

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)

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)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee⁽¹⁾,

Having regard to the opinion of the Committee of the Regions⁽²⁾,

Acting in accordance with the ordinary legislative procedure⁽³⁾,

Whereas:

- (1) The Union's maritime policy aims to ensure a high level of safety and environmental protection. This can be achieved through compliance with international conventions, codes and resolutions while maintaining the freedom of navigation as provided for by the United Nations Convention on the Law of the Sea ('UNCLOS').
- (2) The United Nations Sustainable Development Goal 14 calls attention to the threats of marine and nutrient pollution, resource depletion and climate change, all of which are caused primarily by human actions. Those threats place further pressure on environmental systems, like biodiversity and natural infrastructure, while creating global socioeconomic problems, including health, safety and financial risks. The Union must work to protect marine species and to support the people who depend on oceans, whether it be for employment, resources or leisure.
- (3) The International Convention for the Prevention of Pollution from Ships ('MARPOL Convention') provides for general prohibitions on discharges from ships at sea, but also regulates the conditions under which certain types of waste can be discharged into the marine environment. The MARPOL Convention requires contracting Parties to ensure the provision of adequate reception facilities in ports.

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- (4) The Union has pursued the implementation of parts of the MARPOL Convention through Directive 2000/59/EC of the European Parliament and the Council⁽⁴⁾, by following a port-based approach. Directive 2000/59/EC aims to reconcile the interests of smooth operation of maritime transport with the protection of the marine environment.
- (5) In the last two decades, the MARPOL Convention and its Annexes have been the object of important amendments, which have put in place stricter norms and prohibitions for the discharges of waste from ships at sea.
- (6) Annex VI to the MARPOL Convention introduced discharge norms for new waste categories, in particular the residues from exhaust gas cleaning systems, consisting of both sludge and bleed-off water. Those waste categories should be included in the scope of this Directive.
- (7) Member States should continue to work at International Maritime Organization ('IMO') level for a comprehensive consideration of the environmental impacts of wastewater discharges from open loop scrubbers, including for measures to counter possible impacts.
- (8) Member States should be encouraged to take appropriate measures in accordance with Directive 2000/60/EC of the European Parliament and of the Council⁽⁵⁾, including discharge bans for wastewater from open loop scrubbers and certain cargo residues in their territorial waters.
- (9) On 1 March 2018, the IMO adopted the revised Consolidated Guidance for port reception facility providers and users (MEPC.1/Circ. 834/Rev.1) ('the IMO Consolidated Guidance'), which includes standard formats for waste notification, for the waste delivery receipt and for reporting alleged inadequacies of port reception facilities, as well as waste reception facility reporting requirements.
- (10) Despite those regulatory developments, discharges of waste at sea still occur at substantial environmental, social and economic costs. This is due to a combination of factors, namely adequate port reception facilities not always being available in ports, enforcement often being insufficient and there being a lack of incentives to deliver the waste onshore.
- (11) Directive 2000/59/EC has contributed to increasing the volumes of waste being delivered to port reception facilities, inter alia, by ensuring that ships contribute to the costs of those facilities, irrespective of their actual use of those facilities, and as such has been instrumental in reducing waste discharges at sea, as was revealed in the evaluation of that Directive carried out in the framework of the Regulatory Fitness and Performance programme ('REFIT Evaluation').
- (12) The REFIT Evaluation has also demonstrated that Directive 2000/59/EC has not been fully effective due to inconsistencies with the MARPOL Convention framework. In addition, Member States have developed different interpretations of the key concepts in that Directive, such as adequacy of the facilities, advance waste notification, the mandatory delivery of waste to port reception facilities and exemptions for

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ships in scheduled traffic. The REFIT Evaluation called for more harmonisation of those concepts and full alignment with the MARPOL Convention in order to avoid unnecessary administrative burden on both ports and port users.

