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Legislation

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2018/1893

of 16 July 2018

regarding the signature, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ⁽¹⁾ ('the Association Agreement') entered into force on 1 March 2000.
- (2) Since the Association Agreement entered into force, the Union has continued to strengthen its bilateral relations with the Kingdom of Morocco and awarded it advanced status.
- (3) The Union does not prejudge the outcome of the United Nations' political process on the final status of Western Sahara and has consistently reaffirmed its commitment to resolving the dispute in Western Sahara, presently listed by the United Nations as a non-self-governing territory, large parts of which are currently administered by the Kingdom of Morocco. It fully supports the efforts made by the United Nations Secretary-General and his personal envoy to help the parties reach a fair, lasting and mutually acceptable political solution that would ensure the self-determination of the people of Western Sahara under agreements aligned with the principles and objectives enshrined in the Charter of the United Nations, as set out in the Resolutions of the UN Security Council, in particular Resolutions 2152 (2014), 2218 (2015), 2385 (2016); 2351 (2017) and 2414 (2018).
- (4) Since the Association Agreement came into force, products from Western Sahara certified to be of Moroccan origin have been imported to the Union, benefiting from the tariff preferences laid down in its relevant provisions.
- (5) However, in its judgment in Case C-104/16 P ⁽²⁾, the Court of Justice specified that the Association Agreement covered the territory of the Kingdom of Morocco alone and not Western Sahara, which is a non-self-governing territory.
- (6) It should be ensured that the trade flows developed over the years are not disrupted, while establishing appropriate guarantees for the protection of international law, including human rights, and sustainable development in the territories concerned. On 29 May 2017, the Council authorised the Commission to open negotiations with the Kingdom of Morocco with a view to establishing, in accordance with the judgment of the Court of Justice, a legal basis to grant the tariff preferences laid down in the Association Agreement to products originating in Western Sahara. An agreement between the European Union and the Kingdom of Morocco is the

⁽¹⁾ OJ L 70, 18.3.2000, p. 2.

⁽²⁾ Judgment of the Court of Justice of 21 December 2016, *Council of the European Union v Polisario Front*, C-104/16 P, ECLI:EU:C:2016:973.

only means of ensuring that the import of products originating in Western Sahara benefits from preferential origin, given that only the Moroccan authorities are able to ensure compliance with the rules necessary for the granting of such preferences.

- (7) The Commission assessed the potential consequences of such an Agreement for sustainable development, particularly with regard to the advantages and disadvantages for the people concerned arising from the tariff preferences given to products from Western Sahara and the exploitation of the natural resources of the territories in question. The effects of tariff benefits on employment, human rights and the exploitation of natural resources are very difficult to measure as they are by nature indirect. Moreover, it is not easy to obtain objective information on this issue.
- (8) Nonetheless, the assessment indicates that, overall, the advantages for the economy of Western Sahara arising from the granting of the tariff preferences laid down in the Association Agreement to products originating in Western Sahara, such as the powerful leverage effect it represents for economic growth and thus social development, outweigh the disadvantages raised in the consultation process, such as the extensive use of natural resources, especially underground water reserves, for which measures have been taken.
- (9) It has been assessed that the extension of tariff preferences to products originating in Western Sahara will have a positive overall effect for the people concerned. It can be expected that this effect should continue and may even be enhanced in the future. The assessment indicates that extending the benefit of tariff preferences to Western Saharan products will promote the conditions for investment and foster substantial and rapid growth favourable to local jobs. The existence in Western Sahara of economic and production activities that would benefit greatly from the tariff preferences laid down in the Association Agreement shows that failure to grant tariff preferences would significantly jeopardise exports from Western Sahara, especially those of fishery and agricultural products. It is assessed that by stimulating investment, the granting of tariff preferences should have a positive impact on the development of Western Sahara's economy.
- (10) Having regard to the considerations on consent in the ruling of the Court of Justice, the Commission, in liaison with the European External Action Service, has taken all reasonable and feasible steps in the current context to adequately involve the people concerned in order to ascertain their consent to the agreement. Wide-ranging consultations were conducted and the majority of the social, economic and political stakeholders who participated in the consultations stated that they were in favour of extending the tariff preferences in the Association Agreement to Western Sahara. Those who rejected the idea felt essentially that such an Agreement should affirm Morocco's position on Western Sahara. However, the text of the Agreement does not imply that it recognises Morocco's sovereignty over Western Sahara. The Union will also continue to step up its efforts in support of the process, initiated and pursued through the United Nations, working towards a peaceful resolution of the dispute.
- (11) The Commission has thus negotiated, on behalf of the Union, an Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to the Association Agreement (the 'Agreement'), which was initialled on 31 January 2018.
- (12) The Agreement helps achieve the aims pursued by the Union under Article 21 of the Treaty on European Union.
- (13) Therefore, the Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signature, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part (the 'Agreement'), is approved, subject to the conclusion of that Agreement ⁽¹⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 16 July 2018.

