument (regulation 5).

7.6 Regulation 48 of the Regulations (provision and quality of training) clarifies the position of the Secretary of State in relation to the approval of training providers, as well as the right to suspend or cancel the approval. The authority of a training provider to issue a certificate of proficiency is also clarified.

7.7 Provision for charging training providers for training approval is also specifically included in the instrument and by way of amendment to the Merchant Shipping (Fees) Regulations 2018 (S.I. 2018/1104). MCA surveyors approve seafarer training and educational courses that are required for a seafarer to obtain qualifications to take up employment on ships. This process is supported by back-office staff, who provide guidance and manage the administration of the approval and reapproval process. Training providers must be assessed to ensure they provide the training required by the STCW Convention. In line with the Treasury's publication, 'Managing Public Money'[2], the MCA must seek to recover the cost for the services it provides (see paragraphs 6.2.4 and 6.3.5 to 6.3.7 of that publication).

7.8 The offences and penalties in the 2015 Regulations have been remade in the instrument. In addition, offences in relation to the provision of training are included. Powers to approve equivalents and alternative certification, as permitted by the STCW Convention, are included in the instrument.

7.9 The instrument also contains transitional and savings provisions. Certificates issued, documentary evidence provided, and approvals given under the 2015 Regulations continue to be valid under these Regulations. Certificates issued by countries other than the United Kingdom and parties to the STCW Convention (other than the United Kingdom) also continue to be recognised under these Regulations.

8. European Union Withdrawal and Future Relationship

8.1 This instrument is not being made under the European Union (Withdrawal) Act 2018 ("the 2018 Act") but relates to the withdrawal of the United Kingdom from the European Union because it revokes subordinate legislation made under section 2(2) of the European Communities Act 1972.

8.2 In accordance with the requirements of the 2018 Act, the Secretary of State for Transport has made the relevant statements as detailed in Part 2 of the Annex to this Explanatory Memorandum.

---

2 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/994901/MPM_Spring_21__without_annexes_180621.pdf

9. Consolidation

9.1 As the 2015 Regulations are replaced by this instrument, there is no need for consolidation.

10. Consultation outcome

10.1 A formal public consultation on the instrument was carried out between 14th June and 9th August 2021. The consultation documents were posted on www.gov.uk[3] and are available in hard copy from the MCA of Spring Place, 105 Commercial Road, Southampton SO15 1EG. In addition, the MCA notified over 100 organisations, companies and representative bodies of the public consultation.

10.2 The approach presented in the consultation was to amend the 2015 Regulations to implement the amendments to the STCW Convention contained in IMO Resolutions MSC.396(95), MSC.397(95), MSC.416(97) and MSC.417(97). Following the consultation, it was decided to implement the requirements in MSC.416(97) and MSC.417(97) relating to training for seafarers operating on ships in polar waters in the Merchant Shipping (Polar Code) (Safety) Regulations 2021. It was also decided to revoke, rather than to amend, the 2015 Regulations and to replace those Regulations with this instrument. The instrument includes the amendments that were proposed to be made to the 2015 Regulations (other than those in MSC.416(97) and MSC.417(97)).

10.3 Twenty-seven responses to the consultation were received from seafarers, trade associations, trade unions, sector bodies, shipping companies and approved training providers.

10.4 The majority of responses requested clarification or minor amendments to the associated documents listed in section 11 of the consultation document. There was overall support for the provisions relating to the implementation of the IGF Code and passenger ship training requirements, the clarification of the definition of "seafarer" and a new equivalence route of Engineer Officer Small Vessel Certificate of Competency.

10.5 There were some concerns about a further equivalence proposal, which would modernise the UK seafarer training and certification system by allowing some simulator time in lieu of seagoing service. However, there were a similar number of consultees supporting the proposal, noting that this will enhance and modernise the UK's seafarer training system. The Maritime and Coastguard Agency (MCA) has responded to the concerns by providing further guidance and clarifying the intent and scope of the pilot project.

10.6 A minority of consultees raised concerns regarding cost recovery for the MCA's approval process for training providers, with a small number preferring a phased approach. The MCA has responded to concerns by clarifying the reason for the charges and the appropriateness of implementing the charging structure from the day the new provision comes into force.

