

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 II

SHIPS

Article 11

Port State control

1 Member States shall apply control provisions for ships in accordance with their national law having regard to Directive 2009/16/EC. Subject to paragraph 2, any such inspection shall be limited to checking that either an inventory certificate or a ready for recycling certificate is kept on board, which, if valid, shall be considered sufficient for the inspection to be approved.

2 A detailed inspection may be carried out by the relevant authority involved in port State control activities, taking into account the relevant IMO guidelines, where a ship does not carry a valid certificate or there are clear grounds for believing either that:

- a the condition of the ship or its equipment does not correspond substantially with the particulars of that certificate, Part I of the inventory of hazardous materials, or both; or
- b there is no procedure implemented on board the ship for the maintenance of Part I of the inventory of hazardous materials.

3 A ship 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 inventory certificate or the ready for recycling certificate, as appropriate and on request of those authorities, without prejudice to Article 9. A Member State taking such action shall immediately inform the administration concerned. Failure to update the inventory of hazardous materials shall not constitute a detainable deficiency, but any inconsistencies in the inventory of hazardous materials shall be reported to the administration concerned and shall be rectified at the time of the next survey.

4 Access to a specific port or anchorage may be permitted by the relevant authority of a Member State in the event of force majeure or overriding safety considerations, or to reduce or minimise the risk of pollution or to have deficiencies rectified, provided that adequate measures to the satisfaction of the relevant authority of that Member State have been implemented by the owner, the operator or the master of the ship to ensure safe entry.

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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 11 omitted by [S.I. 2019/277 reg. 6\(10\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 2(2)(c) substituted by [S.I. 2019/277 reg. 6\(2\)\(c\)](#)
- Art. 2(2)(c) words inserted in earlier amending provision S.I. 2019/277, reg. 6(2)(c) by [S.I. 2020/1429 reg. 4\(b\)](#)
- Art. 3(2)(a) words omitted by [S.I. 2019/277 reg. 6\(3\)\(b\)](#)
- Art. 3(2)(aa) inserted by [S.I. 2019/277 reg. 6\(3\)\(c\)](#)
- Art. 3.1(7) words omitted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(i\)](#)
- Art. 3.1(9) word substituted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(ii\)](#)
- Art. 3.1(11) word substituted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(iii\)](#)
- Art. 3.1(21) words omitted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(iv\)](#)
- Art. 3.1(22) words omitted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(v\)](#)
- Art. 3.1(23) substituted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(vi\)](#)
- Art. 3.1(25)-(30) inserted by [S.I. 2019/277 reg. 6\(3\)\(a\)\(vii\)](#)
- Art. 6(2)(a) words substituted by [S.I. 2019/277 reg. 6\(6\)\(a\)](#)
- Art. 8(7)(c) words inserted by [S.I. 2019/277 reg. 6\(8\)\(b\)](#)
- Art. 9(10)(11) substituted for words in Art. 9(9) by [S.I. 2019/277 reg. 6\(9\)\(b\)](#)
- Art. 12(7A) inserted by [S.I. 2019/277 reg. 6\(11\)\(g\)](#)
- Art. 15(2)(c) words substituted by [S.I. 2019/277 reg. 6\(14\)\(c\)\(ii\)](#)
- Art. 16(7) inserted by S.I. 2019/277, reg. 6(15) (as amended) by [S.I. 2020/1429 reg. 4\(g\)](#)
- Art. 32(2)(b) substituted by [S.I. 2019/277 reg. 6\(17\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2019/277, reg. 6(17)(a) omitted immediately before IP completion day by S.I. 2020/1429, regs. 1, 4(h))
- Art. 33 inserted by [S.I. 2019/277 reg. 6\(18\)](#)