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STATUTORY INSTRUMENTS

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**2018 No. 1400**

**The Merchant Shipping (Accident Reporting and Investigation) and the Railways (Accident Investigation and Reporting) (Amendment) (EU Exit) Regulations 2018**

**PART 4**

Amendment and revocation of retained direct EU legislation

**Amendment of Commission Regulation (EU) No. 1286/2011**

- 26.**—(1) [Commission Regulation \(EU\) No. 1286/2011](#) is amended as follows.
- (2) In Article 1, omit “as provided for in Article 5(4) of [Directive 2009/18/EC](#)”.
  - (3) Omit Article 2.
  - (4) After Article 2, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
  - (5) In the Annex, in Part A—
    - (a) in the second paragraph—
      - (i) omit “of the Member States”;
      - (ii) omit “in accordance with [Directive 2009/18/EC](#)” to the end of the paragraph;
    - (b) in the third paragraph, omit “carried out in accordance with the Directive”.
  - (6) In the Annex, in Part B—
    - (a) in paragraph 2.2, for “the factors listed in Article 5(2) of [Directive 2009/18/EC](#)” substitute “the seriousness of the marine casualty or incident, the type of vessel and cargo involved, and the potential for the findings of the safety investigation to lead to the prevention of future casualties and incidents”;
    - (b) in paragraph 3.1, for “lead investigating Member State” substitute “United Kingdom”;
    - (c) omit paragraph 3.4;
    - (d) in paragraph 3.8, omit “, including that of European Marine Casualty Information Platform,”;
    - (e) in paragraph 4.1, for “lead investigating Member State” substitute “United Kingdom”;
    - (f) in paragraph 6.1, for “lead investigating Member State” substitute “United Kingdom”.