EUROPEAN
COMMISSION

Brussels, 22.3.2018
COM(2018) 145 final

REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1257/2013 on ship recycling

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1. INTRODUCTION

Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling([1]) (the Ship Recycling Regulation) lays down rules to prevent, reduce, minimise and, to the extent practicable, eliminate accidents, injuries and other adverse effects on human health and the environment caused by ship recycling. To this end, the Ship Recycling Regulation notably requires ships to carry on board an inventory of hazardous materials, from various dates set in article 32 of the Regulation and depending on the status of the ship.

The Ship Recycling Regulation empowers the Commission to adopt delegated acts, as referred to in Article 5(8), with a view to "*updating of the list of items for the inventory of hazardous materials in Annexes I and II to ensure that the lists include at least the substances listed in Appendices I and II of the Hong Kong Convention*". Article 5(8) further states that "*the Commission shall adopt a separate delegated act in respect of each substance to be added or deleted from Annexes I or II.*"

2. LEGAL BASIS

The present report is required under Article 24(2) of the Ship Recycling Regulation. Under this article, the Commission has the power to adopt delegated acts for a period of five years from 30 December 2013. The Commission is also required to prepare a report in respect of delegated powers, at the latest 9 months before the end of the five-year period. In accordance with Article 24(2), the delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such an extension not later than three months before the end of each period.

3. EXERCISE OF THE DELEGATION

During the period covered by this report, the Commission did not make use of the delegated power referred to in article 5(8). This is because the Hong Kong Convention, while adopted, has not yet entered into force. Its contents can therefore not be revisited yet and additional substances cannot be added to its Appendices. As the Annexes of the Ship Recycling Regulation currently include all substances listed in the Hong Kong Convention Appendices, there is no need for delegated acts.

[1] *OJ L 330, 10.12.2013, p. 1–20.*