



**An Roinn Iompair,
Turasóireachta agus Spóirt**
Department of Transport,
Tourism and Sport

Marine Notice No. 23 of 2018

*Notice to all Ship Operators, Fishing Vessel Owners, Seafarers, Fishers, Recreational Craft Users,
Training Providers, Equipment Suppliers and importers*

European Commission Brexit Preparedness Notices on Maritime Transport Update

In the context of the United Kingdom's exit from the European Union, the European Commission has published notices from the Departments of the European Commission on the legal and practical implications of the withdrawal of the United Kingdom from the European Union pursuant to Article 50 of the Treaty on the European Union. Full details of all the notices are available from the following website:

Link: https://ec.europa.eu/info/brexit/brexit-preparedness_en

The Department of Transport, Tourism and Sport has published three of these notices relevant to maritime transport, as follows:

1. Notice to Stakeholders in the Field of Industrial Products.
2. Notice to Stakeholders on Seafarers Certificates.
3. Notice to Stakeholders in the Field of Maritime Transport.

The relevant notices were attached to [Marine Notice No. 7 of 2018](#) and are available from the European Commission website as above. A further notice to stakeholders relevant to the area of maritime transport has been published, as follows:

4. Notice to Stakeholders – EU Ship Recycling Regulation (copy attached at annex 1)

These Notices are intended to facilitate preparation by EU-27 Member States and by wider stakeholders for the contingency that on 30 March 2019 the UK leaves the EU without a deal on a transitional period having been agreed (i.e. the no deal, disorderly Brexit scenario).

Draft legal text on a transition period, extending to 31 December 2020, is currently being negotiated with the UK. If, as part of the withdrawal process, this text is agreed and approved by Member States and the European Parliament, many of the elements reflected in these Notices will only become relevant at the end of the transition period.

However, in cases where UK 'leading authorities' conduct risk assessments, examinations, approvals and authorisation procedures under Union law, a leading authority in an EU-27 Member State will need to take over from the UK authority from the withdrawal date (i.e. 29 March 2019). UK leading authorities currently provide product authorisations for certain medicines, pesticides, biocides, chemicals (REACH) and plant varieties. The Commission has begun engaging EU-27 technical experts to seek to ensure that product authorisation processes transfer from UK leading authorities in the smoothest manner possible.

Irish Maritime Administration,
Department of Transport, Tourism and Sport,
Leeson Lane, Dublin 2, D02 TR60, Ireland.

08/06/2018

Encl: Annex 1

For any technical assistance in relation to this Marine Notice, please contact:
The Marine Survey Office, Leeson Lane, Dublin 2, D02 TR60, tel: +353-(0)1-678 3400.
For general enquiries, please contact the Maritime Safety Policy Division, tel: +353-(0)1-678 3418.
Written enquiries concerning Marine Notices should be addressed to:
Maritime Safety Policy Division, Dept. of Transport, Tourism and Sport, Leeson Lane, Dublin 2, D02
TR60, Ireland.
email: marinenotices@dtas.gov.ie or visit us at: www.dttas.ie



Brussels, 28 March 2018

NOTICE TO STAKEHOLDERS**WITHDRAWAL OF THE UNITED KINGDOM AND THE EU SHIP RECYCLING REGULATION**

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. This means that, unless a ratified withdrawal agreement¹ establishes another date, all Union primary and secondary law will cease to apply to the United Kingdom from 30 March 2019, 00:00h (CET) ('the withdrawal date').² The United Kingdom will then become a 'third country'.³

Preparing for the withdrawal is not just a matter for EU and national authorities but also for private parties.

In view of the considerable uncertainties, in particular concerning the content of a possible withdrawal agreement, relevant stakeholders are reminded of legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to any transitional arrangement that may be contained in a possible withdrawal agreement, as of the withdrawal date, the EU rules on ship recycling, and in particular Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling⁴ no longer apply to the United Kingdom.

This has in particular the following consequences:⁵

According to Article 6(2)(a) of Regulation (EU) No 1257/2013, owners of ships flying the flag of a Member State⁶ shall ensure that ships destined to be recycled are only

¹ Negotiations are ongoing with the United Kingdom with a view to reaching a withdrawal agreement.

² Furthermore, in accordance with Article 50(3) of the Treaty on European Union, the European Council, in agreement with the United Kingdom, may unanimously decide that the Treaties cease to apply at a later date.

³ A third country is a country not member of the EU.

⁴ OJ L 330, 10.12.2013, p. 1.

⁵ This notice does not address EU rules on maritime transport. On these aspects, including controls in the framework of the EU port state control inspection system, see the "*Notice to Stakeholders – Withdrawal of the United Kingdom and EU rules in the field of maritime transport*" (https://ec.europa.eu/info/brexit/brexit-preparedness_en?page=1).

⁶ Article 2(1) of Regulation (EU) No 1257/2013.

recycled at ship recycling facilities that are included in the European List of ship recycling facilities ('the European List'). As of the withdrawal date, the entries in the European List⁷ of ship recycling facilities for facilities located in the United Kingdom will become void. As a consequence, ships flying the flag of a Member State of the Union may no longer be recycled at these ship recycling facilities.

The above is without prejudice to the possibility for the Commission to list facilities located in third countries in the European List in accordance with Article 16 of Regulation (EU) No 1257/2013.

The website of the Commission on the European Union's ship recycling policy (<http://ec.europa.eu/environment/waste/ships/index.htm>) provides general information concerning shipments of waste and the recycling of specific waste streams. These pages will be updated with further information, where necessary.

European Commission
Directorate-General Environment

⁷ Commission Implementing Decision (EU) 2016/2323 of 19 December 2016 establishing the European List of ship recycling facilities pursuant to Regulation (EU) No 1257/2013 of the European Parliament and of the Council on ship recycling (OJ L 345, 20.12.2016, p. 119).