10.7 These and other concerns have been taken into account in finalising both the Regulations and the supporting guidance.

[3] https://www.gov.uk/government/consultations/proposed-amendments-to-the-merchant-shipping-stcw-regulations-2021

10.8 A summary of the consultation responses and the MCA's responses are available on www.gov.uk[4] and in hard copy from the MCA of Spring Place, 105 Commercial Road, Southampton SO15 1EG.

10.9 The devolved administrations were notified of the public consultation, but none provided a response.

11. Guidance

11.1 Guidance for the 2022 Regulations comprises a series of Merchant Shipping Notices (MSN) and Marine Information Notes (MIN), most of which supported the 2015 Regulations and which have been updated to ensure the requirements for seafarers and shipping companies are clear. MSN 1904 (M+F) is new. The guidance documents are available on www.gov.uk[5].

- MSN 1856 (M+F) Amendment 1: UK requirements for Master and Deck Officers
- MSN 1857 (M+F) Amendment 1: UK requirements for Engineer Officers and Engineer operators
- MSN 1858 (M) Amendment 1: UK requirements for Deck Officers on Large Yachts (24m and over)
- MSN 1859 (M+F) Amendment 1: UK requirements for Engineer Officers on Large Yachts (24m and over)
- MSN 1860 (M) Amendment 1: UK requirements for Electro-technical Officers
- MSN 1861 (M) Amendment 1: UK procedure for the revalidation of Certificate of Competency and Tanker Endorsement
- MSN 1862 (M) Amendment 1: UK requirements for Deck Ratings
- MSN 1863 (M+F) Amendment 1: UK requirements for Engine Room Ratings
- MSN 1864 (M) Amendment 1: UK requirements for Radio Operators
- MSN 1865 (M) Amendment 1: UK requirements for Emergency, Occupational Safety, Security, Medical Care and Survival Functions
- MSN 1866 (M) Amendment 1: Training and certification requirements for seafarers on tankers, ships subject to the IGF Code, ships that operate in polar waters and passenger ships
- MSN 1867 (M) Amendment 1: UK requirements for the recognition of non-UK Certification leading to the issue of a Flag State Endorsement (FSE)/Certificate of Equivalent Competency (CEC)
- MSN 1868 (M) Amendment 1: UK requirements for Safe Manning and Watchkeeping
- MSN 1904 (M+F): UK requirements for Engineer Officer Small Vessel Certificate of Competency

[4] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1030525/STCW_Consultation_Responses.pdf

[5] https://www.gov.uk/government/publications/draft-marine-notices-to-accompany-the-proposed-merchant-shipping-standards-of-training-certification-and-watchkeeping-regulations-2022

- MIN 511 (M) Amendment 1: The Alternative Route for Qualified Engineers and Engineering Graduates to Obtain an Engineer Officer of the Watch (EOOW) Unlimited Certificate of Competency
- MIN 642 (M+F): Engineer Officer Small Vessel Certificate of Competency Guidance
- MIN 643 (M+F): Maritime and Coastguard Agency (MCA) Short Course Approval Process Guidance

12. Impact

12.1 The impact on business, charities or voluntary bodies is estimated to be £1.6 million per year.

12.2 There is no, or no significant, impact on the public sector.

12.3 A full Impact Assessment has not been prepared for this instrument as it is not considered that the £5 million threshold (Equivalent Annual Net Direct Cost to Business) will be met or exceeded in any one year. As such, a proportionate consideration of costs and benefits has been carried out through a de minimis assessment.

13. Regulating small business

13.1 The legislation applies to activities that are undertaken by small businesses.

13.2 To minimise the impact of the requirements on small businesses (employing up to 50 people), the approach taken was to analyse the companies owning UK registered ships and those providing training services in order to estimate the impacts upon small businesses. The analysis concluded that around 3% of ships (approximately 25 ships) on the UK Shipping Register are owned by companies which may employ less than 50 people. The vast majority of companies owning UK registered ships are large multinational, or subsidiaries of multinational companies and would therefore fall outside of the scope of the small firms' impact test. There are not expected to be any disproportionate impacts on small businesses. Small businesses do provide training services, but the consultation did not identify any justifiable disproportionate costs to such businesses and the impact is expected to be minimal. No exceptions have therefore been made for small businesses.

