

**Brexit Maritime Transport Workshop**

**Report of Meeting of 04 April 2017**

1. **Introduction**

As part of the Irish Government’s consultative work on Brexit, and to facilitate a more detailed consideration of the impact of Brexit across a range of key sectors, the Department of Transport, Tourism and Sport (DTTAS) arranged a Workshop on the impact of the UK exit of the EU on maritime transport regulation and on the sectors on which this impacts. This includes merchant shipping, national shipping, fishing vessels, recreational craft, ports, equipment suppliers, service providers and training providers.

The meeting was held in the Department’s Headquarters in Leeson Lane, Dublin 2, chaired by Dr. Deirdre O’Keeffe, Assistant Secretary and Head of the Irish Maritime Administration.

The Workshop included presentations by Department officials and breakout sessions for attendees to discuss the key questions in relation to the implications of Brexit for the maritime transport sector.  For the purposes of the breakout session the attendees were divided into three groups: People, Ships and Ports. Each group was assisted in their discussions by a facilitator and note-taker from the Department of Transport, Tourism and Sport.

Please see the table below listing the organisations represented and details of the breakout groups:

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| **GROUP 1: SHIPS** | |
| **Facilitator:** | Eilish Kennedy (DTTAS) |
| **Minute Taker:** | Brendan Ring (DTTAS) |
| **Questions:** | 1, 2 & 4 |
| **Organisation** | |
| Arklow Shipping | |
| Bere Island Dockyard | |
| Commissioners of Irish Lights | |
| Irish Exporters Association | |
| Irish Ferries | |
| Irish Maritime Development Office | |
| Irish Maritime Law Association | |
| Irish Sailing Association | |
| Manifests Ireland | |
| Marine Institute | |
| O'Brien Line Ferries | |
| Seatruck | |

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| **GROUP 2: PEOPLE** | |
| **Facilitator:** | Michael Harper (DTTAS) |
| **Minute Taker:** | Lauren Fitzpatrick (DTTAS) |
| **Questions:** | 1, 3 & 4 |
| **Organisation** | |
| Bord Iascaigh Mhara (BIM) | |
| Dublin Port Company | |
| Dun Laoghaire Marina | |
| Inland Fisheries Ireland | |
| Irish International Freight Association | |
| Irish South & West Fish Producers Organisation | |
| Irish Water Safety | |
| Killybegs Fishermen's Organisation | |
| O'Brien Line Ferries | |
| Sea & Shore Safety Services Limited | |
| Sligo Harbour Office | |
| The Chartered Institute of Logistics & Transport Ireland | |
| Wicklow Port | |

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| **GROUP 3: PORTS** | |
| **Facilitator:** | Catherine O’Sullivan (DTTAS) |
| **Minute Taker:** | Karina O’ Doherty (DTTAS) |
| **Questions:** | 1, 4 & 5 |
| **Organisation** | |
| Argosea Services Ltd | |
| Conway Shipping | |
| Drogheda Port Company | |
| Dublin Port Company | |
| Hamilton Shipping (Port Services) Ltd | |
| Irish International Freight Association | |
| Irish Ship Agents' Association | |
| Jenkinson Logistics | |
| Mullock & Sons | |
| Port of Waterford | |
| Samskip | |
| Shannon Foynes Port Company | |
| Youghal Shipping Group | |

1. **Opening Address**

Dr. O’Keeffe welcomed those in attendance and expressed that the purpose of the workshop was for Maritime Stakeholders to exchange information and views on the UK’s exist from the European Union and the focus of the workshop was the impact of the UK leaving on maritime transport regulation.

It was outlined to the attendees that the output from the workshop would be summarised in a report which would then be relayed to the Department of the Taoiseach. The outcome will be used by the Department to inform its views for discussions on Brexit.

Dr. O’Keeffe gave an outline of the agenda for the day, which was as follows:

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| **9:30-10:00** | Registration – tea/coffee |
| **10:00-10:15** | Opening Address by the Head of the Irish Maritime Administration, Dr. Deirdre O’Keeffe, Assistant Secretary |
| **10:15-10:30** | Presentation on Brexit by the Head of Policy and Governance Co-ordination Division, Mr. Eddie Burke, Principal Officer |
| **10:30-11:00** | Presentation on Maritime Transport Regulation by the Chief Surveyor of the Marine Survey Office, Mr. Brian Hogan |
| **11:00-11:15** | Tea & Coffee |
| **11:15-12:15** | Breakout Session |
| **12:15-12.30** | Networking |
| **12.30-13.00** | Plenary Session – Feedback from Breakout Sessions and General Discussion |
| **13:00-14:00** | Lunch |

