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# EU Ship Recycling Regulation

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- Hong Kong Convention as background
- Entry into force
- General Features
  - Prohibition of certain materials on board
  - Ship recycling only in EU approved facilities
  - Certification and Port State Control
- Relevance for non-EU flagged vessels

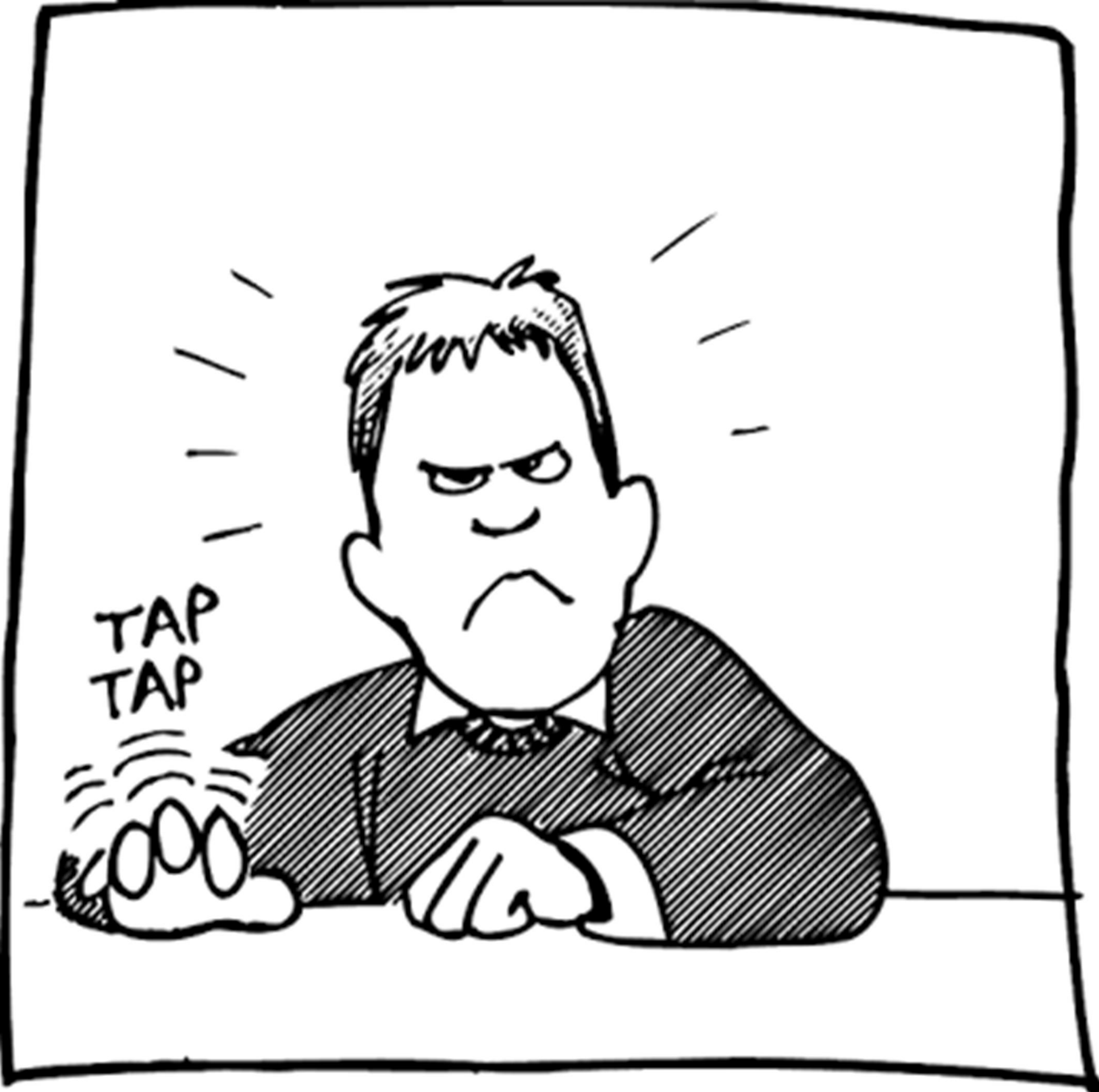
### Hong Kong Convention 2009

- Applies to ships of at least 500 GT
- Entry into force 24 months after
  - no less than 15 states ratified
  - which combine no less than 40% of the gross tonnage of the world's merchant fleet
  - combined ship recycling volume of member states in the last 10 years constitutes on average not less than 3% of the combined merchant fleet of those states
- So far 15 ratifications

