

Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (Text with EEA relevance)

Section 2

Provision of adequate port reception facilities

Article 5

Waste reception and handling plans

1 Member States shall ensure that an appropriate waste reception and handling plan is in place and has been implemented for each port following ongoing consultations with the relevant parties, including in particular with port users or their representatives, and, where appropriate, local competent authorities, port reception facility operators, organisations implementing extended producer responsibility obligations and representatives of civil society. Those consultations should be held both during the initial drafting of the waste reception and handling plan and after its adoption, in particular when significant changes have taken place, with regard to the requirements in Article s 4, 6 and 7.

The detailed requirements for the development of the waste reception and handling plan are set out in Annex 1.

2 Member States shall ensure that the following information from the waste reception and handling plan on the availability of adequate port reception facilities in their ports and the structure of the costs is clearly communicated to the ship operators, is made publicly available and is easily accessible, in an official language of the Member State where the port is located and, where relevant, in a language that is internationally used:

- a location of port reception facilities applicable to each berth, and, where relevant, their opening hours;
- b list of waste from ships normally managed by the port;
- c list of contact points, the port reception facility operators and the services offered;
- d description of the procedures for delivery of the waste;
- e description of the cost recovery system, including waste management schemes and funds as referred to in Annex 4, where applicable.

The information referred to in the first subparagraph of this paragraph shall also be made available electronically and kept up-to-date in that part of the information, monitoring and enforcement system referred to in Article 13.

3 Where required for reasons of efficiency, the waste reception and handling plans may be developed jointly by two or more neighbouring ports in the same geographical region, with the appropriate involvement of each port, provided that the need for and availability of port reception facilities are specified for each port.

4 Member States shall evaluate and approve the waste reception and handling plan and ensure its re-approval at least every five years after it has been approved or re-approved, and after significant changes in the operation of the port have taken place. Those changes may

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include structural changes in traffic to the port, development of new infrastructure, changes in the demand and provision of port reception facilities, and new on-board treatment techniques.

Member States shall monitor the port's implementation of the waste reception and handling plan. Where, during the five-year period referred to in the first subparagraph, no significant changes have taken place, the re-approval may consist of a validation of existing plans.

5 Small non-commercial ports which are characterised by rare or low traffic from recreational craft only may be exempted from paragraphs 1 to 4 if their port reception facilities are integrated in the waste handling system managed by or on behalf of the relevant municipality and the Member States where those ports are located ensure that the information regarding the waste management system is made available to the users of those ports.

The Member States where such ports are located shall notify the name and location of those ports electronically in that part of the information, monitoring and enforcement system referred to in Article 13.