



STATUTORY INSTRUMENTS.

S.I. No. 525 of 2025

EUROPEAN UNION (RENEWABLE AND LOW-CARBON FUELS IN
MARITIME TRANSPORT) REGULATIONS 2025

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I, DARRAGH O'BRIEN, Minister for Transport, 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 Regulation (EU) 2023/1805 of the European Parliament and of the Council of 13 September 2023¹, hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Union (Renewable and Low-Carbon Fuels in Maritime Transport) Regulations 2025.

Interpretation

2. (1) In these Regulations –

“expulsion order” has the meaning given to it by Regulation 9(1);

“inspector” means a person appointed or considered to be an inspector under Regulation 5;

“master” in relation to a ship, means the person having, for the time being, the command or charge of the ship;

“Minister” means the Minister for Transport;

“MSO” means the Marine Survey Office of the Department of Transport;

“notice of detention” has the meaning given to it by Regulation 12(1);

“port authority” has the same meaning as it has in the European Communities (Port State Control) Regulations 2010 (S.I. No. 656 of 2010);

“Regulation 2023/1805” means Regulation (EU) 2023/1805 of the European Parliament and of the Council of 13 September 2023¹ on the use of renewable and low-carbon fuels in maritime transport, and amending Directive 2009/16/EC².

(2) A word or expression which is used in these Regulations and which is also used in Regulation 2023/1805 has the same meaning in these Regulations as it has in Regulation 2023/1805 unless the context otherwise requires.

Competent authority

3. The MSO is designated as the competent authority in the State for the purposes of Regulation 2023/1805 and these Regulations.

¹ OJ No. L234, 22.09.2023, p.48

² OJ No. L131, 28.5.2009, p.57

National accreditation body

4. The Irish National Accreditation Board is designated as the national accreditation body in the State for the purposes of Regulation 2023/1805.

Appointment of inspectors

5. (1) The Minister may appoint, in writing, a person to be an inspector of the MSO for the purpose of ensuring compliance with these Regulations and Regulation 2023/1805, and may revoke any such appointment.

(2) A person appointed to be a surveyor of ships under section 724 of the Merchant Shipping Act 1894 shall be considered to be an inspector of the MSO for the purpose of ensuring compliance with these Regulations and Regulation 2023/1805.

(3) An appointment as an inspector under paragraph (1) ceases –

- (a) if it is revoked under paragraph (1), on its revocation,
- (b) if it is for a fixed period, on the expiry of that period, or
- (c) if the person appointed is an officer of the Minister, on the person ceasing to be such an officer.

(4) The Minister shall give an inspector appointed under paragraph (1) a warrant of appointment.

(5) When exercising a power conferred by these Regulations or Regulation 2023/1805, the inspector shall, if requested by a person affected, produce a warrant of appointment under paragraph (4) or proof of appointment as a surveyor of ships under section 724 of the Merchant Shipping Act 1894, as the case may be, or a copy of it, to that person, together with a form of personal identification for inspection.

Powers of inspectors

6. (1) An inspector may, for the purpose of ensuring compliance with these Regulations and Regulation 2023/1805:

- (a) at any time, go on board any ship while the ship is in the State (and may for that purpose require the master of the ship to stop the ship) or enter a premises of a company;
- (b) inspect any document on board the ship or in the premises and require any person on board or in the premises to produce to the inspector any document in his or her possession or control or to reply to any enquiry;
- (c) require any person on board a ship or in a premises of a company to furnish him or her with his or her name and address;
- (d) copy any entry in any document or record on board the ship or in the premises and require the person by whom the document or record is kept to certify the copy as a true copy of the entry;

- (e) copy any entry in any log book of the ship or other record on the ship or in the premises and require the company or master of the ship to certify the copy as a true copy of the entry;
- (f) complete any additional checks referred to in Article 17 of Regulation 2023/1805.

(2) For the purpose of boarding a ship in order to exercise powers under these Regulations or Regulation 2023/1805, an inspector may require the company or master of the ship to take such measures and provide such facilities as may be necessary to enable the inspector to go on board.

(3) An inspector may, for the purposes of these Regulations, require the master of a ship to be and remain on board whilst the inspector is exercising a power under these Regulations or Regulation 2023/1805 and the inspector may require that person to answer any questions or to furnish any information which may appear to the inspector to be necessary or relevant.

Administration of penalties

7. (1) Where the State is the administering State for the purposes of Regulation 2023/1805, the MSO shall administer the FuelEU penalty in accordance with Regulation 2023/1805.

