

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 1

General provisions

Article 1

Subject matter

This Directive aims to protect the marine environment against the negative effects from discharges of waste from ships using ports located in the Union, while ensuring the smooth operation of maritime traffic, by improving the availability and use of adequate port reception facilities and the delivery of waste to those facilities.

Article 2

Definitions

For the purpose of this Directive, the following definitions apply:

- (1) ‘ship’ means a seagoing vessel of any type operating in the marine environment, including fishing vessels, recreational craft, hydrofoil boats, air-cushion vehicles, submersibles and floating craft;
- (2) ‘MARPOL Convention’ means the International Convention for the Prevention of Pollution from Ships, in its up-to-date version;
- (3) ‘waste from ships’ means all waste, including cargo residues, which is generated during the service of a ship or during loading, unloading and cleaning operations and which falls within the scope of Annexes I, II, IV, V and VI to MARPOL Convention, as well as passively fished waste;
- (4) ‘passively fished waste’ means waste collected in nets during fishing operations;
- (5) ‘cargo residues’ means the remnants of any cargo material on board which remain on the deck or in holds or tanks following loading and unloading, including loading and unloading excess or spillage, whether in wet or dry condition or entrained in wash-water, excluding cargo dust remaining on the deck after sweeping or dust of the external surfaces of the ship;
- (6) ‘port reception facility’ means any facility which is fixed, floating or mobile and capable of providing the service of receiving the waste from ships;
- (7) ‘fishing vessel’ means any ship equipped or used commercially for catching fish or other living resources from the sea;
- (8) ‘recreational craft’ means a ship of any type, with a hull length of 2,5 metres or more, regardless of the means of propulsion, intended for sports or leisure purposes, and not engaged in trade;

- (9) ‘port’ means a place or a geographical area made up of such improvement works and equipment designed principally to permit the reception of ships, including the anchorage area within the jurisdiction of the port;
- (10) ‘sufficient storage capacity’ means enough capacity to store the waste on board from the moment of departure until the next port of call, including the waste that is likely to be generated during the voyage;
- (11) ‘scheduled traffic’ means traffic based on a published or planned list of times of departures and arrivals between identified ports or recurrent crossings that constitute a recognised schedule;
- (12) ‘regular port calls’ means repeated voyages of the same ship forming a constant pattern between identified ports or a series of voyages from and to the same port without intermediate calls;
- (13) ‘frequent port calls’ means visits by a ship to the same port taking place at least once a fortnight;
- (14) ‘GISIS’ means the Global Integrated Shipping Information System set up by the IMO;
- (15) ‘treatment’ means recovery or disposal operations, including preparation prior to recovery or disposal;
- (16) ‘indirect fee’ means a fee paid for the provision of port reception facility services, irrespective of the actual delivery of waste from ships.

‘Waste from ships’ referred to in point (3) shall be considered to be waste within the meaning of point 1 of Article 3 of Directive 2008/98/EC.

Article 3

Scope

- 1 This Directive applies to:
 - a all ships, irrespective of their flag, calling at, or operating within, a port of a Member State, with the exception of ships engaged in port services within the meaning of Article 1(2) of Regulation (EU) 2017/352, and with the exception of any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on a government non-commercial basis;
 - b all ports of the Member States normally visited by ships falling within the scope of point (a).

For the purpose of this Directive, and to avoid undue delay to ships, Member States may decide to exclude the anchorage area from their ports for the purposes of the application of Article s 6, 7 and 8.

2 Member States shall take measures to ensure that, where reasonably possible, ships which do not fall within the scope of this Directive deliver their waste in a manner consistent with this Directive.

3 Member States which have neither ports nor ships flying their flag that fall within the scope of this Directive may, with the exception of the obligation set out in the third subparagraph of this paragraph, derogate from the provisions of this Directive.

Member States which do not have ports that fall within the scope of this Directive may derogate from the provisions of this Directive which are addressed solely to ports.

