



STATUTORY INSTRUMENTS.

**S.I. No. 199 of 2013**



EUROPEAN COMMUNITIES (MARINE EQUIPMENT) (AMENDMENT)  
REGULATIONS 2013

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I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving further effect to Council Directive No. 96/98/EC of 20 December 1996<sup>1</sup>, as amended by Commission Directive 2012/32/EU of 25 October 2012<sup>2</sup>, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Marine Equipment) (Amendment) Regulations 2013.

(2) These Regulations come into operation on 30 November 2013.

2. In these Regulations “Regulations of 2012” means the European Communities (Marine Equipment) (Amendment) Regulations 2012 (S.I. No. 257 of 2012).

3. The European Communities (Marine Equipment) Regulations 2009 (S.I. No. 259 of 2009) are amended—

(a) in Regulation 3(1) (inserted by Regulation 3(a) of the Regulations of 2012) by substituting for the definition of “Marine Equipment Directive” the following:

“ ‘Marine Equipment Directive’ means Council Directive No. 96/98/EC of 20 December 1996<sup>1</sup> (as amended by Commission Directive 98/85/EC of 11 November 1998<sup>3</sup>, Commission Directive 2001/53/EC of 10 July 2001<sup>4</sup>, Commission Directive 2002/75/EC of 2 September 2002<sup>5</sup>, Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002<sup>6</sup>, Commission Directive 2008/67/EC of 30 June 2008<sup>7</sup>, Commission Directive 2009/26/EC of 6 April 2009<sup>8</sup>, Commission Directive 2010/68/EU of 22 October 2010<sup>9</sup>, Commission

<sup>1</sup>OJ No. L 46, 17.02.1997, p. 25

<sup>2</sup>OJ No. L 312, 10.11.2012, p. 1

<sup>3</sup>OJ No. L 315, 25.11.1998, p. 14

<sup>4</sup>OJ No. L 204, 28.07.2001, p. 1

<sup>5</sup>OJ No. L 254, 23.09.2002, p. 1

<sup>6</sup>OJ No. L 324, 29.11.2002, p. 53

<sup>7</sup>OJ No. L 171, 01.07.2008, p. 16

<sup>8</sup>OJ No. L 113, 06.05.2009, p. 1

<sup>9</sup>OJ No. L 305, 20.11.2010, p. 1

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 21st June, 2013.*

Directive 2011/75/EU of 2 September 2011<sup>10</sup> and Commission Directive 2012/32/EU of 25 October 2012<sup>2</sup>);”,

and

- (b) by inserting after Regulation 9C (inserted by Regulation 3(b) of the Regulations of 2012) the following:

“9D. Despite Regulation 4, equipment listed in Annex A.1 to the Marine Equipment Directive (as in force on 30 November 2013) as a new item or as having been transferred from Annex A.2 to that Directive to Annex A.1, being equipment that does not comply with the requirements of that Regulation, may be placed on the market and on board an Irish ship until 30 November 2015 if the equipment was manufactured before 30 November 2013 in accordance with procedures for type approval in force before that date within the State or the territory of another Member State.”.



GIVEN under my Official Seal,  
11 June 2013.

LEO VARADKAR,  
Minister for Transport, Tourism and Sport.

<sup>10</sup>OJ No. L 239, 15.09.2011, p. 1

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

Commission Directive 2012/32/EU updates the principal Directive 96/98/EC on marine equipment by substituting a new Annex A that sets out the marine equipment to be placed on board ships and the testing standards that apply under the international maritime conventions of the International Maritime Organisation for MARPOL (prevention of pollution), SOLAS (safety at sea), Load Lines and the Collision Regulations.

These Regulations transpose Directive 2012/32/EU with effect from 30 November 2013 and provide that transitional arrangements apply until 30 November 2015 in respect of certain marine equipment that was manufactured before 30 November 2013. The updating consists of amending the European Communities (Marine Equipment) Regulations 2009 (S.I. No. 259 of 2009) as amended by S.I. No. 86 of 2010, No. 448 of 2011 and No. 257 of 2012.

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