(2) Where a company is subject to a FuelEU penalty in accordance with Article 23 of Regulation 2023/1805 (including a FuelEU penalty or a modified FuelEU penalty following additional checks under Article 17 of Regulation 2023/1805), the MSO shall give the company concerned a notice which shall –

- (a) state that fact,
- (b) where the company is subject to a FuelEU penalty or a modified FuelEU penalty in accordance with Article 23 of Regulation 2023/1805 following the completion of additional checks under Article 17 of Regulation 2023/1805, be accompanied by a copy of the additional checks report referred to in Article 17(3) of Regulation 2023/1805,
- (c) state the amount of the penalty,
- (d) state the date on which payment of the penalty is due, which shall be –
 - (i) where no additional checks were conducted under Article 17 of Regulation 2023/1805, by 30 June of the verification period concerned, or
 - (ii) where additional checks were conducted under Article 17 of Regulation 2023/1805, within one month of the date of the notice under this paragraph,
- (e) state the manner in which the company is to pay the penalty, and
- (f) state the right of the company to appeal against the notice under Regulation 8 and the procedures for making such an appeal.

(3) Where a company is notified under clause (ii) of paragraph (2)(d) and fails to pay the FuelEU penalty or a modified FuelEU penalty by the date referred to in that clause, the MSO shall remove the relevant FuelEU document of compliance from the FuelEU database without delay and notify the company of its removal as soon as practicable.

(4) The MSO shall reissue the relevant FuelEU document of compliance removed under paragraph (3) where -

- (a) the company concerned pays the full amount of the FuelEU penalty and all other requirements set out in Regulation 2023/1805 for holding the FuelEU document of compliance have been complied with by the company, or
- (b) the notice is replaced with a notice of no penalty or is annulled on appeal under Regulation 8.

Appeal against notice of penalty

8. (1) Where a notice is given to a company under Regulation 7(2), the company may, within 10 working days from the date on which the notice is given to it, appeal to the court against the notice.

(2) The court, on hearing the appeal, may consider any evidence adduced or argument made by the company whether or not already adduced or made to the MSO.

(3) The court may, on hearing the appeal –

- (a) confirm the notice the subject of the appeal,
- (b) replace the notice with such other notice as the court considers just and appropriate, including a notice of a different penalty or no penalty, or
- (c) annul the notice.

(4) In this Regulation “court” means –

- (a) the Circuit Court, where the amount of the FuelEU penalty the subject of the appeal does not exceed €75,000, or
- (b) in any other case, the High Court.

Expulsion orders

9. (1) Where a ship to which Regulation 2023/1805 applies and that is flying a flag other than that of the State fails to comply with the obligation to hold a valid FuelEU document of compliance in accordance with Article 24 of Regulation 2023/1805 for two or more consecutive reporting periods, the MSO may, after giving the opportunity to the company concerned to submit its observations to the MSO within such period as the MSO may specify and following consideration of such observations (if any), and where all other enforcement measures available to the MSO have failed, serve an order (in these Regulations referred to as an “expulsion order”) on the company or master of the ship.

(2) An expulsion order shall direct the company and the master of the ship to ensure that the ship leaves the port concerned as soon as practicable and shall prohibit the ship from entering any other port in the State.

(3) An expulsion order shall take effect when the order is served under paragraph (1).

(4) The MSO shall inform the person served with an expulsion order under paragraph (1) of its reasons for serving the order and of the right to bring an appeal under Regulation 10.

(5) Where an expulsion order is served under paragraph (1), the MSO shall notify the following –

- (a) the port authority concerned and all other port authorities in the State,
- (b) the European Commission,
- (c) the competent authorities of the other Member States, and
- (d) the flag state concerned.

(6) The MSO shall, by notice served on the company or master of the ship, withdraw the expulsion order if –

- (a) proof of a valid FuelEU document of compliance is furnished to the MSO, or
- (b) the order is vacated under Regulation 10.

(7) As soon as practicable after an expulsion order has been withdrawn, the MSO shall notify the persons referred to in paragraph (5) of the withdrawal.

Appeal against expulsion order

10. (1) A company may appeal against an expulsion order served under Regulation 9(1) to a judge of the Circuit Court in whose circuit is located the port in which the ship was located on the date the expulsion order was served.

(2) An appeal shall be made by notice in writing and shall contain a statement of the grounds on which the appeal is made and the notice of appeal shall be lodged with the appropriate office of the Circuit Court.

(3) A copy of the notice of appeal shall be given by the company to the MSO and the MSO shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(4) An appeal under this Regulation shall not have the effect of suspending the operation of the expulsion order.

(5) On hearing the appeal, the Circuit Court may confirm the expulsion order or allow the appeal and vacate the order.

(6) A decision of the Circuit Court on an appeal under this Regulation shall be final, save that, by leave of the Circuit Court or the High Court, an appeal from the decision shall lie to the High Court on a specified question of law.

