APPLICATION OF REGULATION (EU) 1257/2013 ON SHIP RECYCLING BY PORT STATE CONTROL

Merchant Shipping Notice 154

Notice to Shipowners, Ship Operators, Managers, Masters, Owners' Representatives and Recognised Organisations

The Merchant Shipping Directorate draws the attention of all concerned that the European Maritime Safety Agency (EMSA) has issued Guidance on Inspections of Ships by the Port States in Accordance with Regulation (EU) 1257/2013 on Ship Recycling. The overarching aim of the Guidance is to ensure harmonised implementation and enforcement of the provisions of the Ship Recycling Regulation and of the Port State Control Directive.

The Directorate takes this opportunity to remind all concerned of the relevant obligations under the Ship Recycling Regulation, including as outlined in Merchant Shipping Notice 147. In particular, ships falling under the scope of the Regulation are expected to have on board an Inventory Certificate (IC) (existing ships as from 31 December 2020) or a Ready for Recycling Certificate (RfRC), as applicable.

In accordance with Article 10(2) of the Regulation, an IC ceases to be valid if the condition of the ship does not correspond substantially with the particulars of the IC, including where Part I of the Inventory of Hazardous Materials (IHM) has not been properly maintained and updated, reflecting changes in ship structure and equipment, taking into account the relevant IMO guidelines. An IC also ceases to be valid where the renewal survey is not completed within intervals not exceeding five years. In accordance with Article 10(4) of the Regulation, a RfRC ceases to be valid where the condition of the ship does not correspond substantially with the particulars of the certificate. It is the responsibility of all concerned to ensure that all certificates are properly completed and signed.

A detailed inspection may be carried out by port State control where a ship does not carry a valid certificate, or there are clear grounds for believing: either that the condition of the ship or its equipment does not correspond substantially with the particulars of that certificate and/or Part I of the IHM; or that there is no procedure implemented on board the ship for the maintenance of Part I of the IHM.

A ship may be warned, detained, dismissed or excluded from the ports or offshore terminals under the jurisdiction of a Member State if it fails to submit to the relevant authorities of that Member State a copy of the IC or the RfRC, as appropriate and on request of those authorities.

The cooperation of all parties is hereby solicited to ensure the uninterrupted operations of Maltese ships.

Merchant Shipping Directorate 16 October 2019

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