

Boat Safety Scheme Standards Setting Forum

Terms of Reference

A. About this Document

These **Terms of Reference** (“**ToR**”) are for the **Boat Safety Scheme Standards Setting Forum** (“**Forum**”) members and anyone who may be interested in the work of the Forum. These ToR should be read in conjunction with the Memorandum of Understanding (“**MoU**”) dated 1 April 2024 between: (i) Environment Agency; (ii) Canal & River Trust; (iii) Broads Authority; (iv) Association of Inland Navigation Authorities; and (v) Boat Safety Scheme Limited.

B. Definitions

In addition to the definitions given in paragraph 1 above, in these ToR the following terms have the following meanings:

“**AINA**” means the Association of Inland Navigation Authorities.

“**BSS**” means Boat Safety Scheme.

“**BSS Limited**” means Boat Safety Scheme Limited.

“**BSS Standards**” means the set of common technical, safety and environmental standards for boats on inland waterways in the United Kingdom as set by the Navigation and/or Harbour Authorities.

“**Convener**” means the convener of the Forum.

“**Navigation and/or Harbour Authorities**” means the inland navigation authorities and statutory harbour authorities in the United Kingdom that have adopted the BSS Standards.

“**Nominating Bodies**” means the Canal & River Trust, the Environment Agency, the Broads Authority.

C. Purpose and Scope of the Forum

The purpose and scope of the Forum is to agree and set the BSS Standards in accordance with clause 3.2 of the MoU.

BSS is responsible for the registration of individual boat safety examiners and issuing certifications of compliance with the BSS Standards. These responsibilities do not fall within the remit of the Forum.

The Forum will ultimately report to the chief executives of the Nominating Bodies.

D. Constitution

The Nominating Bodies will each nominate a Member to the Forum for a 3-year term. The Nominating Bodies may substitute Members at any point.

The Forum is intended to act as the method through which the Nominating Bodies discharge their statutory boat safety functions as set out in the MoU. It is not intended to create any kind of legal entity, with individual Members only acting under delegated authority of their Nominating Organisation.

The Members will nominate one of their number to act as the Convener of the Forum for the 3-year

term.

The Convener shall issue a standing invitation (which may be withdrawn in relation to a particular invitee at the discretion of the Convener) to all Forum meetings to the following:

- AINA nominated representative from time to time
- BSS Limited General Manager
- Convener of the BSS Advisory Forum
- Convener of the BSS Technical Forum
- User groups representative (nominated by BSS Advisory Forum membership bodies, with the representative chosen from nominees by the Convener for a 3-year term).
- Marine trade representative (nominated by British Marine from time to time)
- BSS examiner representative (nominated by ballot of current BSS examiners for a 3-year term)

Invitees may participate in Forum discussions (such contributions to be duly minuted) and request for items to be added to the Forum agenda (at the discretion of the Convener) but will not be permitted to vote on matters for Forum decision.

The Convener may invite representatives from other interested stakeholders to individual Forum meetings, as required by the Forum.

E. Forum Activities

The Forum will meet as often as it considers necessary, but at least three times a year. The frequency and timing of meetings will be set by the Convener having regard to the nature of its workload. Meetings may be held in person or virtually.

Meetings will seek to achieve consensus amongst the Members, with unanimity required for all formal decisions to be made in accordance with the statutory frameworks of the Nominating Bodies.

The Convener will be responsible for setting the timing and agenda for Forum meetings, which will include the following.

- Receiving recommendations from BSS Limited and other invitees as the adoption, review and renewal of BSS Standards, as informed by the BSS Advisory and Technical Forums.
- Commissioning and receiving research on best practice and emerging technology from BSS Limited or other invitees to help inform decision making on the setting of BSS Standards.
- The constitution of a panel to hear and determine any appropriate statutory appeal against the BSS Standards and for the implementation of any panel decision.
- Consideration of communication of BSS Standards for the benefit of relevant stakeholders and any complaints received via BSS Limited in relation to the adoption and/or application of the BSS Standards.
- The administration of the BSS by BSS Limited - including provision of information demonstrating the investment of income into research and development to ensure the BSS Standards remain up-to-date and best practice