- (13) In order to align Directive 2005/35/EC of the European Parliament and of the Council⁽⁶⁾ to the relevant MARPOL Convention provisions on discharge norms, the Commission should assess the desirability of a review of that Directive, in particular through an extension of its scope.
- (14) Union maritime policy should aim at a high level of protection of the marine environment taking into account the diversity of the maritime areas of the Union. It should be based on the principles that preventive action should be taken and that damage to the marine environment should, as a priority, be rectified at source and that the polluter should pay.
- (15) This Directive should be instrumental for the application of the main environmental legislation and principles in the context of ports and the management of waste from ships. In particular, Directives 2008/56/EC⁽⁷⁾ and 2008/98/EC⁽⁸⁾ of the European Parliament and the Council are relevant instruments in this regard.
- (16) Directive 2008/98/EC lays down the main waste management principles, including the ‘polluter pays’ principle and the waste hierarchy, which calls for the reuse and recycling of waste over other forms of waste recovery and disposal and requires the establishment of systems for the separate collection of waste. In addition, the extended producer responsibility concept is a guiding principle of Union waste law, on the basis of which producers are responsible for the environmental impacts of their products throughout the life-cycle of those products. Those obligations also apply to the management of waste from ships.
- (17) Separate collection of waste from ships, including derelict fishing gear, is necessary to ensure its further recovery to enable it to be prepared for reuse or recycling in the downstream waste management chain and to prevent it from causing damage to marine wildlife and environments. Waste is often segregated on-board ships in accordance with international norms and standards, and Union law should ensure that these efforts of on-board waste segregation are not undermined by a lack of arrangements for separate collection on shore.
- (18) Every year a substantial amount of plastic enters the seas and oceans in the Union. Although, in most sea areas, the majority of marine litter originates from land-based activities, the shipping industry, including the fishing and recreational sectors, is also an important contributor, with discharges of waste, including plastic and derelict fishing gear, going directly into the sea.
- (19) Directive 2008/98/EC calls on Member States to halt the generation of marine litter as a contribution towards the United Nations Sustainable Development Goal to prevent and significantly reduce marine pollution of all kinds.
- (20) The Commission Communication of 2 December 2015 entitled ‘Closing the loop – An EU action plan for the Circular Economy’ acknowledged the specific role Directive 2000/59/EC had to play in this respect, by ensuring the availability of adequate facilities

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for the reception of waste, and providing for both the right level of incentives and the enforcement of the delivery of waste to the on-shore facilities.

- (21) Offshore installations are one of the sea-based sources of marine litter. For that reason, Member States should adopt measures as appropriate on waste delivery from offshore installations flying their flag or operating in their waters, or both, and ensure compliance with the stringent discharge norms applicable to offshore installations laid down in the MARPOL Convention.
- (22) Waste, in particular plastic waste, from rivers is one of the main contributors to marine litter, which includes discharges from inland waterway vessels. Those vessels should therefore be subject to stringent discharge and delivery norms. Nowadays, those rules are laid down by the relevant River Commission. However, inland ports are covered by Union waste law. To continue the efforts of harmonising the legislative framework for Union inland waterways, the Commission is invited to evaluate a Union regime for discharge and delivery norms of inland waterway vessels, taking into account the Convention on the collection, deposit and reception of waste produced during navigation on the Rhine and inland waterways of 9 September 1996 (CDNI).
- (23) Council Regulation (EC) No 1224/2009⁽⁹⁾ requires Union fishing vessels to have the equipment on board to retrieve lost gear. In cases where gear is lost, the master of the vessel is to attempt to retrieve it as soon as possible. If the lost gear cannot be retrieved, the master of the fishing vessel is to inform the authorities of its flag Member State within 24 hours. The flag Member State has then to inform the competent authority of the coastal Member State. The information includes the external identification number and the name of the fishing vessel, the type and the position of lost gear as well as the measures that were undertaken to retrieve it. Fishing vessels below 12 metres can be exempted. Under the proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, the reporting by the fishing vessel is to be done in an electronic logbook, and Member States are required to collect and record the information concerning lost gear and provide it to the Commission upon request. The information collected and available in the waste delivery receipts on passively fished waste in line with this Directive could also be reported in this way.
- (24) In accordance with the International Convention for the Control and Management of Ships' Ballast Water and Sediments, which was adopted on 13 February 2004 by IMO and which entered into force on 8 September 2017, all ships are obliged to carry out ballast water management procedures according to IMO standards, and ports and terminals designated for the cleaning and repair of ballast water tanks are required to provide adequate facilities for the reception of sediments.
- (25) A port reception facility is considered to be adequate if it is able to meet the needs of the ships normally using the port without causing undue delay, as also specified in the IMO Consolidated Guidance and the IMO Guidelines for ensuring the adequacy of port waste reception facilities (Resolution MEPC.83(44)). Adequacy relates both to the operational conditions of the facility in view of the user needs, as well as to the environmental management of the facilities in accordance with Union waste law. It

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might, in some cases, be difficult to assess whether a port reception facility located outside the Union meets such standard.

