

Dear Colleagues

I am attaching a letter explaining that the final stage of public consultation is now underway in the UK on the implementation of the HNS Convention . You will see that I have provided a link to our final consultation document on the UK's Department for Transport web site and a link to our original (first stage) consultation document is also available on the same site for reference if needed.

Regards to all

John Wren

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15 April 2005

Dear colleagues

### **HNS Implementing Legislation**

You may wish to note that the UK has begun its final stage of public consultation on the implementation of the HNS Convention. Our consultation document was published on 4 April and the closing date for comments is 13 June.

A copy of the document can be obtained from this Department's web site, please use the following link:

[http://www.dft.gov.uk/stellent/groups/dft\\_shipping/documents/divisionhomepage/037112.hcsp](http://www.dft.gov.uk/stellent/groups/dft_shipping/documents/divisionhomepage/037112.hcsp)

I should point out that the complete document is 142 pages in all.

In the document we have attempted to provide:

- a summary as to how liability and compensation would apply in respect of HNS claims under the UK's present arrangements and an explanation as to how the HNS Convention could improve the present provisions;
- an general overview of the Convention and the HNS Fund, as well as the perspective from the shipowners' and claimants' points of view;
- the official response to the points raised by those who responded to the Department's initial consultation document (published in December 2003 which is already available on the Department's web site and there is a link through the HNS Correspondence Group web site);
- a general explanation on our proposals in respect of possible timing of ratification, identification of agents and principals, reporting arrangements, proposed national thresholds, etc; and, finally,
- the draft of the proposed implementing legislation (this is in addition to the enabling legislation as laid down in the UK's Merchant Shipping Act, 1997 - which is also available on the Correspondence web site).

I have to admit that developing the implementing legislation has proved quite complex and I believe it would have been made easier had we had an internationally agreed guide to the convention providing a basis for uniform

application of some of the key provisions. This is perhaps something that should be considered further by the Group.

Those of you that have yet to consult with your industry representatives may find it especially useful to see the kind of issues that have been raised by UK industry as it is likely that these will be raised elsewhere too.

We would welcome any comments on the latest document and the arrangements we have proposed for implementation of the HNS Convention in the UK.

Regards

***John Wren***