1. **Presentation by Mr. Eddie Burke**

Mr. Eddie Burke, Principal Officer in the Policy and Governance Co-Ordination Division of the Department, gave a presentation on the developments and priorities for the Department following Brexit. Please double click on the image below to see Mr. Burke’s presentation in full below:



1. **Presentation by Mr. Brian Hogan**

Mr. Brian Hogan, Chief Surveyor of the Marine Survey Office, gave a presentation outlining the impact of Brexit on Maritime Regulation. Please double click on the image below to see Mr. Hogan’s presentation in full below:



1. **Summary of Discussions**

The meeting participants divided into their pre-assigned groups to discuss three questions allocated to them from the following list:

1. How will Brexit impact on your operations?

2. What actions are you going to take?

3. What responses are required from Government?

4. Identify Brexit issues for the Maritime Sector?

5. What are the opportunities /positives for your sector arising from Brexit?

Following discussions, the Facilitator from each group reported back to a plenary session the views from their breakout group. Please find below the summary of these discussions:

**Question 1: How will Brexit impact on your operations?**

**Group 1: Ships**

**There is a potential impact on:**

* Crews travelling from or through the EU (?), especially from outside the Schengen Area.
* Cabotage (UK operators in Ireland and Irish operators in the UK) - (*Cabotage is the transport of goods or passengers between two places in the same country by a transport operator from another country*).
* Changes in traffic patterns and volumes (including on light dues payments and CIL incomes).
* Trade using the UK land bridge.
* Flow of trade, delays and costs if customs introduced.
* Pleasure craft currently registered in the UK.
* Ship construction in the UK (for Irish customers).
* Passenger ships less than 24 metres in length if removed from the EU Directive.
* Marine equipment – certification & mutual recognition.
* Border, inland waterways and impact on users North/South.
* Fishing vessels – Irish registered vessels fishing in UK waters and vice versa.
* Continued availability of SafeSeas system in tracking vessels.
* Availability of maritime services such as insurance.

**Group 2: People**

* There is a potentially major impact on the fishing industry. Representatives from the fishing industry indicated that they have received assurances from the Taoiseach that the fishing industry would be prioritised in the Government’s negotiations on Brexit.
* Concern was raised that as certain issues fall under the remit of the Department of Agriculture, Food and the Marine and others under the Department of Transport, Tourism and Sport, the fishing industry may be disadvantaged in negotiations unless issues are dealt with jointly.
* Tonnage and Power Rules will not apply to the UK Post Brexit.
* Access to UK waters for both fishing and transit.
* Cabotage.
* Sale of vessels.
* The possibility of divergence in respect of Maritime Safety Policy.
* The possibility of a return to customs and immigration barriers which would represent severe problems in terms of delays.
* Recognition of certifications for both seafarers and equipment.
* Concern was raised about the possible need to segregate UK bound and land bridge traffic.

**Group 3: Ports**

* Uncertainty about how customs and border controls will be affected.
* Implications for An Garda Síochána (AGS) /Immigration/Revenue/Customs/Dept. of Agriculture operations at ports. Increased police presence due to security/terrorism issues etc.
* Concern about delays and increased costs associated with changes to customs and border controls (multiple layers of checking documentation and inspection of person & vehicle).
* Increased reporting and paperwork requirements and increased cargo processing times.
* Commercial impacts for ports as Northern Irish ports will become more competitive. The view was expressed that Northern Irish ports already have advantages over ports in the South in terms of grants and planning.
* Land capacity issue for ports if customs are re-instated (major area of concern due to requests for security booths, lanes, inspection sheds and x-ray equipment).

**Question 2: What actions are you going to take?**

**Group 1: Ships**

* The group found it difficult to identify specific actions in the absence of certainty due to a lack of information on what will actually happen.
* Would hope for continuing dialogue with the Department and practical solutions.

**Question 3: What responses are required from Government?**

**Group 1: Ships**

* Recognition that there is a sea border as well as a land border.
* Task Force to attract businesses here (i.e. in terms of potential relocation of UK businesses).

