

Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (Text with EEA relevance)

Section 5

Final provisions

Article 18

Amendment procedure

1 The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend the Annexes to this Directive and the references to IMO instruments in this Directive to the extent necessary to bring them into line with Union law or in order to take account of developments at international level, in particular at IMO level.

2 The Commission is also empowered to adopt delegated acts in accordance with Article 19 to amend the Annexes when this is necessary in order to improve the implementation and monitoring arrangements established by this Directive, in particular those provided for in Articles 6, 7 and 9, in order to ensure the effective notification and delivery of waste, and the proper application of exemptions.

3 In exceptional circumstances, where duly justified by an appropriate analysis by the Commission and in order to avoid a serious and unacceptable threat to the marine environment, the Commission is empowered to adopt delegated acts in accordance with Article 19 to amend this Directive to the extent necessary to avoid such a threat, in order not to apply, for the purposes of this Directive, an amendment to the MARPOL Convention.

4 The delegated acts provided for in this Article shall be adopted at least three months before the expiration of the period established internationally for the tacit acceptance of the amendment to the MARPOL Convention or the envisaged date for the entry into force of that amendment.

In the period preceding the entry into force of such delegated acts, Member States shall refrain from any initiative intended to integrate that amendment in national law or to apply the amendment to the international instrument concerned.