

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 3*

***Delivery of waste from ships***

*Article 7*

**Delivery of waste from ships**

1 The master of a ship calling at a Union port shall, before leaving that port, deliver all its waste carried on board to a port reception facility in accordance with the relevant discharge norms laid down in the MARPOL Convention.

2 Upon delivery, the port reception facility operator or the authority of the port where the waste was delivered shall truly and accurately complete the form set out in Annex 3 ('waste delivery receipt') and issue and provide, without undue delay, the waste delivery receipt to the master of the ship.

The requirements set out in the first subparagraph shall not apply in small ports with unmanned facilities or that are remotely located, provided that the Member State where such ports are located has notified the name and location of those ports electronically in that part of the information, monitoring and enforcement system referred to in Article 13.

3 The operator, agent or master of a ship which falls within the scope of Directive 2002/59/EC shall before departure, or as soon as the waste delivery receipt has been received, electronically report the information contained therein in that part of the information, monitoring and enforcement system referred to in Article 13 of this Directive, in accordance with Directives 2002/59/EC and 2010/65/EU.

The information from the waste delivery receipt shall be available on board for at least two years, where relevant with the appropriate Oil Record Book, Cargo Record Book, Garbage Record Book or the Garbage Management Plan, and shall be made available upon request to the Member States' authorities.

4 Without prejudice to paragraph 1, a ship may proceed to the next port of call without delivering the waste, if:

- a the information provided in accordance with Annexes 2 and 3 shows that there is sufficient dedicated storage capacity for all waste that has been accumulated and will be accumulated during the intended voyage of the ship until the next port of call;
- b the information available on board ships falling outside the scope of Directive 2002/59/EC shows that there is sufficient dedicated storage capacity for all waste that has been accumulated and will be accumulated during the intended voyage of the ship until the next port of call; or
- c the ship only calls at anchorage for less than 24 hours or under adverse weather conditions, unless such an area has been excluded in accordance with the second subparagraph of Article 3(1).

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In order to ensure uniform conditions for the implementation of the exception referred to in points (a) and (b) of the first subparagraph, the Commission shall adopt implementing acts to define the methods to be used for the calculation of the sufficient dedicated storage capacity. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 20(2).

- 5 A Member State shall require the ship to deliver, before departure, all its waste if:
- a it cannot be established, based on the available information, including information electronically available in that part of the information, monitoring and enforcement system referred to in Article 13 or in GISIS, that adequate port reception facilities are available in the next port of call; or
  - b the next port of call is unknown.
- 6 Paragraph 4 shall apply without prejudice to more stringent requirements for ships adopted in accordance with international law.