- (26) Regulation (EC) No 1069/2009 of the European Parliament and of the Council⁽¹⁰⁾ requires international catering waste to be incinerated or disposed of by burial in an authorised landfill, including waste from ships calling at Union ports which has potentially been in contact with animal by-products on board. In order for this requirement not to limit the preparation for reuse and recycling of waste from ships, efforts should be made in accordance with the IMO Consolidated Guidance in order to better segregate the waste so that potential contamination of waste, such as packaging waste, can be avoided.
- (27) As established in Regulation (EC) No 1069/2009, in conjunction with Commission Regulation (EU) No 142/2011⁽¹¹⁾, intra-Union voyages are not considered transport operating internationally and the catering waste from those voyages does not need to be incinerated. However, such intra-Union voyages are considered international voyages under international maritime legislation (the MARPOL Convention and the International Convention for the Safety of Life at Sea (SOLAS)). In order to ensure the coherence of Union law, the definitions from Regulation (EC) No 1069/2009 should be followed when defining the scope and treatment of international catering waste under this Directive, in conjunction with Regulation (EU) No 142/2011.
- (28) To ensure the adequacy of port reception facilities, the development, implementation and re-assessment of the waste reception and handling plan is essential, based on the consultation of all relevant parties. For practical and organisational reasons, neighbouring ports in the same geographical region might want to develop a joint plan, covering the availability of port reception facilities in each of the ports covered by that plan while providing a common administrative framework.
- (29) It can be challenging to adopt and monitor waste reception and handling plans for small non-commercial ports, such as mooring areas and marinas, which receive low traffic, consisting of recreational craft only, or which are only in use during part of the year. The waste from those small ports is normally handled by the municipal waste management system in accordance with the principles set out in Directive 2008/98/EC. In order not to overburden the local authorities and facilitate the waste management in such small ports, it should be sufficient that waste from such ports is included in the municipal waste stream and managed accordingly, that the port makes information regarding waste reception available to port users, and that the exempted ports are reported in an electronic system to allow for a minimum level of monitoring.
- (30) To address the problem of marine litter effectively, it is fundamental to provide the right level of incentives for the delivery of waste to port reception facilities, in particular waste as defined in Annex V to the MARPOL Convention ('MARPOL Annex V waste'). This can be achieved through a cost recovery system which requires the application of an indirect fee. That indirect fee should be due irrespective of the delivery of waste and should give the right of delivery of the waste without any additional direct charges. The fishing and recreational sector, given their contribution to the occurrence of marine litter, should also be subject to the indirect fee. However, where a ship delivers

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an exceptional amount of MARPOL Annex V waste, especially operational waste, which exceeds the maximum dedicated storage capacity as mentioned in the advance notification form for waste delivery, it should be possible for an additional direct fee to be charged in order to ensure that the costs related to receiving this exceptional amount of waste do not cause a disproportionate burden on a port's cost recovery system. This might also be the case where declared dedicated storage capacity is excessive or unreasonable.

- (31) In certain Member States, schemes have been set up to provide alternative financing of the costs of collecting and managing fishing gear waste or passively fished waste ashore, including 'fishing for litter schemes'. Such initiatives should be welcomed, and Member States should be encouraged to complement the cost recovery systems set up in accordance with this Directive with the fishing for litter schemes to cover the costs of passively fished waste. As such, those cost recovery systems, which are based on the application of a 100 % indirect fee for MARPOL Annex V waste, excluding cargo residues, should not create a disincentive for fishing port communities to participate in existing delivery schemes for passively fished waste.
- (32) A ship's fee should be reduced for those vessels designed, equipped or operated to minimise waste, following certain criteria to be developed by implementing powers conferred on the Commission, in line with the IMO guidelines for the implementation of MARPOL Annex V and with standards developed by the International Organization for Standardization. Reduction and efficient recycling of waste can be primarily achieved through effective on-board waste segregation in line with those guidelines and standards.
- (33) Due to its type of trade, which is characterised by frequent port calls, short sea shipping faces significant costs within the current regime for the delivery of waste to port reception facilities, having to pay a fee at each and every port call. At the same time, the traffic is not sufficiently scheduled and regular to qualify for an exemption from payment and delivery of waste on those grounds. To limit the financial burden on the sector, a reduced fee should be charged to vessels based on the type of traffic in which they are engaged.
- (34) Cargo residues remain the property of the cargo owner after unloading the cargo to the terminal, and may have an economic value. For this reason, cargo residues should not be included in the cost recovery systems and the application of the indirect fee. The charges for the delivery of cargo residues should be paid by the user of the port reception facility, as specified in the contractual arrangements between the parties involved or in other local arrangements. Cargo residues also include the remnants of oily or noxious liquid cargo after cleaning operations, to which the discharge norms of Annexes I and II to MARPOL Convention apply, and which under certain conditions, as set out in those Annexes, do not need to be delivered in port to avoid unnecessary operational costs for ships and congestion in ports.
- (35) Member States should encourage the delivery of residues from tank washings containing high-viscosity persistent floating substances, possibly by way of appropriate financial incentives.

