

Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC (Text with EEA relevance)

TITLE V

REPORTING AND ENFORCEMENT

Article 21

Reports by the Member States

- 1 Each Member State shall send to the Commission a report containing the following:
- a a list of the ships flying its flag to which a ready for recycling certificate has been issued, and the name of the ship recycling company and the location of the ship recycling facility as shown in the ready for recycling certificate;
 - b a list of the ships flying its flag for which a statement of completion has been received;
 - c information regarding illegal ship recycling, penalties and follow-up actions undertaken by the Member State.

[^{F12} Each report shall cover three years and shall be electronically transmitted to the Commission no later than nine months after the end of the three-year period covered by it.

The first electronic report shall cover the three-year period starting on the date of application of this Regulation, in accordance with Article 32(1). Where a Member State authorises the recycling of ships in ship recycling facilities that are included in the European List prior to the date of application of this Regulation in accordance with Article 26, the first electronic report of that Member State shall also cover the period from the date of such authorisation to the date of application of this Regulation.

The Commission shall publish a report on the application of this Regulation no later than nine months after receiving the reports from the Member States.]

- 3 The Commission shall enter this information in an electronic database that is permanently accessible to the public.

Textual Amendments

- F1** Substituted by [Decision \(EU\) 2018/853 of the European Parliament and of the Council of 30 May 2018 amending Regulation \(EU\) No 1257/2013 and Directives 94/63/EC and 2009/31/EC of the European Parliament and of the Council and Council Directives 86/278/EEC and 87/217/EEC as regards procedural rules in the field of environmental reporting and repealing Council Directive 91/692/EEC.](#)

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1257/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 22

Enforcement in Member States

1 Member States shall lay down provisions on penalties applicable to infringements of this Regulation and shall take all the measures necessary to ensure that they are applied. The penalties provided for shall be effective, proportionate and dissuasive.

2 Member States shall cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of potential circumvention and breach of this Regulation.

3 Member States shall designate those members of their permanent staff responsible for the cooperation referred to in paragraph 2. That information shall be sent to the Commission, which shall distribute to those members a compiled list.

4 Member States shall communicate to the Commission the provisions of their national law relating to the enforcement of this Regulation and the applicable penalties.

Article 23

Request for action

1 Natural or legal persons affected or likely to be affected by a breach of Article 13 in conjunction with Article 15 and Article 16(1)(b) of this Regulation, or having a sufficient interest in environmental decision-making relating to the breach of Article 13 in conjunction with Article 15 and Article 16(1)(b) of this Regulation shall be entitled to request the Commission to take action under this Regulation with respect to such a breach or an imminent threat of such a breach.

The interest of any non-governmental organisation promoting environmental protection and meeting the requirements laid down in Article 11 of Regulation (EC) No 1367/2006 of the European Parliament and of the Council⁽¹⁾ shall be deemed sufficient for the purposes of the first subparagraph.

2 The request for action shall be accompanied by the relevant information and data supporting that request.

3 Where the request for action and the accompanying information and data show in a plausible manner that a breach of Article 13 in conjunction with Article 15 and Article 16(1)(b) has occurred, or that there is an imminent threat of such a breach, the Commission shall consider any such requests for action and information and data. In such circumstances, the Commission shall give the ship recycling company concerned an opportunity to make its views known with respect to the request for action and the accompanying information and data.

4 The Commission shall, without delay and in accordance with the relevant provisions of Union law, inform the persons who submitted a request pursuant to paragraph 1, of its decision to accede to or refuse the request for action and shall provide the reasons for it.

Status: Point in time view as at 31/01/2020.

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- (1) Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies ([OJ L 264, 25.9.2006, p. 13](#)).

Status:

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