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STATUTORY INSTRUMENTS

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**2018 No. 1388**

**The Merchant Shipping (Monitoring, Reporting  
and Verification of Carbon Dioxide Emissions)  
(Amendment) (EU Exit) Regulations 2018**

**PART 3**

Amendment of retained direct EU legislation

**Amendment of Commission Regulation (EU) 2015/757**

**3.**—(1) Commission Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending [Directive 2009/16/EC](#)(1) is amended as follows.

(2) In Article 2 (scope), for “under the jurisdiction of a Member State”, wherever it appears, substitute “in the United Kingdom”.

(3) In Article 3 (definitions), in the definition of “ship at berth” for “under the jurisdiction of a Member State” substitute “in the United Kingdom”.

(4) In Article 4 (common principles for monitoring and reporting), for “under the jurisdiction of a Member State”, wherever it appears, substitute “in the United Kingdom”.

(5) In Article 5 (methods for monitoring CO<sub>2</sub> emissions and other relevant information), in paragraph 2—

- (a) in the first sentence omit the words from “Commission” to “Article 23” and substitute “Secretary of State may make regulations” and omit the full stop after “standards”,
- (b) in the second sentence, for the words from “The Commission” to “Article 23” substitute “and”.

(6) In Article 6 (content and submission of monitoring plan)—

- (a) in paragraph 2, for “under the jurisdiction of a Member State”, substitute “in the United Kingdom”,
- (b) in paragraph 5, for the words “determined by the Commission” to the end substitute “in the form specified in regulations made by the Secretary of State.”.

(7) In Article 9 (monitoring on a per-voyage basis)—

- (a) in paragraph 1, for “under a Member State’s jurisdiction” substitute “in the United Kingdom”,
- (b) in paragraph 2(a) for “under the jurisdiction of a Member State” substitute “in the United Kingdom”.

(8) In Article 10 (monitoring on an annual basis), for “under a Member State’s jurisdiction”, wherever it appears, substitute “in the United Kingdom”.

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(1) O.J. L 123, 19.5.2015, p.55.

- (9) In Article 11 (content of the emissions report), in paragraph 1, omit the words from “Commission” to “concerned” and substitute “Secretary of State”.
- (10) In Article 12 (format of the emissions report), for paragraph 2 substitute—
- “2. The technical rules establishing the data exchange formats, including the electronic templates, shall be in the form specified by regulations made by the Secretary of State.”.
- (11) In Article 15 (verification procedures), in paragraph 5—
- (a) in the first sentence omit the words from “Commission” to “order” and substitute “Secretary of State may make regulations”,
- (b) in the second sentence, omit “When adopting these acts, the Commission” and substitute “The Secretary of State”.
- (12) In Article 16 (accreditation of verifiers), in paragraph 3
- (a) In the first sentence, omit the words from “Commission” to “order” and substitute “Secretary of State may make regulations”,
- (b) in the second sentence omit “When adopting these acts, the Commission” and substitute “The Secretary of State”,
- (c) in the third sentence, omit “in those delegated acts”.
- (13) In Article 17 (document of compliance—
- (a) in paragraph 4 for “Commission” substitute “Secretary of State”,
- (b) in paragraph 5—
- (i) omit the words from “Commission” to “acts” and substitute “Secretary of State may make regulations specifying”; and
- (ii) omit the second sentence.
- (14) In Article 18 (obligation to carry a valid document of compliance on board) for “under the jurisdiction of a Member State” substitute “in the United Kingdom”.
- (15) Omit Article 19 (compliance with monitoring and reporting requirement).
- (16) Omit Article 20 (penalties, information exchange and expulsion order).
- (17) In Article 21 (publication of information and Commission report)—
- (a) in the heading omit “and Commission report”,
- (b) in paragraphs 1, 2, 3 and 4, for “Commission”, wherever it appears, substitute “ Secretary of State”,
- (c) omit paragraphs 5 and 6.
- (18) In Article 22 (international cooperation)—
- (a) in paragraph 1—
- (i) for “Commission” substitute “Secretary of State”, and
- (ii) omit the words from “without prejudice” to the end;
- (b) in paragraph 2, omit the words from “Commission” to “States” and substitute “ Secretary of State”,
- (c) in paragraph 3—
- (i) for “Commission” substitute “Secretary of State”; and
- (ii) omit the words after “Regulation” to the end.
- (19) In Article 23 (exercise of delegation) —
- (a) for the title substitute “Regulations”,

- (b) for paragraph 1 substitute “Any power of the Secretary of State to make regulations shall be exercisable by statutory instrument.”,
  - (c) for paragraph 2 substitute “Any statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.”,
  - (d) omit paragraphs 3 to 5.
- (20) Omit Article 24(committee procedure).