Those Member States which intend to avail themselves of the derogations set out in this paragraph shall communicate to the Commission by 28 June 2021 whether the relevant conditions have been met and shall inform the Commission annually thereafter of any subsequent change. Until such Member States have transposed and implemented this Directive, they may not have any ports falling within the scope of this Directive and they may not allow ships, including craft, that fall within the scope of this Directive to fly their flag.

Section 2

Provision of adequate port reception facilities

Article 4

Port reception facilities

- 1 Member States shall ensure the availability of port reception facilities adequate to meet the need of the ships normally using the port without causing undue delay to ships.
- 2 Member States shall ensure that:
 - a the port reception facilities have the capacity to receive the types and quantities of waste from ships normally using that port, taking into account:
 - (i) the operational needs of the port users;
 - (ii) the size and geographical location of that port;
 - (iii) the type of ships calling at that port; and
 - (iv) the exemptions provided for under Article 9;
 - b the formalities and practical arrangements relating to the use of the port reception facilities are simple and expeditious to avoid undue delays to ships;
 - c the fees charged for delivery do not create a disincentive for ships to use the port reception facilities; and
 - d the port reception facilities allow for the management of the waste from ships in an environmentally sound manner in accordance with Directive 2008/98/EC and other relevant Union and national waste law.

For the purposes of point (d) of the first subparagraph, the Member States shall ensure separate collection to facilitate reuse and recycling of waste from ships in ports as required under Union waste law, in particular Directive 2006/66/EC of the European Parliament and the Council⁽¹⁾, Directive 2008/98/EC and Directive 2012/19/EU of the European Parliament and of the Council⁽²⁾. In order to facilitate this process, port reception facilities may collect the separate waste fractions in accordance with waste categories defined in the MARPOL Convention, taking into account the guidelines thereof.

Point (d) of the first subparagraph shall apply without prejudice to the more stringent requirements imposed by Regulation (EC) No 1069/2009 for the management of catering waste from international transport.

3 Member States, in their capacity as flag States, shall use the IMO forms and procedures to notify the IMO as well as the authorities of the port State of alleged inadequacies of port reception facilities.

Member States, in their capacity as port States, shall investigate all reported cases of alleged inadequacies and use the IMO forms and procedures to notify the IMO and the reporting flag State of the outcome of the investigation.

4 The port authorities concerned or, failing them, the relevant authorities shall ensure that waste delivery or reception operations are carried out with sufficient safety measures to avert risks to persons and the environment at ports covered by this Directive.

5 Member States shall ensure that any party involved in the delivery or reception of waste from ships can claim compensation for damage caused by undue delay.

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 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.

Section 3

Delivery of waste from ships

Article 6

Advance waste notification

1 The operator, agent or master of a ship which falls within the scope of Directive 2002/59/EC bound for a Union port shall complete truly and accurately the form set out in Annex 2 to this Directive ('advance waste notification') and notify all the information contained therein to the authority or body designated for this purpose by the Member State in which that port is located:

- a at least 24 hours prior to arrival, if the port of call is known;
- b as soon as the port of call is known, if this information is available less than 24 hours prior to arrival; or
- c at the latest upon departure from the previous port, if the duration of the voyage is less than 24 hours.

2 The information from the advance waste notification shall be reported electronically 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.

3 The information from the advance waste notification shall be available on board, preferably in electronic form, at least until the next port of call and shall be made available upon request to the relevant Member States' authorities.

4 Member States shall ensure that the information that is notified pursuant to this Article is examined and shared with the relevant enforcement authorities without delay.

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).

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.

Article 8

Cost recovery systems

1 Member States shall ensure that the costs of operating port reception facilities for the reception and treatment of waste from ships, other than cargo residues, are covered through the collection of a fee from ships. Those costs include the elements listed in Annex 4.