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- (36) Regulation (EU) 2017/352 of the European Parliament and of the Council⁽¹²⁾ includes the provision of port reception facilities as a service in its scope. It provides rules on the transparency of the charging structures applied for the use of port services, consultation of port users and handling of complaint procedures. This Directive goes beyond the framework provided by that Regulation by providing more detailed requirements for the design and operation of the cost recovery systems for port reception facilities for waste from ships and the transparency of the cost structure.
- (37) In addition to providing incentives for delivery of waste, effective enforcement of the delivery obligation is paramount and should follow a risk-based approach, for which a Union risk-based targeting mechanism should be established.
- (38) One of the main obstacles for the effective enforcement of the mandatory delivery obligation has been the different interpretation and implementation by Member States of the exception based on sufficient storage capacity. To avoid the application of this exception undermining the main objective of this Directive, it should be specified further, in particular with regard to the next port of call, and sufficient storage capacity should be determined in a harmonised way, based on common methodology and criteria. In cases where it is difficult to establish whether adequate port reception facilities in ports outside the Union are available, it is essential that the competent authority carefully considers the application of the exception.
- (39) There is a need for further harmonisation of the regime of exemptions for ships engaged in scheduled traffic with frequent and regular port calls, in particular clarification of the terms used and the conditions governing those exemptions. The REFIT Evaluation and the impact assessment have revealed that the lack of harmonisation of the conditions and application of exemptions has resulted in an unnecessary administrative burden for ships and ports.
- (40) Monitoring and enforcement should be facilitated through a system based on electronic reporting and exchange of information. To this end, the existing information and monitoring system set up under Directive 2000/59/EC should be further developed and should continue to be operated on basis of existing electronic data systems, in particular the Union Maritime Information and Exchange system (SafeSeaNet) established by Directive 2002/59/EC of the European Parliament and of the Council⁽¹³⁾ and the Inspection Database set up by Directive 2009/16/EC of the European Parliament and of the Council⁽¹⁴⁾ (THETIS). Such a system should also include the information on port reception facilities available in the different ports.
- (41) Directive 2010/65/EU of the European Parliament and of the Council⁽¹⁵⁾ simplifies and harmonises administrative procedures applied to maritime transport by making the electronic transmission of information more general and streamlining reporting formalities. The Valletta Declaration on the priorities for the EU's maritime transport policy until 2020, endorsed by the Council in its conclusions of 8 June 2017, invited the Commission to propose appropriate follow-up to the revision of that Directive. A public consultation on the reporting formalities for ships was carried out by the Commission from 25 October 2017 to 18 January 2018. On 17 May 2018, the Commission transmitted to the European Parliament and to the Council a proposal for a Regulation

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establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU.

- (42) The MARPOL Convention requires the contracting Parties to maintain up-to-date information on their port reception facilities and to communicate this information to the IMO. To this end, the IMO has established a port reception facilities database within its Global Integrated Shipping Information System ('GISIS').
- (43) In the IMO Consolidated Guidance, the IMO provides for the reporting of alleged inadequacies of port reception facilities. Under that procedure, a ship should report such inadequacies to the administration of the flag State, which in turn is to notify the IMO and the port State of the occurrence. The port State should examine the report and respond appropriately, informing the IMO and the reporting flag State. Reporting of this information on alleged inadequacies directly into the information, monitoring and enforcement system provided for in this Directive would allow for the subsequent transmission of this information into GISIS, relieving Member States as flag and port States from their reporting duty to the IMO.
- (44) The Sub-group on Port Reception Facilities, which was set up under the European Sustainable Shipping Forum, and which brought together a wide range of experts in the field of ship-source pollution and the management of waste from ships, was adjourned in December 2017 in view of the start of interinstitutional negotiations. Since that Sub-group provided valuable guidance and expertise to the Commission, it would be desirable to create a similar expert group with a mandate of exchanging experience on the implementation of this Directive.
- (45) It is important that any penalties laid down by Member States be properly implemented and be effective, proportionate and dissuasive.
- (46) Good working conditions for port personnel working in port reception facilities are of paramount importance to creating a safe, efficient and socially accountable maritime sector, which is able to attract qualified workers and ensure a wide-level playing field across Europe. Initial and periodic training of staff is essential to ensure the quality of services and the protection of workers. Port authorities and port reception facility authorities should ensure that all personnel receive the necessary training to acquire the knowledge which is essential for their work, with specific attention for health and safety aspects pertaining to dealing with hazardous materials, and that training requirements are regularly updated to meet the challenges of technological innovation.
- (47) The powers conferred on the Commission to implement Directive 2000/59/EC should be updated in accordance with the Treaty on the Functioning of the European Union (TFEU).
- (48) The power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the Annexes to this Directive and the references to international instruments 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; amending the Annexes to this Directive when this is necessary in order to improve the implementation and monitoring arrangements established by