13.3 The basis for the final decision on what action to take to assist small businesses is that the STCW Convention is primarily concerned with safety, and it is not possible to justify different requirements in these areas on the basis that a company has fewer employees.

14. Monitoring & review

14.1 The approach to monitoring of this legislation is to review the Regulations and a report of that review will be published no later than five years from the coming into force of the Regulations, and every five years thereafter.

14.2 A statutory review clause is included in the instrument.

15. Contact

15.1 Harry Deans, Head of Policy for Seafarer Training at the Maritime and Coastguard Agency: Telephone: 07768 476933 or email: Harry.Deans@mcga.gov.uk, can be contacted with any queries regarding the instrument.

15.2 Ajit Jacob, Chief Examiner for Seafarer Services, at the Maritime and Coastguard Agency can confirm that this Explanatory Memorandum meets the required standard.

15.3 Mark Harper MP, Secretary of State for Transport, can confirm that this Explanatory Memorandum meets the required standard.

Annex

Statements under the European Union (Withdrawal) Act 2018 and the European Union (Future Relationship) Act 2020

Part 1A

Table of Statements under the 2018 Act

This table sets out the statements that may be required under the 2018 Act.

Statement	Where the requirement sits	To whom it applies	What it requires
Sifting	Paragraphs 3(3), 3(7) and 17(3) and 17(7) of Schedule 7	Ministers of the Crown exercising sections 8(1) or 23(1) to make a Negative SI	Explain why the instrument should be subject to the negative procedure and, if applicable, why they disagree with the recommendation(s) of the SLSC/Sifting Committees
Appropriate-ness	Sub-paragraph (2) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1) or 23(1) or jointly exercising powers in Schedule 2	A statement that the SI does no more than is appropriate.
Good Reasons	Sub-paragraph (3) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1) or 23(1) or jointly exercising powers in Schedule 2	Explain the good reasons for making the instrument and that what is being done is a reasonable course of action.
Equalities	Sub-paragraphs (4) and (5) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1) or 23(1) or jointly exercising powers in Schedule 2	Explain what, if any, amendment, repeals or revocations are being made to the Equalities Acts 2006 and 2010 and legislation made under them. State that the Minister has had due regard to the need to eliminate discrimination and other conduct prohibited under the Equality Act 2010.
Explanations	Sub-paragraph (6) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1) or 23(1) or jointly exercising powers in Schedule 2 In addition to the statutory obligation the Government has made a political commitment to include these statements alongside all EUWA SIs	Explain the instrument, identify the relevant law before IP completion day, explain the instrument's effect on retained EU law and give information about the purpose of the instrument, e.g., whether minor or technical changes only are intended to the EU retained law.
Criminal	Sub-paragraphs (3) and (7)	Ministers of the Crown	Set out the 'good reasons' for creating a

offences	of paragraph 28, Schedule 7	exercising sections 8(1) or 23(1) or jointly exercising powers in Schedule 2 to create a criminal offence	criminal offence, and the penalty attached.
Sub-delegation	Paragraph 30, Schedule 7	Ministers of the Crown exercising section 8 or part 1 of Schedule 4 to create a legislative power exercisable not by a Minister of the Crown or a Devolved Authority by Statutory Instrument.	State why it is appropriate to create such a sub-delegated power.
Urgency	Paragraph 34, Schedule 7	Ministers of the Crown using the urgent procedure in paragraphs 5 or 19, Schedule 7.	Statement of the reasons for the Minister's opinion that the SI is urgent.
Scrutiny statement where amending regulations under 2(2) ECA 1972	Paragraph 14, Schedule 8	Anybody making an SI after IP completion day under powers conferred before the start of the 2017-19 session of Parliament which modifies subordinate legislation made under s. 2(2) ECA	Statement setting out: a) the steps which the relevant authority has taken to make the draft instrument published in accordance with paragraph 16(2), Schedule 8 available to each House of Parliament, b) containing information about the relevant authority's response to— (i) any recommendations made by a committee of either House of Parliament about the published draft instrument, and (ii) any other representations made to the relevant authority about the published draft instrument, and, c) containing any other information that the relevant authority considers appropriate in relation to the scrutiny of the instrument or draft instrument which is to be laid.
Explanations where amending regulations under 2(2) ECA 1972	Paragraph 15, Schedule 8	Anybody making an SI after IP completion day under powers outside the European Union (Withdrawal) Act 2018 which modifies subordinate legislation made under s. 2(2) ECA	Statement explaining the good reasons for modifying the instrument made under s. 2(2) ECA, identifying the relevant law before IP completion day, and explaining the instrument's effect on retained EU law.