2 The cost recovery systems shall provide no incentive for ships to discharge their waste at sea. To this end, the Member States shall apply all of the following principles in the design and operation of the cost recovery systems:

- a ships shall pay an indirect fee, irrespective of delivery of waste to a port reception facility;
- b the indirect fee shall cover:
 - (i) the indirect administrative costs;
 - (ii) a significant part of the direct operational costs, as determined in Annex 4, which shall represent at least 30 % of the total direct costs for actual delivery of the waste during the previous year, with the possibility of also taking into account costs related to the traffic volume expected for the coming year;
- c in order to provide for a maximum incentive for the delivery of MARPOL Annex V waste other than cargo residues, no direct fee shall be charged for such waste, in order to ensure a right of delivery without any additional charges based on the volume of waste delivered, except where the volume of waste delivered exceeds the maximum dedicated storage capacity mentioned in the form set out in Annex 2 to this Directive; passively fished waste shall be covered by this regime, including the right of delivery;
- d in order to avoid that the costs of collection and treatment of passively fished waste are borne exclusively by port users, Member States shall cover, where appropriate, those costs from the revenues generated by alternative financing systems, including by waste management schemes and by Union, national or regional funding available;
- e in order to encourage the delivery of residues from tank washing containing high-viscosity persistent floating substances, Member States may provide for appropriate financial incentives for their delivery;
- f the indirect fee shall not include the waste from exhaust gas cleaning systems, the costs of which shall be covered on the basis of the types and quantities of waste delivered.

3 The part of the costs which is not covered by the indirect fee, if any, shall be covered on the basis of the types and quantities of waste actually delivered by the ship.

4 The fees may be differentiated on the following basis:

- a the category, type and size of the ship;
- b the provision of services to ships outside normal operating hours in the port; or
- c the hazardous nature of the waste.

5 The fees shall be reduced on the following basis:

- a the type of trade the ship is engaged in, in particular when a ship is engaged in short sea shipping trade;
- b the ship's design, equipment and operation demonstrate that the ship produces reduced quantities of waste, and manages its waste in a sustainable and environmentally sound manner.

By 28 June 2020, the Commission shall adopt implementing acts to define the criteria for determining that a ship meets the requirements stated in point (b) of the first subparagraph in relation to the ship's on-board waste management. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 20(2).

6 In order to ensure that the fees are fair, transparent, easily identifiable, non-discriminatory, and that they reflect the costs of the facilities and services made available, and, where appropriate, used, the amount of the fees and the basis on which they have been calculated shall be made available in an official language of the Member State where the port is located and, where relevant, in a language that is internationally used to the port users in the waste reception and handling plan.

7 Member States shall ensure that monitoring data on the volume and quantity of passively fished waste are collected, and shall report such monitoring data to the Commission. The Commission shall, on the basis of those monitoring data, publish a report by 31 December 2022 and every two years thereafter.

The Commission shall adopt implementing acts to define monitoring data methodologies and the format for reporting. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 20(2).

Article 9

Exemptions

1 Member States may exempt a ship calling at their ports from the obligations in Article 6, Article 7(1) and Article 8 ('the exemption'), where there is sufficient evidence that the following conditions are met:

- a the ship is engaged in scheduled traffic with frequent and regular port calls;
- b there is an arrangement to ensure the delivery of the waste and payment of the fees in a port along the ship's route which:
 - (i) is evidenced by a signed contract with a port or waste contractor and by waste delivery receipts;
 - (ii) has been notified to all ports on the ship's route; and
 - (iii) has been accepted by the port where the delivery and payment take place, which can be a Union port or another port in which, as established on the basis of the information reported electronically into that part of the information, monitoring and enforcement system referred to in Article 13 and in GISIS, adequate facilities are available;
- c the exemption does not pose a negative impact on maritime safety, health, shipboard living or working conditions or on the marine environment.

2 If the exemption is granted, the Member State where the port is located shall issue an exemption certificate, based on the format set out in Annex 5, confirming that the ship meets

the necessary conditions and requirements for the application of the exemption and stating the duration of the exemption.

