

Dear Sir _____

I am responding as an individual on the above subject with comments having read the above document online. Just to brief you before putting my queries, we are a ship management company and provider of marine services to the Ministry of Defence. We operate Government Ships on their behalf to provide services such as tug operations, passenger transferring, trials and support etc.

I note that the regulations refer to "vehicle" as any vessel etc.

Schedule 1 (No Smoking premises) refers to No Smoking Premises. Which includes "vehicles in which more than one employee works".

Schedule 2 (Exemptions) refers to "Private Vehicles".

Can you clarify exactly where our "Vehicles" (vessels) fit in. As we don't ordinarily transport members of the public would they be exempt or not. The regulations and guidance are not very clear on this matter. Answer to Annex B Reg 1 Question 1.

Perhaps the definition of ships should stand alone as there are many classes and flag states sailing within Scottish waters. If a foreign ship is in Scottish waters does the regulations then apply for the time there. What about ships like ours that can sail on short international voyages, or to other UK ports. Would the regulations still apply if say one of our ships sailed from Greenock to conduct a task in Falmouth?

I am not sure as to the extent of consultation with the Maritime Coastguard Agency who are the Regulatory Regime for ships in UK waters. I noticed that although the various shipping companies etc were consulted there is no mention of the regulator who is primarily responsible for enforcing maritime health & safety legislation. Perhaps this needs addressing.

We have successfully operated our ships for the past 8 years with a smoking policy aimed at protecting the health of our non smoking crew. The Master as in all cases under maritime law has ultimate responsibility for enforcing this matter, Is this going to be the same under the above regulations?

I look forward to your comments and any clarification on the above questions posed and look forward to the regulations coming into force particularly in restaurants and other catering establishments.

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Port Quality, Safety & Environmental Officer (Clyde)