



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

Marine Notice No. 01 of 2019

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

European Commission Brexit Preparedness Notices

In the context of the United Kingdom's exit from the European Union, the European Commission has published notices 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 previous Stakeholder Notices are available from the following website:

Link: https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notices_en

The Department of Transport, Tourism and Sport has published six 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.
4. Notice to Stakeholders - EU Ship Recycling Regulation
5. Notice to Stakeholders - Preparing for the withdrawal of the United Kingdom from the European Union on 30 March 2019.
6. Notice to Stakeholders - Withdrawal of the United Kingdom and EU rules in the field of aviation security and maritime security

The relevant notices were attached to [Marine Notice No. 7 of 2018](#) , [Marine Notice No. 23 of 2018](#), [Marine Notice No. 34 of 2018](#) and [Marine Notice No. 37 of 2018](#) and are available from the European Commission website as above.

A further notice to stakeholders relevant to the area of **CO2 emissions reporting in Maritime Transport** was published on the 19 December 2018, as follows:

- **Notice to Stakeholders – Withdrawal of the United Kingdom and EU Rules on the Monitoring and Verification of CO2 Emissions from Maritime Transport.**

This notice is attached to this Marine Notice, as Annex 1.

These published 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).

However, if as part of the withdrawal process, a text on a transition period, extending to 31 December 2020 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.

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

14/01/2019

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,
D02TR60, Ireland.
Email: marinenotices@dtas.gov.ie or visit us at www.dttas.gov.ie



Brussels, 19 December 2018

NOTICE TO STAKEHOLDERS**WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES ON THE MONITORING AND VERIFICATION OF CO₂ EMISSIONS FROM MARITIME TRANSPORT**

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 as from 30 March 2019, 00:00h (CET) ('the withdrawal date')¹ the United Kingdom will be a 'third country'.²

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

In view of the uncertainties surrounding the ratification of the Withdrawal Agreement, all interested parties, and especially economic operators, are reminded of legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to the transition period provided for in the draft Withdrawal Agreement,³ as of the withdrawal date, the EU rules governing reporting, monitoring and verification of CO₂ emissions from maritime transport, and in particular, Regulation (EU) 2015/757 on the Monitoring, Reporting and Verification of Carbon Dioxide (CO₂) Emissions from Maritime Transport,⁴ no longer apply to the United Kingdom. This has in particular the following consequences:

1. SCOPE OF THE MONITORING OBLIGATION

According to Articles 4(1) and 6(1) of Regulation (EU) 2015/757, companies shall monitor and report CO₂ emissions of their ships – regardless of their flag – within Member State ports and for any voyage to or from the port of a Member State. Companies have to submit monitoring plans to accredited verifiers setting out inter

¹ 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.

² A third country is a country not member of the EU.

³ Cf. Part four of the draft *Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community*, as agreed at negotiator's level on 14 November 2018 (https://ec.europa.eu/commission/publications/draft-agreement-withdrawal-uk-eu-agreed-negotiators-level-14-november-2018-including-text-article-132_en)

⁴ OJ L 123, 19.5.2015, p. 55.

alia the monitoring method for each of their ships, as well as verified annual emission reports containing all relevant data to the European Commission and the authorities of the Flag State.

As of the withdrawal date, CO₂ emissions

- of ships within ports under the jurisdiction of the United Kingdom; and
- from voyages from a port of the United Kingdom to the port of a third country, and *vice-versa*

do not fall under these monitoring and reporting requirements.

2. DOCUMENTS OF COMPLIANCE; ACCREDITATION OF VERIFIERS

According to Articles 13 and 17 of Regulation (EU) 2015/757, a verifier shall assess the conformity of the monitoring plan with the Regulation and issue a document of compliance.

According to Article 17(4) of Regulation (EU) 2015/757, the verifier shall inform the Commission and the flag State of the issuance of the document of compliance.⁵

According to Article 16 of Regulation (EU) 2015/757, the verifier has to be accredited by a national accreditation body of an EU Member State in line with Regulation (EC) No 765/2008.⁶

As of the withdrawal date, accreditations by the UK National Accreditation Body will no longer be valid in the EU.

As a consequence, as of the withdrawal date, verifiers accredited by the UK National Accreditation Body can no longer issue documents of compliance under Regulation (EU) 2015/757.

The website of the Commission on the Union Registry (https://ec.europa.eu/clima/policies/transport/shipping_en) provides general information in this regard. These pages will be updated with further information, where necessary.

European Commission
Directorate-General Climate Action

⁵ In addition, according to Article 18 of Regulation (EU) 2015/757, ships arriving at, within or departing from a port of a Member State have to carry on board a valid document of compliance to demonstrate compliance with the monitoring, reporting and verification obligations under the Regulation.

⁶ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products, OJ L 218, 13.8.2008, p. 30.