3 Member States shall report the information from the exemption certificate electronically in that part of the information, monitoring and enforcement system referred to in Article 13.

4 Member States shall ensure effective monitoring and enforcement of the arrangements for the delivery and payment in place for the exempted ships visiting their ports.

5 Notwithstanding the exemption granted, a ship shall not proceed to the next port of call if there is insufficient dedicated storage capacity for all waste that has been accumulated and that will be accumulated during the intended voyage of the ship until the next port of call.

Section 4

Enforcement

Article 10

Inspections

Member States shall ensure that any ship may be subject to inspections, including random ones, in order to verify that it complies with this Directive.

Article 11

Inspection commitments

1 Each Member State shall carry out inspections of ships calling in its ports corresponding to at least 15 % of the total number of individual ships calling in its ports annually.

The total number of individual ships calling in a Member State shall be calculated as the average number of individual ships over the previous three years, as reported through that part of the information, monitoring and enforcement system referred to in Article 13.

2 Member States shall comply with paragraph 1 of this Article by selecting ships on the basis of a Union risk-based targeting mechanism.

In order to ensure harmonisation of inspections and to provide for uniform conditions for selection of ships for inspection, the Commission shall adopt implementing acts to define the detailed elements of the Union risk-based targeting mechanism. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 20(2).

3 Member States shall establish procedures for inspections of ships that fall outside the scope of Directive 2002/59/EC in order to ensure, as far as practicable, compliance with this Directive.

When establishing those procedures, Member States may take into account the Union risk-based targeting mechanism referred to in paragraph 2.

4 If the relevant authority of the Member State is not satisfied with the results of the inspection, it shall, without prejudice to the application of the penalties referred to in Article 16, ensure that the ship does not leave port until it has delivered its waste to a port reception facility in accordance with Article 7.

Article 12

Information, monitoring and enforcement system

The implementation and enforcement of this Directive shall be facilitated by the electronic reporting and exchange of information between Member States in accordance with Article s 13 and 14.

Article 13

Reporting and exchange of information

1 The reporting and exchange of information shall be based on the Union Maritime Information and Exchange System ('SafeSeaNet') referred to in Article 22a(3) of and Annex III to Directive 2002/59/EC.

2 Member States shall ensure that the following information is reported electronically and within reasonable time in accordance with Directive 2010/65/EU:

- a the information on the actual time of arrival and time of departure of every ship falling within the scope of Directive 2002/59/EC which calls at a Union port, together with an identifier of the port concerned;
- b the information from the advance waste notification, as set out in Annex 2;
- c the information from the waste delivery receipt, as set out in Annex 3;
- d the information from the exemption certificate, as set out in Annex 5.

3 Member States shall ensure that the information listed in Article 5(2) is made electronically available through SafeSeaNet.

Article 14

Recording of inspections

1 The Commission shall develop, maintain and update an inspection database to which all Member States shall be connected and which shall contain all the information required for the implementation of the inspection system provided for by this Directive ('the inspection database'). The inspection database shall be based on the inspection database referred to in Article 24 of Directive 2009/16/EC and shall have similar functionalities to that database.

2 Member States shall ensure that the information related to inspections under this Directive, including information regarding non-compliance and prohibition of departure orders issued, is transferred without delay to the inspection database, as soon as:

- a the inspection report has been completed;
- b the prohibition of departure order has been lifted; or
- c an exemption has been granted.

3 The Commission shall ensure that the inspection database makes it possible to retrieve any relevant data reported by the Member States for the purpose of monitoring the implementation of this Directive.

The Commission shall ensure that the inspection database provides information for the Union risk-based targeting mechanism referred to in Article 11(2).

The Commission shall regularly review the inspection database to monitor the implementation of this Directive and call attention to any doubts regarding comprehensive implementation with the aim of instigating corrective action.

