

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under sections 8(2)(a), (d), (g)) arising from the withdrawal of the United Kingdom from the European Union. They also make further limited consequential provision, pursuant to paragraph 21(b) of Schedule 7 of the Act, in order to restate retained EU law in a clearer way.

The amendments are made to legislation imposing requirements relating to ship recycling, and the authorisation of ship recycling facilities. Part 1 amends secondary legislation and Part 2 amends an EU Regulation (Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC, ‘the EU Regulation’) and three EU Decisions. The secondary legislation amended by Part 1 implements the EU Regulation. Regulations 2 and 3 amend existing secondary legislation which sets out which UK bodies are responsible for the environmental permitting of UK-based ship recycling facilities, and puts in place provision for the enforcement of ship recycling requirements. The direct EU legislation amended by Part 2 imposes obligations relating to the safe and environmentally friendly recycling of ships on ship owners, ship recycling facilities and the Secretary of State.