Part 1B

Table of Statements under the 2020 Act

This table sets out the statements that may be required under the 2020 Act.

Statement	Where the requirement sits	To whom it applies	What it requires
Sifting	Paragraph 8 Schedule 5	Ministers of the Crown exercising section 31 to make a Negative SI	Explain why the instrument should be subject to the negative procedure and, if applicable, why they disagree with the recommendation(s) of the SLSC/Sifting Committees

Part 2

Statements required under the European Union (Withdrawal) Act 2018 or the European Union (Future Relationship) Act 2020

1. Scrutiny statement where amending or revoking regulations etc. made under section 2(2) of the European Communities Act 1972

1.1 The Secretary of State for Transport, Mark Harper MP, has made the following scrutiny statement in accordance with paragraph 14(4) of Schedule 8 to the European Union (Withdrawal) Act 2018:

"The former Parliamentary Under Secretary of State, Robert Courts MP, took the following steps to make the draft instrument, published in accordance with paragraph 14(2) of Schedule 8 to the European Union (Withdrawal) Act 2018, available to each House of Parliament. On 12th May 2022, a draft of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022 was published on the GOV.UK website and on the same day the Written Ministerial Statement "Draft Legislation: The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022" was tabled in the House of Commons. The clerks to the European Scrutiny Committee, the Transport Select Committee and the House of Lords Secondary Legislation Scrutiny Committee were also notified of the publication of the draft of the Regulations".

2. Explanations where amending or revoking regulations etc. made under section 2(2) of the European Communities Act 1972

2.1 The Secretary of State for Transport, Mark Harper MP, has made the following statement, in accordance with paragraph 15(3) of Schedule 8 to the European Union (Withdrawal) Act 2018, regarding regulations made under the European Communities Act 1972:

"In my opinion, there are good reasons for the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022 to revoke, and replace, the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015 ("the 2015 Regulations"). This is because of the need to implement amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 ("the STCW Convention"), which update the training requirements for seafarers working on specialised ships, ensuring they can safely undertake their roles on board. The STCW Convention was incorporated into European law by way of Directive 94/58/EC of 22nd November 1994, which was subsequently recast as Directive 2008/106/EC. Following substantial amendments made to the STCW Convention in 2010 (the Manila Amendments), Directive 2012/35/EU was adopted and which member States were required to implement in order to implement the updates to the STCW Convention. The obligation to implement any further EU law requiring implementation of the STCW Convention

ceased at 11 p.m. on 31st December 2020 but the obligation in international law to implement the STCW Convention remains".

2.2 The Secretary of State for Transport, Mark Harper MP, has made the following statement regarding regulations made under the European Communities Act 1972:

"Paragraph 15(3)(a): law which is relevant to the revocation:

Requirements for training and certification of seafarers and watchkeeping are currently contained in the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015 ("the 2015 Regulations"). The 2015 Regulations were made under powers in the Merchant Shipping Act 1995, but were also made under section 2(2) of the European Communities Act 1972 on the basis that they implemented an EU Directive.

Paragraph 15(3)(b): effect of the revocation on retained EU law

The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022 ("the 2022 Regulations") revoke the 2015 Regulations and the provisions in the Merchant Shipping (Standards of Training, Certification and Watchkeeping) (Amendment) (EU Exit) Regulations 2019 which amend the 2015 Regulations. The 2022 Regulations update the training requirements for seafarers working on specialised ships, ensuring they can safely undertake their roles on board in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 ("the STCW Convention"). The effect of the revocation is to remove all previous provision for the standards of training, certification and watchkeeping for seafarers, required by the STCW Convention. Such provision is no longer needed as the 2022 Regulations implement all the requirements of the STCW Convention in one instrument."