4 Member States shall at all times have access to the information recorded in the inspection database.

Article 15

Training of personnel

Port authorities and port reception facility authorities shall ensure that all personnel receive the necessary training to acquire the knowledge which is essential for their work on dealing with waste, with specific attention to health and safety aspects pertaining to dealing with hazardous materials, and that training requirements are regularly updated to meet the challenges of technological innovation.

Article 16

Penalties

Member States shall lay down the rules on penalties applicable to infringements of national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.

Section 5

Final provisions

Article 17

Exchange of experience

The Commission shall provide for the organisation of exchanges of experience between the Member States' national authorities and experts, including those from the private sector, civil society and trade unions, on the application of this Directive in Union ports.

Article 18

Amendment procedure

1 The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend the Annexes to this Directive and the references to IMO instruments in this Directive

to the extent necessary to bring them into line with Union law or in order to take account of developments at international level, in particular at IMO level.

2 The Commission is also empowered to adopt delegated acts in accordance with Article 19 to amend the Annexes when this is necessary in order to improve the implementation and monitoring arrangements established by this Directive, in particular those provided for in Articles 6, 7 and 9, in order to ensure the effective notification and delivery of waste, and the proper application of exemptions.

3 In exceptional circumstances, where duly justified by an appropriate analysis by the Commission and in order to avoid a serious and unacceptable threat to the marine environment, the Commission is empowered to adopt delegated acts in accordance with Article 19 to amend this Directive to the extent necessary to avoid such a threat, in order not to apply, for the purposes of this Directive, an amendment to the MARPOL Convention.

4 The delegated acts provided for in this Article shall be adopted at least three months before the expiration of the period established internationally for the tacit acceptance of the amendment to the MARPOL Convention or the envisaged date for the entry into force of that amendment.

In the period preceding the entry into force of such delegated acts, Member States shall refrain from any initiative intended to integrate that amendment in national law or to apply the amendment to the international instrument concerned.

Article 19

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 18(1), (2) and (3) shall be conferred on the Commission for a period of five years from 27 June 2019. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 18(1), (2) and (3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6 A delegated act adopted pursuant to Article 18(1), (2) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed

the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 20

Committee procedure

1 The Commission shall be assisted by the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) established by Regulation (EC) No 2099/2002 of the European Parliament and of the Council⁽³⁾. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 21

Amendment to Directive 2010/65/EU

In point A of the Annex to Directive 2010/65/EU, point 4 is replaced by the following:

4. Notification of waste from ships, including residues

Articles 6, 7 and 9 of Directive (EU) 2019/883 of the European Parliament and 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 ([OJ L 151, 7.6.2019, p. 116](#)).

Article 22

Repeal

Directive 2000/59/EC is repealed.

References to the repealed Directive shall be construed as references to this Directive.

Article 23

Review

1 The Commission shall evaluate this Directive and submit the results of the evaluation to the European Parliament and the Council by 28 June 2026. The evaluation shall also include a report detailing best waste prevention and management practices on board ships.

2 In the context of Regulation (EU) 2016/1625 of the European Parliament and of the Council⁽⁴⁾, when the next review of the European Maritime Safety Agency (EMSA) mandate is due, the Commission shall also evaluate whether EMSA should be granted additional competences for the enforcement of this Directive.

Article 24

Transposition

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 28 June 2021. They shall immediately inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2 Member States shall communicate to the Commission the text of the main measures of national law which they adopt in the field covered by this Directive.

Article 25

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 26

Addressees

This Directive is addressed to the Member States.

Done at Strasbourg, 17 April 2019.

For the European Parliament

The President

A. TAJANI

For the Council

The President

G. CIAMBA

- (1) Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ L 266, 26.9.2006, p. 1).
- (2) Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE) (OJ L 197, 24.7.2012, p. 38).
- (3) Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships (OJ L 324, 29.11.2002, p. 1).
- (4) Regulation (EU) 2016/1625 of the European Parliament and of the Council of 14 September 2016 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (OJ L 251, 16.9.2016, p. 77).