Expulsion orders in other Member States

11. Where the MSO is notified of the service or withdrawal of an expulsion order by the competent authority of another Member State in relation to a ship to which Regulation 2023/1805 applies and that is flying a flag other than that of the State, it shall without delay notify all port authorities in the State that such ship is to be refused access to ports in the State, or is no longer to be refused access, as the case may be, and the port authorities shall comply with the notification.

Detention of a ship

12. (1) Where a ship to which Regulation 2023/1805 applies and that is flying the flag of the State fails to comply with the obligation to hold a valid FuelEU document of compliance as set out in Article 24 of Regulation 2023/1805 for two or more consecutive reporting periods, and is located in a port in the State, the MSO, after giving the opportunity to the company concerned to submit its observations within such period as it shall specify and following consideration of such observations (if any), may detain the ship until the company concerned fulfils the obligation, by serving a notice of detention (in these Regulations referred to as a “notice of detention”) on the company or master.

(2) A notice of detention shall –

- (a) state the grounds upon which the vessel is being detained,
- (b) specify the action to be taken before the notice will be withdrawn,
- (c) inform the person of the requirement to confirm compliance with the notice in accordance with paragraph (3),
- (d) inform the person of the right to appeal the notice under Regulation 13,
- (e) state that a failure to comply with the notice is an offence under Regulation 15(2), and
- (f) be signed and dated by an inspector.

(3) A company or master of a ship on whom a notice of detention has been served who is of the opinion that the grounds upon which the notice of detention was issued has been complied with shall confirm such compliance in writing to the MSO.

(4) Where a person confirms compliance in accordance with paragraph (3), the MSO shall, on being satisfied that the person has so complied, withdraw the notice of detention.

(5) The MSO may, where it considers it appropriate to do so, by notice in writing to the person on whom a notice of detention was served, withdraw the notice.

(6) Where a notice of detention is served under paragraph (1), the MSO shall notify the following –

- (a) the port authority concerned,

- (b) the European Commission, and
- (c) the competent authorities of the other Member States.

(7) For the purposes of a notice of detention, the MSO may cause a direction to be given to the company or master of a ship, or to a port authority or harbour master and the company, master, port authority or harbour master shall comply with the direction.

Appeal against notice of detention

13. (1) The company concerned may appeal against a notice of detention to the judge of the Circuit Court in whose circuit is located the port in which the ship was located on the date the notice of detention was served.

(2) An appeal shall be made by notice in writing and shall contain a statement of the grounds on which the appeal is made and the notice of appeal shall be lodged with the appropriate office of the Circuit Court.

(3) A copy of the notice of appeal shall be given by the person who makes an appeal under this Regulation to the MSO and the MSO shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(4) An appeal under this Regulation shall not have the effect of suspending the operation of the notice of detention.

(5) On hearing the appeal, the Circuit Court may confirm the notice of detention, or allow the appeal and vacate the notice.

(6) A decision of the Circuit Court on an appeal under this Regulation shall be final, save that, by leave of the Circuit Court or High Court, an appeal from the decision shall lie to the High Court on a specified question of law.

Service of documents

14. (1) A notice, order or other document that is required to be served on or given to a person by these Regulations shall be addressed to the person concerned by name and may be so served on or given to the person in one of the following ways:

- (a) by delivering it to the person;
- (b) by leaving it at the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, at that address;
- (c) by sending it by post in a prepaid registered letter to the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, to that address;
- (d) by electronic means, in a case in which the person has given notice in writing to the person serving or giving the notice, order or other document concerned of his or her consent to the notice, order or other document (or notices, orders or documents of a class to which the notice, order or document belongs) being served on, or given to, him or her in that manner.

(2) For the purpose of this Regulation, a company within the meaning of the Companies Act 2014 or an existing company within the meaning of that Act shall be deemed to be ordinarily resident at its registered office and every other body corporate and every unincorporated body of persons shall be deemed to be ordinarily resident at its principal office or place of business.

(3) Where an opinion, finding, statement or decision of the MSO is contained in a document which –

- (a) purports to have been made by or at the direction of the MSO, and
- (b) is produced in evidence by the MSO in any proceedings,

such document shall be admissible in evidence and shall be evidence of any such opinion, finding, statement or decision in such proceedings without further proof.

Offences

15. (1) A company that contravenes Article 7(1), 7(2), 7(3), 7(4), 8(2), 8(3), 8(4), 9(1), 9(2), 9(3), 10(3), 10(4), 15(1), 15(2) or 15(3) of Regulation 2023/1805 shall be guilty of an offence.

(2) A company or a master shall be guilty of an offence where the company or master fails to comply with a notice of detention or an expulsion order.

(3) Where a company transfers a ship to another company and the transferring company does not notify the verifier of the information referred to in Article 15(1) of Regulation 2023/1805 for the period during which the transferring company was responsible for the operation of the ship, the transferring company shall be guilty of an offence.

