



STATUTORY INSTRUMENTS.

S.I. No. 13 of 2019



EUROPEAN UNION (SHIP RECYCLING) (WASTE) REGULATIONS 2019

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I, RICHARD BRUTON, Minister for Communications, Climate Action and Environment, 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 effect to Regulation (EU) 1257/2013 of the European Parliament and Council of 20 November 2013, hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Union (Ship Recycling) (Waste) Regulations 2019.

Interpretation

2. (1) In these Regulations-

“Agency” means the Environmental Protection Agency established under Section 19 of the Environmental Protection Agency Acts;

“Permit” means-

- (a) a waste licence for the purposes of Part V of the Waste Management Act 1996 (No. 10 of 1996) or a licence granted under section 83 of the Environment Protection Agency Act of 1992 (No. 7 of 1992) to operate all or part of an installation within which one or more integrated pollution control activities listed in the First Schedule to that Act are carried out or a licence granted under section 83 of the Environment Protection Agency Act of 1992 (No. 7 of 1992) to operate all or part of an installation within which one or more industrial emissions directive activities listed in the First Schedule to that Act are carried out.

“Regulation 1257/2013” means Regulation (EU) 1257/2013 of the European Parliament and the of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC.

- (2) A word or expression which is used in these Regulations and which is also used in Regulation 1257/2013 has, unless the context otherwise requires, the same meaning in these Regulations as it has in Regulation 1257/2013.

Designation of Competent Authority

3. The Agency is designated as the competent authority in the State for the purposes of Regulation 1257/2013.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 1st February, 2019*

Ship Recycling Plan

4. The Agency's functions in relation to ship recycling plan include monitoring compliance with Article 7 of Regulation 1257/2013.

Authorisation of Ship Recycling Facilities

5. The Agency's functions in relation to a permit for a ship recycling facility include ensuring compliance with Articles 13 and 14 of Regulation 1257/2013.

European List of facilities at which ships flying the flag of a Member State may be recycled.

6. (1) The Agency shall inform the Minister for Transport, Tourism and Sport without delay of-
 - (a) the licencing of a ship recycling facility for inclusion on the European List;
 - (b) the suspension or withdrawal of a permit of a ship recycling facility that is included on the European List.
- (2) Ship Recycling Facilities in the State shall not accept any ship flying the flag of a Member State within the scope of Regulation 1257/2013 for ship recycling unless the facility is included on the European List.
 - (a) Failure to comply with regulation 6(2) will have effect as failure to comply with a condition of a permit.



GIVEN under my Official Seal,
28 January 2019

RICHARD BRUTON,
Minister for Communications, Climate Action and Environment.

EXPLANATORY NOTE

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

These Regulations implement elements of EU Regulation 1257/2013 on ship recycling relating to the authorisation of ship recycling facilities. Articles 13 and 14 of the EU Regulation establish environmental and safety requirements for ship recycling facilities that recycle ships within its scope that will ensure the necessary controls are in place to protect the environment, the health and safety of workers and the population in the vicinity of the ship recycling facility caused by ship recycling activities.

These Regulations provide for any facilities located in Ireland to be authorised in accordance with the EU Regulation so that they may be added to the European list. The maritime aspects to Regulation (EU) 1257/2013 are a matter for the Minister for Transport, Tourism and Sport.

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