

05/04/11

Scott Parnell
Zone 2/33
Great Minster House
76 Marsham Street
London
SW1P 4DR

Dear Scott

Consumer Council for Northern Ireland response to the Department for Transport consultation on the application of Part 3 (services and public functions) of the Equality Act 2010 in relation to transporting people by ship or hovercraft or a service provided on a ship or hovercraft

The Consumer Council for Northern Ireland (CCNI) welcomes the opportunity to respond to the Department for Transport (DfT) consultation on the application of Part 3 (services and public functions) of the Equality Act 2010 in relation to transporting people by ship or hovercraft or a service provided on a ship or hovercraft.

CCNI recognises the proposed Regulations made under the Equality Act would apply in England, Wales and Scotland only and would not apply in Northern Ireland. CCNI understands, however, that the Regulations would apply to vessels registered in Great Britain operating to and from Northern Ireland and believes the proposed Regulation should apply to vessels registered in countries other than GB when in a GB port.

CCNI agrees with the Government's approach to commence the ban on age discrimination in relation to ships and hovercraft but believes that there should be an exemption from the age discrimination ban to allow concessionary fares, for example, for older passengers.

The publication of Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway marked a major step forward in improving the rights of passengers when travelling by ferry. The Maritime Passenger Rights Regulation requires that carriers and terminal operators should establish non-discriminatory access conditions for the transport of disabled persons and persons with reduced mobility and

accompanying persons. CCNI believes, however, that section 20 of the Equality Act would provide additional protection to passengers travelling on vessels registered in GB by requiring operators to make “reasonable adjustments” to avoid disadvantage to disabled passengers. Similar protection, however, would not be afforded to vessels operating from Northern Ireland that are not registered in GB.

CCNI will closely monitor the activities of ferry and port operators to identify whether Regulation (EU) No 1177/2010 provides adequate protection for disabled passengers once the Regulation enters into force. If more comprehensive protection is needed for Northern Ireland passengers, CCNI will seek to ensure the Northern Ireland Executive takes appropriate steps to ensure the interests of passengers are fully protected, learning from the example of the Equality Act 2010 if appropriate.

The Consumer Council will continue to work closely with DfT, ferry companies and Northern Ireland port operators to ensure all stakeholders are appropriately prepared for the introduction of Regulation (EU) No 1177/2010.

Yours sincerely

Scott Kennerley
Head of Transport