**Group 2: People**

* Again it was reiterated that there needs to be cooperation between Government Departments. There also needs to be collaboration between agencies involved in regulation at ports.
* Fears were expressed that the dilution or disappearance of the common travel areas could cause problems for cruise ships crossing the Irish Sea and UK leisure craft sailing between small harbours around the Irish coast. It was felt that to some extent these are issues over which the Irish Government would have control and it would be important that mitigating measures be developed before these problems arise.
* The participants believe that the jurisdictional issues around Carlingford Lough and Lough Foyle may be more problematic, but these issues were outside the remit of DTTAS.

**Question 4: Identify Brexit issues for the Maritime Sector?**

**Group 1: Ships**

* There is a need for early answers on maritime Brexit issues, to aid early preparation.
* Potential UK competitive advantage while outside the EU (re standards etc.).
* Impact of customs issues on ports – space for customs clearance, delays etc.
* Questions raised on whether or not there are any issues for search and rescue.
* Need for good co-operation with the UK in future as neighbours.

**Group 2: People**

* The vulnerability of the fishing industry, where its activities could be constrained by territorial issues and their markets undermined by increased UK catches being sold at lower prices.
* The need for all fishing industry issues to be addressed as a single package.
* Mutual recognition between the EU and the UK of professional qualifications and certifications, and of equipment standards and certifications.
* The need for electronic solutions to any customs problems. The impossibility of returning to paper based customs procedures was emphasised repeatedly.
* The importance of retaining cabotage for vessels plying between ports within the UK and Irish ports.
* How to deal with the 70% of drivers on Irish RoRo trucks who are not Irish nationals.

**Group 3: Ports**

* Customs and Revenue implications are unknown. Also, AGS, Immigration and Dept. of Agriculture (e.g. equine) implications are unknown.
* Customs clearance implications for goods transiting the UK are unknown.
* Infrastructural capacity issues (as detailed in Question 1, Group 3: Ports).
* New legal requirement for ports to provide facilities for immigration controls (International Protection Act 2015).
* Potential impact on cruise operations - security and immigration issues and potential delay for passengers clearing entrance, immigration etc. (Currently 128 liners are due in 2017 in Dublin Port.)
* Increased State security measures - how these will be implemented and the impact on space (which is limited) and operations. The biggest concern is delays to ferry operations. (Currently there are 17 sailings per day from Dublin Port.)

**Question 5: What are the opportunities/positives for your sector arising from Brexit?**

**Group 1: Ships**

* Opportunities for maritime businesses to relocate/open offices in Ireland.
* As mentioned in a recent logistics workshop, Ireland could establish itself as a customs clearance hub for the EU (i.e. in terms of trade from third countries to the EU currently arriving in the UK).
* Duty free.

**Group 3: Ports**

* Increased Shipping Services - legal, insurance, arbitration and brokerage.
* More employment opportunities for shipping brokers on both sides of the border.
* Opportunities for staff training.
* Possible new shipping routes direct from Ireland to Europe.
* Distribution centre opportunities if customs and excise rules could be amended.

**Other Issues Raised**

**Group 2: People**

* There needs to be a focus on building on the “special relationship” which has been referred to by the Prime Minister of the UK, Theresa May, in order to achieve a border free solution to the Brexit problems.

**Group 3: Ports**

* Ports in particular would like to see the Government give consideration to simplifying the current system of planning consents to speed up planning and procurement in order to fast track structural development required to facilitate customs and immigration.
* The issue of the new legal requirement for port authorities to provide facilities for other agencies was raised. Ports have to operate as commercial companies and are financially not in a position to provide unlimited facilities for customs, immigration, agriculture etc. free of charge. The implications of the International Protection Act 2015 could equate to hundreds of thousands of Euro in infrastructure. Ports have suggested that the provision of these facilities to other agencies of the State should be funded centrally by the Exchequer.
* Government agencies on the ground currently don’t work together and need to streamline their requirements in terms of:

- Requiring space and facilities.

- Sharing of information between agencies.

- Standardising forms for reporting so one form is used and shared by all agencies.

Whilst the OPW are involved, each department/agency has their own agenda/responsibility and therefore wants independent facilities.

* There was a suggestion for a single Border Agency instead of the number of agencies that exist at the moment (customs, revenue, immigration, agriculture).
* New shipping routes are seen as an opportunity by some, however, RoRo trade diverted to new routes or LoLo may end up closing shipping routes elsewhere. The view was expressed that drivers would fight against a shift to LoLo or Ireland to Spain routes and would seek a change in existing legislation in which time sitting in the truck waiting to go through customs would be discounted as time driving.