



STATUTORY INSTRUMENTS.

S.I. No. 312 of 2018



EUROPEAN UNION (MARINE EQUIPMENT) (AMENDMENT)
REGULATIONS 2018

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014¹ and for the purpose of giving full effect to Commission Implementing Regulation (EU) 2018/773 of 15 May 2018², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Marine Equipment) (Amendment) Regulations 2018.

2. In these Regulations “Principal Regulations” means the European Union (Marine Equipment) Regulations 2017 (S.I. No. 177 of 2017).

3. Regulation 2 of the Principal Regulations is amended in paragraph (1)—

(a) by the deletion of the definition of “Regulation of 2017”, and

(b) by the insertion of the following definition:

“‘Regulation of 2018’ means Commission Implementing Regulation (EU) 2018/773 of 15 May 2018² on design, construction and performance requirements and testing standards for marine equipment and repealing Implementing Regulation (EU) 2017/306³.”

4. Regulation 10 of the Principal Regulations is amended—

(a) in paragraph (1) by the substitution of “Article 35(2) of the Directive” for “Article 35(2)”, and

(b) in paragraph (2)(b) by the substitution of “Regulation of 2018” for “Regulation of 2017”.

5. Regulation 46 of the Principal Regulations is amended—

(a) by the substitution of the following paragraph for paragraph (3):

“(3) Marine equipment listed as a ‘new item inserted by Implementing Regulation (EU) 2017/306³ in column 1 of the Annex to the

¹OJ No. L 257, 28.8.2014, p. 146

²OJ No. L 133, 30.5.2018, p. 1

³OJ No. L 48, 24.2.2017, p.1

Regulation of 2018 which complies with the requirements for type-approval in force in the State before 16 March 2017 may continue to be placed on the market or on board an Irish ship until 16 March 2020.”,

and

(b) by the insertion of the following paragraph after paragraph (3):

“(4) Marine equipment listed as a ‘new item inserted by Implementing Regulation (EU) 2018/773’² in column 1 of the Annex to the Regulation of 2018 which complies with the requirements for type-approval in force in the State before 19 June 2018 may continue to be placed on the market or on board an Irish ship until 19 June 2021.”.



GIVEN under my Official Seal,
3 August 2018.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

The purpose of this Statutory Instrument is to amend the European Union (Marine Equipment) Regulations 2017 (S.I. No. 177 of 2017), which gave effect to Directive 2014/90/EU of 23 July 2014, to take account of Commission Implementing Regulation (EU) 2018/773 of 15 May 2018 on design, construction and performance requirements and testing standards for marine equipment and repealing Implementing Regulation (EU) 2017/306.

Under Directive 2014/90/EU, the European Commission is empowered to indicate, by means of implementing acts, the design, construction and performance requirements and testing standards in respect of marine equipment falling within the scope of that Directive, as well as the dates from which the testing standards apply. In this regard, the European Commission has recently adopted Commission Implementing Regulation (EU) 2018/773 of 15 May 2018 on design, construction and performance requirements and testing standards for marine equipment and repealing Implementing Regulation (EU) 2017/306.

In addition, there is a small amendment to Regulation 10(1) of the European Union (Marine Equipment) Regulations 2017 to ensure that it is consistent with the rest of the Regulations.

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