(4) Where the verifier has received the information referred to in Article 15(4)(a) of Regulation 2023/1805 but does not comply with Article 15(4)(b) of that Regulation, the verifier shall be guilty of an offence.

(5) A person who –

- (a) refuses or neglects to make any answer, give any return, produce any document to an inspector, or certify a copy of any entry which the inspector is entitled to require,
- (b) on being requested by an inspector to stop a ship for the purpose of enabling the inspector to board the ship in order to exercise his or her powers under these Regulations or Regulation 2023/1805, fails or neglects to bring the ship to a stop,
- (c) wilfully impedes an inspector in the exercise of his or her functions under these Regulations or Regulation 2023/1805,
- (d) being the master of a ship required to stay on board by an inspector, fails to do so, or
- (e) knowingly or recklessly submits information to an inspector that is false or misleading in a material respect,

shall be guilty of an offence.

(6) A person guilty of an offence under these Regulations shall be liable –

- (a) on summary conviction, to a class A fine, or
- (b) on conviction on indictment, to a fine not exceeding €300,000.

(7) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in such capacity, that person shall, as well as the body corporate, be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(8) Summary proceedings for an offence under these Regulations may be brought and prosecuted by the Minister.

Review of verifier activities

16. (1) A company that is not in agreement with a calculation or measure by a verifier accredited by the Irish National Accreditation Board, including any of the following, may apply for a review of that calculation or measure by the MSO:

- (a) notification of the company by the verifier that the FuelEU report does not comply with the requirements of Regulation 2023/1805;
- (b) calculations made by the verifier pursuant to Article 16(4) of Regulation 2023/1805;
- (c) refusal by the verifier to issue a FuelEU document of compliance for the ship concerned in accordance with Article 22(1) of Regulation 2023/1805;
- (d) the calculation of the verified compliance balances of a ship of the company as recorded by the verifier in accordance with Article 23(1) of Regulation 2023/1805.

(2) An application for a review by a company shall be made to the MSO within one month of the notification to the company of a calculation or measure under paragraph (1) by a verifier.

(3) The MSO on hearing an application for a review by a company may –

- (a) confirm the calculation or measure of the verifier in question, or
- (b) remit the matter to the verifier for the verifier's reconsideration.

(4) The MSO shall notify the company of its decision under paragraph (3) within 5 working days of the making of the decision.

Appeal against a decision following a review by the MSO

17. (1) A company that is not in agreement with a decision of the MSO under Regulation 16(3) may, within 10 working days from the date on which it was notified of the decision under Regulation 16(4), appeal to the High Court against the decision.

(2) The High Court, on hearing an appeal under paragraph (1), may consider any evidence adduced or argument made by the company whether or not already adduced or made to the MSO.

(3) A copy of the notice of appeal shall be given by the company to the MSO and the MSO shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

- (4) The High Court may, on the hearing of an appeal under paragraph (1) –
- (a) confirm the decision the subject of an appeal,
 - (b) remit the decision for reconsideration by the MSO, subject to such directions as the High Court considers appropriate, or
 - (c) annul the decision.

Amendment of European Communities (Port State Control) Regulations 2010

18. Regulation 2(1) of the European Communities (Port State Control) Regulations 2010 (S.I. No. 656 of 2010) is amended by the substitution of the following definition for the definition of “Port State Control Directive”:

“ ‘Port State Control Directive’ means Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009³, as amended by Directive 2013/38/EU of the European Parliament and of the Council of 12 August 2013⁴, Regulation (EU) 1257/2013 of the European Parliament and of the Council of 20 November 2013⁵, Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015⁶, Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017⁷ and Regulation (EU) 2023/1805 of the European Parliament and of the Council of 13 September 2023¹;”.



GIVEN under my Official Seal,
3 November, 2025.

DARRAGH O'BRIEN,
Minister for Transport.

³ OJ L. No. 131, 28.5.2009, p. 57

⁴ OJ L. No. 218, 14.8.2013, p.1

⁵ OJ L. No. 330, 10.12.2013, p. 1

⁶ OJ L. No. 123, 19.5.2015, p. 55

⁷ OJ L. No. 315, 30.11.2017, p. 61

EXPLANATORY NOTE

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

These Regulations give effect to Regulation (EU) 2023/1805 on the use of renewable and low-carbon fuels in maritime transport. The Regulations designate the Marine Survey Office of the Department of Transport as the competent authority for the purposes of the Regulations. The Regulations provide for the appointment of inspectors and set out the powers of inspectors. The Regulations also provide for the administration of the FuelEU penalty and for enforcement mechanisms to ensure compliance with Regulation (EU) 2023/1805.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Teil: 046 942 3100
r-phost: publications@opw.ie

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