

ABS Summary of EU Regulation No 1257/2013 on Ship Recycling

1. The EU Regulation on Ship Recycling entered into force on 30 December, 2013. The EU regulation is similar to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009, (Hong Kong Convention) which has not yet entered into force internationally. The EU Regulation essentially applies the ship recycling requirements of the Hong Kong Convention to ships flagged with EU Member States, as well as certain requirements to non-EU flagged ships calling at EU ports. A summary of requirements affecting shipowners follows. The full text of the Regulation is attached.

2. Inventory of Hazardous Materials (IHM)

An IHM, listing the type and amount of hazardous materials and their location onboard which is maintained and updated throughout the operational life of the ship, is required for both EU flagged ships and non-EU flagged ships. (See Articles 5 and 12 of the Regulation for detailed requirements for the IHM.)

2.1 Part I of an IHM is required to be onboard a:

i) **“New EU flagged ship”**: A ship flagged with an EU Member State for which either:

- (a) the building contract is placed on or after the *date of application*¹ of this Regulation;
- (b) in the absence of a building contract, the keel is laid or the ship is at a similar stage of construction six months after the date of application of this Regulation or thereafter; or
- (c) the delivery takes place thirty months after the date of application of this Regulation or thereafter.

- Before entering into service after the *date of application* of the Regulation and
- Surveyed and certificated by the flag or an authorized RO (See Articles 8, 9 and 10).

ii) **“Existing EU flagged ship”**: A ship flagged with an EU Member State which is not a “New EU flagged ship”:

- Before 31 December 2020, or
- Prior to recycling, if recycled on/after the date of publication of the **“European List”** of ship recycling facilities but before 31 December 2020;
- With a plan describing the visual or sampling check by which the inventory of hazardous materials is developed and taking into account the relevant IMO guidelines; and
- Surveyed and certificated by the flag or an authorized RO (See Articles 8, 9 and 10).

iii) **“Non-EU flagged ship”**: a ship flagged by a State which is not an EU Member State calling at a port or anchorage of an EU Member State.

- Before 31 December 2020;
- With a plan describing the visual or sampling check by which the inventory of hazardous materials is developed and taking into account the relevant IMO guidelines; and

¹ The Regulation applies from the earlier of the following two dates, but not earlier than 31 December 2015:

- (i) 6 months after the date that the combined maximum annual ship recycling output of the ship recycling facilities included in the European List constitutes not less than 2.5million light displacement tonnes (LDT).
- (ii) On 31 December 2018.

- Surveyed and certificated with a Statement of Compliance by the flag or an authorized RO (See Article 12).

2.2 In addition to the hazardous materials set out in the Hong Kong Convention, the EU Regulation adds:

- “Perfluorooctane sulfonic acid (PFOS)” to the “Control of Hazardous Materials” list (for EU Flag ships);
- “Brominated Flame Retardant (HBCDD)” to the “List of items for the Inventory of Hazardous Materials”.

3. For obligations of Owners of “EU flagged ships” with respect to:

- recycling **only** at a ship recycling facility on the “**European List**” (which shall be initially published not later than 31 December 2016): See Articles 6 and 16;
- preparation of a ship for recycling: see Article 6;
- ship recycling plan: see Article 7;
- surveys and certificates: see Articles 8, 9 and 10;

4. For requirements for Ship Recycling Facilities to be included in the “European List”, see Articles 13 – 16 of the Regulation.