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it, in particular in relation to the effective notification and delivery of waste, and the proper application of exemptions; as well as, 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, amending this Directive to the extent necessary to avoid such a threat, in order to prevent, if necessary, changes to those international instruments from applying for the purposes of this Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁽¹⁶⁾. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

- (49) In order to provide for the methods for the calculation of the sufficient dedicated storage capacity; to develop common criteria for recognising, for the purpose of granting a reduced waste fee to ships, that a ship's design, equipment and operation demonstrate that it produces reduced quantities of waste, and manages its waste in a sustainable and environmentally sound manner; to define methodologies for monitoring data on the volume and quantity of passively fished waste and the format for reporting; to define the detailed elements of a Union risk-based targeting mechanism, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council⁽¹⁷⁾.
- (50) Since the objective of this Directive, namely the protection of the marine environment from discharges of waste at sea, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (51) The Union is characterised by regional differences at port level, as also demonstrated in the territorial impact assessment carried out by the Commission. Ports differ based on geographic location, size, administrative set-up and ownership, and are characterised by the type of ships that normally visit. In addition, waste management systems reflect the differences at municipal level and downstream waste management infrastructure.
- (52) Article 349 TFEU requires consideration to be given to the special characteristics of the outermost regions of the Union, namely Guadeloupe, French Guiana, Martinique, Mayotte, Réunion, Saint-Martin, the Azores, Madeira and the Canary Islands. To ensure the adequacy and availability of port reception facilities, it might be appropriate for Member States to make regional operating aid available to port reception facility operators or port authorities in those regions of the Union in order to address the effects of the permanent handicaps referred to in that Article. Regional operating aid made

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available by Member States in that context is exempt from the notification obligation laid down in Article 108(3) TFEU if, at the time it is granted, it fulfils the conditions laid down by Commission Regulation (EU) No 651/2014⁽¹⁸⁾, adopted pursuant to Council Regulation (EC) No 994/98⁽¹⁹⁾.

(53) Directive 2000/59/EC should therefore be repealed,

HAVE ADOPTED THIS DIRECTIVE:

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- (1) [OJ C 283, 10.8.2018, p. 61.](#)
- (2) [OJ C 461, 21.12.2018, p. 220.](#)
- (3) Position of the European Parliament of 13 March 2019 (not yet published in the Official Journal) and decision of the Council of 9 April 2019.
- (4) Directive 2000/59/EC of the European Parliament and the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues ([OJ L 332, 28.12.2000, p. 81](#)).
- (5) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ([OJ L 327, 22.12.2000, p. 1](#)).
- (6) Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences ([OJ L 255, 30.9.2005, p. 11](#)).
- (7) Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) ([OJ L 164, 25.6.2008, p. 19](#)).
- (8) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives ([OJ L 312, 22.11.2008, p. 3](#)).
- (9) Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ([OJ L 343, 22.12.2009, p. 1](#)).
- (10) Regulation (EC) No 1069/2009 of the European Parliament and the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) ([OJ L 300, 14.11.2009, p. 1](#)).
- (11) Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive ([OJ L 54, 26.2.2011, p. 1](#)).
- (12) Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports ([OJ L 57, 3.3.2017, p. 1](#)).
- (13) Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC ([OJ L 208, 5.8.2002, p. 10](#)).
- (14) Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control ([OJ L 131, 28.5.2009, p. 57](#)).
- (15) Directive 2010/65/EU of the European Parliament and of the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC ([OJ L 283, 29.10.2010, p. 1](#)).
- (16) [OJ L 123, 12.5.2016, p. 1.](#)
- (17) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).
- (18) Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Article s 107 and 108 of the Treaty ([OJ L 187, 26.6.2014, p. 1](#)).
- (19) Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Article s 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid ([OJ L 142, 14.5.1998, p. 1](#)).