Norway (2013), Congo (2014) France (2014), Belgium (2016), Panama (2016), Denmark (2017), Turkey, Serbia, Netherlands, Malta, Japan, Estonia, Germany, Ghana, India (all 2019)

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- So far 15 ratifications – ACHIEVED
- 30,21% of the world's merchant fleet – 9,78% missing
- ??? % average recycling volume - ?? – previously 0,56%



## EU Ship Recycling Regulation

- Applies to ships of at least 500 GT
  - Entry into force
    - approved ship recycling facilities = annual 2,5 Mio. light displacement tons
    - 31 December 2018
  - At 31 December 2019: annual capacity of 1,008,000 LDT
- Entry into force on 31 December 2018



### Follows the features of the Hong Kong Convention

- Ship Recycling: “, *activity of complete or partial dismantling of a ship ... in order to recover components and materials for reprocessing, for preparation for re-use or for re-use*”
- Prohibits the installation and use of certain hazardous materials  
- incl. asbestos, ozone-depleting substances, PCB, PFOS, anti-fouling compounds (“Annex I Materials”)
- Provides for a “*European List of ship recycling facilities*” (“European List”), which meet the environmental and work safety standards of the Regulation
- Prohibits for all (new and existing) EU flagged ships break-up in a facility other than on the EU List
- Provides for Certification and Port State Controls

## Distinguishes

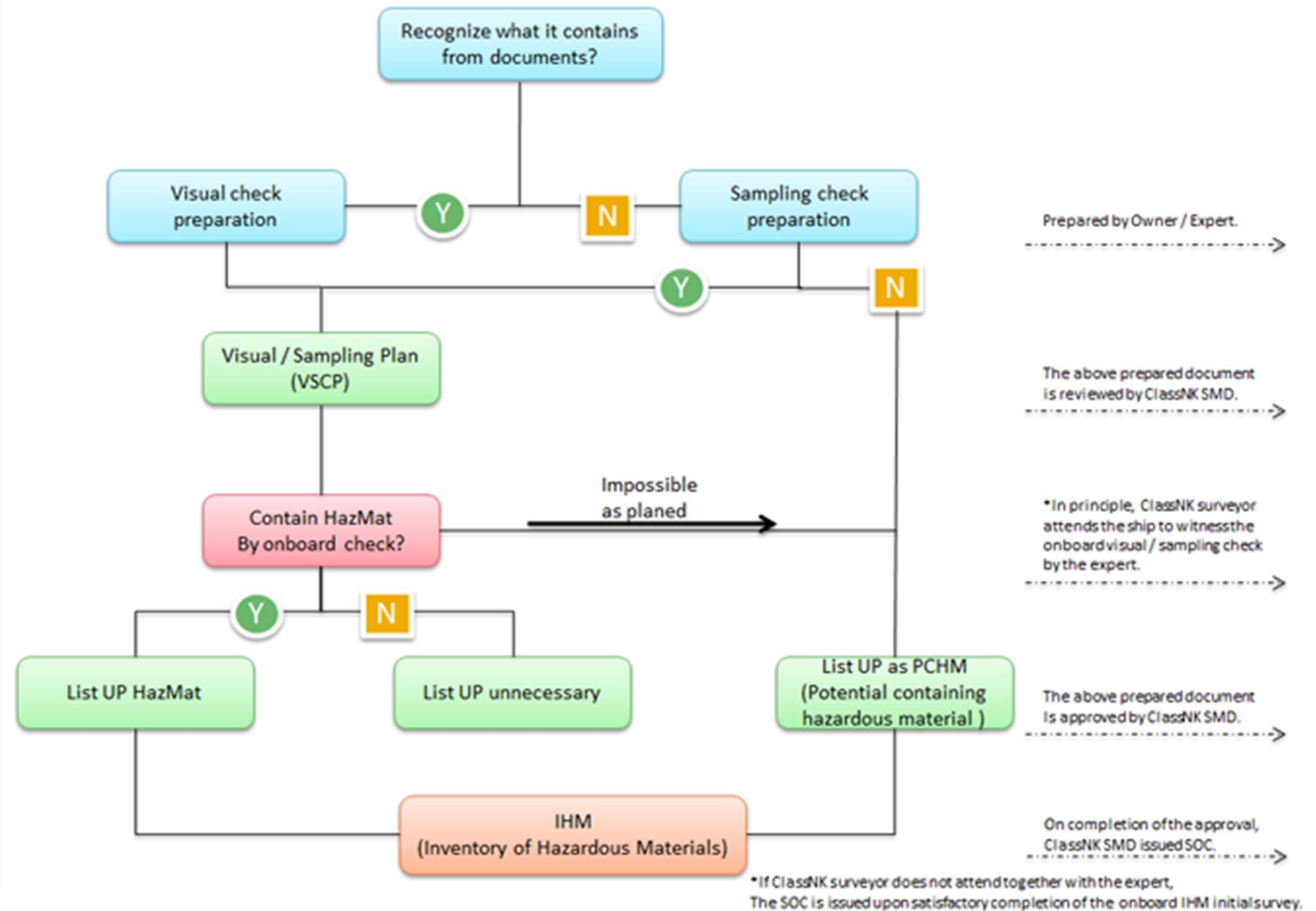
- Between EU and third country shipowners
- For Shipowners EU shipowners between
  - the normal operating/trading phase and
  - the phase when the ship shall be broken up
- For ship recycling facilities between
  - facilities listed in the European List
  - other facilities



