
STATUTORY INSTRUMENTS

2019 No. 277

The Ship Recycling (Facilities and Requirements for Hazardous Materials on Ships) (Amendment) (EU Exit) Regulations 2019

PART 1

Amendment of subordinate legislation

Amendment of the Waste Management Licensing Regulations (Northern Ireland) 2003

2.—(1) The Waste Management Licensing Regulations (Northern Ireland) 2003⁽¹⁾ are amended as follows.

(2) In regulation 12(2), for “and 14” substitute “to 15”.

Amendment of the Ship Recycling Facilities Regulations 2015

3.—(1) The Ship Recycling Facilities Regulations 2015⁽²⁾ are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1)—

- (a) omit the definition of “European List”, and
- (b) at the end insert—

““United Kingdom List” means the list of ship recycling facilities published by the Secretary of State under Article 16 of the EU Ship Recycling Regulation;

“United Kingdom Ship” means a ship registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995.”.

(3) In regulation 4 (authorisation of ship recycling facilities)—

- (a) in paragraph (1), for “and 14” substitute “to 15”; and
- (b) in paragraph (2), for “and 14” substitute “to 15”.

(4) In regulation 5 (application of the 1974 Act), for “and 14” substitute “to 15”.

(5) In regulation 6 (health and safety fees), for “the European List”, at each place it occurs, substitute “the United Kingdom List”.

(6) In regulation 7 (European List of facilities at which ships flying the flag of a member State may be recycled)—

- (a) for the heading, substitute “United Kingdom List of facilities at which United Kingdom ships may be recycled”;
- (b) in paragraph (1), in both places where they occur, for the words “European List”, substitute “United Kingdom List”;
- (c) omit paragraph (2);

(1) [S.R. 2003 No. 493](#); relevant amending Regulations are [S.R. 2006 No. 519](#), [S.R. 2009 No. 159](#), [S.R. 2011 No. 127](#), [S.R. 2014 No. 253](#) and [S.R. 2015 No. 229](#).

(2) [S.I. 2015/430](#), amended by [S.I. 2016/1154](#).

(d) for paragraph (3), substitute—

“(3) After exit day, existing facilities must not accept any United Kingdom ship within the scope of the EU Ship Recycling Regulation for ship recycling unless the facility is included on the United Kingdom List.”

(7) In the Schedule, for “the European List”, at each place it occurs, substitute “the United Kingdom List”.

Amendment of the Ship Recycling Facilities Regulations (Northern Ireland) 2015

4.—(1) The Ship Recycling Facilities Regulations (Northern Ireland) 2015(3) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph 1—

- (a) omit the definition of “European List”, and
- (b) at the end insert—

““United Kingdom List” means the list of ship recycling facilities published by the Secretary of State under Article 16 of the EU Ship Recycling Regulation;

“United Kingdom ship” means a ship registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995.”

(3) In regulation 4 (authorisation of ship recycling facilities)—

- (a) in paragraph (1), for “and 14” substitute “to 15”; and
- (b) in paragraph (2), for “and 14” substitute “to 15”.

(4) In regulation 5 (application of the 1978 Order), for “and 14” substitute “to 15”.

(5) In regulation 6 (European List of facilities at which ships flying the flag of a Member State may be recycled)—

- (a) for the heading, substitute “Facilities at which ships may be recycled”;
- (b) for paragraph (1), substitute—

“(1) After exit day, ship recycling facilities in Northern Ireland must not accept any United Kingdom ship within the scope of the EU Ship Recycling Regulation for ship recycling unless the ship recycling facility is included on the United Kingdom List.”

Amendment of the Ship Recycling (Requirements in relation to Hazardous Materials on Ships) (Amendment etc.) Regulations 2018

5.—(1) The Ship Recycling (Requirements in relation to Hazardous Materials on Ships) (Amendment etc.) Regulations 2018(4) are amended as follows.

(2) In regulation 2(3) (interpretation)—

- (a) before “Annex I” insert “the EU Ship Recycling Regulation or”;
- (b) between “that” and “Annex” insert “Regulation or”.

(3) In regulation 9 (offences for contravention of EU Ship Recycling Regulation in respect of Member State ships)—

- (a) in the heading, for “Member State”, substitute “United Kingdom”;
- (b) for sub-paragraph 1(b) substitute—

“(b) which is a United Kingdom ship

(3) S.R. 2015 No. 229, as amended by S.R. 2018 No. 171.

(4) S.I. 2018/1122.

wherever the ship maybe.”;

(c) omit paragraph 2;

(d) omit paragraph 3

(e) omit paragraph 5.

(4) In the heading of regulation 10 (offences for contravention of EU Ship Recycling Regulation in respect of third country ships), for “third country ships” substitute “ships other than United Kingdom ships”.