



Impact Assessment – revision Directive 2000/59/EC on port reception facilities measures related to marine litter from fishing vessels

Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues applies to all ships, including fishing vessels and small recreational craft authorised to carry no more than 12 passengers, calling at or operating within a port of a Member State. Furthermore, also the ports normally visited by those ships are covered by the Directive, which thus includes fishing ports as well as small marinas.

However, fishing vessels (and small recreational craft) are exempted from certain obligations as stipulated in the Directive: Article 6 (1) provides that fishing vessels (and small recreational craft) do not have to pre-notify their waste when calling at an EU port; under Article 8 (2) these vessels are also excepted from contributing significantly to the costs of PRF in the port; although fishing vessels should also be subject to inspection in order to verify that these vessels deliver their waste in accordance with article 7 and 10 of the Directive, article 11(2) excepts fishing vessels (and small recreational craft) from the specific inspection requirements and control procedures (such as selection criteria for inspection, PSC framework for inspections, follow up action in response to non-compliance, including exchange of information between port states).

In spite of these exemptions, fishing vessels still have to deliver their waste and in doing so incur a direct charge. It has been argued that a significant amount of marine litter from sea based sources originates from fishing vessels and small recreational craft. The impact assessment for the revision of the Directive will now look into improving the incentives for these vessels to deliver their waste to PRF rather than discharge into the sea, and to improve the enforcement of the delivery requirements on these vessels through the PRF inspection regime (as laid down in article 11).

The inception Impact Assessment has listed the following measures with direct or potential relevance to fishing vessels:

- *Measure 1c: Strengthen the requirements for systematic consultation of stakeholders in the development and updating of waste reception and handling (WRH) plans, supplemented by an exchange of good practices of port user involvement.*
- *Measure 2d: Incentivise the delivery of all waste from fishing vessels to port reception facilities, including waste collected from the sea when fishing, either by providing a specific derogation from the payment of a fee for passively fished waste or including fishing vessels in the indirect contribution scheme.*
- *Measure 3a: Replace the 25% minimum inspection requirement with a risk based approach for PRF inspections in line with Directive 2009/16/EC, and revise the inspection and monitoring provisions in the current Directive to improve the monitoring and selection of vessels for inspection, as well as the exchange of information between inspection authorities.*
- *Measure 3d: Seek further consistency between the PRF Directive and Directive 2005/35/EC on ship source pollution and on the introduction of penalties for infringements, by aligning in terms of scope and measures.*

- *Measure 4b: Align/update the notification form (Annex II of the PRF Directive) to reflect the IMO standard and its definitions and categories, and reflect these updates in the electronic reporting into SafeSeaNet (SSN) through the National Single Reporting Window (NSW). In addition, introduce the "electronic signature" as agreed for electronic reporting into SafeSeaNet, and delete the requirement for a formal signature on the waste notification form.*