## EU flagged ships:

- “*Inventory of Hazardous Materials*” (IHM) required
  - for all new ships under EU flag
    - new: building contract placed after 31.12.2018
    - delivery after 30.06.2020
    - after 31.12.2018
  - for all existing ships after 31.12.2020, with certain exceptions as to content
- IHM has three parts:
  - HM contained in structure or equipment
  - list of operationally created waste present on board
    - waste: any substance or object which the holder discards or intends or is required to discard (Art. 3 EU Directive 2008/98 on Waste)
  - list of stores present on board

## Flow Diagram for Developing Part I of the IHM for Existing Ships



<https://www.classnk.or.jp/hp/en/activities/statutory/shiprecycle/index.html>

- IHM must be *“properly maintained and updated”*
- Ship must be surveyed after IHM is prepared (*“initial survey”*)
- After initial survey *“Inventory Certificate”* is issued; validity 5 years
- *“Renewal survey”* latest after 5 years; new *Inventory Certificate*
- *“Final Survey”* before ship is taken out of service
- After successful final survey: *“Ready for Recycling Certificate”*
- Ship may only be recycled, if a *Ready for Recycling Certificate* has been issued



## Ship Recycling Facility

- Must be included in the European List, what requires
  - authorized by national authorities
  - operated in a safe and environmentally sound manner
    - what requires break-up only *“on impermeable floors with effective drainage system”*
  - operates from *“built structures”*

Ships flying the flag of a third country, when calling at an EU port or anchorage:

- Art. 12

Subject to point (b) of Article 32(2), when calling at a port or anchorage of a Member State, a ship flying the flag of a third country shall have on board an inventory of hazardous materials that complies with Article 5(2).

- Art. 5

Each new ship shall have on board an inventory of hazardous materials, which shall identify at least the hazardous materials referred to in Annex II and contained in the structure or equipment of the ship, their location and approximate quantities.

- Art. 32(2)(b): Effective as of 31.12.2020

Ships flying the flag of a third country, when calling at an EU port or anchorage:

- Must have an “*Inventory of Hazardous Materials*” (IHM) on board,
- Such IHM being “*properly maintained and updated throughout the operational life of the ship*”,
- Must have a plan describing the method by which the inventory of hazardous materials is developed
- Must have a “*Statement of Compliance*”, which the third country flag state authorities have issued “*after verification of the inventory of hazardous materials*”
- Statement “*may be modelled on the basis of Appendix 3 to the Hong Kong Convention*”.
- Use of hazardous materials on ships flying the flag of a third country, whilst in a port or anchorage of a EU Member State, is prohibited/restricted as specified in Annex I.



### Port State Control

An EU flagged a ship / a ship flying the flag of a third country *“may be warned, detained, dismissed or excluded from the ports or offshore terminals under the jurisdiction of a Member State in the event that it fails to submit to the relevant authorities of that Member State a copy of the statement of compliance”*

Good  
Night,  
and  
Good  
Luck.



# Thank you for your attention



If you are interested in an exchange  
on the subject, please revert to  
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