For the Council
The President
F. MOGHERINI

REGULATIONS

COMMISSION REGULATION (EU) 2018/1894

of 30 November 2018

establishing a prohibition of fishing for Norway lobster in areas 8a, 8b, 8d and 8e by vessels flying the flag of Belgium

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	38/TQ120
Member State	Belgium
Stock	NEP/8ABDE.
Species	Norway lobster (<i>Nephrops norvegicus</i>)
Zone	8a, 8b, 8d and 8e
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1895
of 30 November 2018
establishing a prohibition of fishing for megrims in areas 8a, 8b, 8d and 8e by vessels flying the
flag of Belgium

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	37/TQ120
Member State	Belgium
Stock	LEZ/*8ABDE (special condition to LEZ/07.)
Species	Megrimms (<i>Lepidorhombus</i> spp.)
Zone	8a, 8b, 8d and 8e
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1896
of 30 November 2018
establishing a prohibition of fishing for hake in areas 8a, 8b, 8d and 8e by vessels flying the flag of
Belgium

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	36/TQ120
Member State	Belgium
Stock	HKE/8ABDE. including HKE/*57-14
Species	Hake (<i>Merluccius merluccius</i>)
Zone	8a, 8b, 8d and 8e
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1897**of 30 November 2018****establishing a prohibition of fishing for skates and rays in Union waters of 8 and 9 by vessels flying the flag of Belgium**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	35/TQ120
Member State	Belgium
Stock	SRX/89-C. including RJC/89-C., RJH/89-C., RJN/89-C., RJU/8-C. and RJU/9-C.
Species	Skates and rays (<i>Rajiformes</i>)
Zone	Union waters of 8 and 9
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1898**of 30 November 2018****establishing a prohibition of fishing for plaice in areas 8, 9 and 10; Union waters of CECAF 34.1.1
by vessels flying the flag of Belgium**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	34/TQ120
Member State	Belgium
Stock	PLE/8/3411
Species	Plaice (<i>Pleuronectes platessa</i>)
Zone	8, 9 and 10; Union waters of CECAF 34.1.1
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1899
of 30 November 2018
establishing a prohibition of fishing for whiting in area 8 by vessels flying the flag of Belgium

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	33/TQ120
Member State	Belgium
Stock	WHG/08.
Species	Whiting (<i>Merlangius merlangus</i>)
Zone	8
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1900
of 30 November 2018
establishing a prohibition of fishing for cod in subdivisions 22-24 by vessels flying the flag of
Poland

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2017/1970 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2017/1970 of 27 October 2017 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2017/127 (OJ L 281, 31.10.2017, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	30/TQ1970
Member State	Poland
Stock	COD/3BC+24
Species	Cod (<i>Gadus morhua</i>)
Zone	Subdivisions 22-24
Closing date	4.10.2018

COMMISSION REGULATION (EU) 2018/1901**of 30 November 2018****establishing a prohibition of fishing for anglerfish in areas 8a, 8b, 8d and 8e by vessels flying the flag of Belgium**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	32/TQ120
Member State	Belgium
Stock	ANF/*8ABDE (special condition to ANF/07.)
Species	Anglerfish (<i>Lophiidae</i>)
Zone	8a, 8b, 8d and 8e
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1902
of 30 November 2018
establishing a prohibition of fishing for common sole in areas 8a and 8b by vessels flying the flag of Belgium

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2018/120 ⁽²⁾ lays down quotas for 2018.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2018.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2018 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127 (OJ L 27, 31.1.2018, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2018.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	31/TQ120
Member State	Belgium
Stock	SOL/8AB.
Species	Common sole (<i>Solea solea</i>)
Zone	8a and 8b
Closing date	6.10.2018

COMMISSION REGULATION (EU) 2018/1903**of 5 December 2018****correcting Annexes IV, VI and VII to Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, and correcting certain language versions of Annexes II, IV, V and VI to that Regulation****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC ⁽¹⁾, and in particular Article 27(1) thereof,

Whereas:

- (1) Following the adoption of Commission Regulation (EU) 2017/2279 ⁽²⁾, an error was detected in point 2 of the Annex to that Regulation replacing Part A of Annex IV to Regulation (EC) No 767/2009 as regards the declared content of ash insoluble in hydrochloric acid. As a result, no tolerance levels were established for a content of ash insoluble in hydrochloric acid of 5 %.
- (2) An omission was detected in points 3 and 4 of the Annex to Regulation (EU) 2017/2279 replacing point 7 of Chapter I of Annex VI and point 8 of Chapter I of Annex VII to Regulation (EC) No 767/2009. This led to ambiguity as regards the scope of the provisions on the voluntary labelling of sensory or nutritional feed additives.
- (3) Regulation (EC) No 767/2009 should therefore be corrected accordingly.
- (4) The Croatian, Czech, English, Estonian, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Romanian, Slovak, Slovenian, Spanish and Swedish language versions of Regulation (EU) 2017/2279 contain an error where that Regulation replaced the term 'crude oils and fats' by the term 'crude fat' in Annexes IV, VI and VII to Regulation (EC) No 767/2009, but erroneously omitted to do so also in Annexes II and V to that Regulation.
- (5) The German language version of Regulation (EU) 2017/2279 contains a number of errors. There is an error in point 2 of the Annex to that Regulation replacing Part A of Annex IV to Regulation (EC) No 767/2009 as regards the percentage values of moisture content. Point 3 of the Annex to Regulation (EU) 2017/2279 replacing Annex VI to Regulation (EC) No 767/2009 contains errors as regards the abbreviated name of flavouring compounds and as regards the target species for the mandatory labelling requirements for lysine and methionine.
- (6) The Croatian, Czech, English, Estonian, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Romanian, Slovak, Slovenian, Spanish and Swedish language versions of Regulation (EC) No 767/2009 should therefore be corrected accordingly. The other language versions are not concerned by these corrections.
- (7) Since safety reasons do not require the immediate application of the corrections to the Annexes, in order to avoid unnecessary disruption of commercial practices and not to create an unnecessary administrative burden on the operators, it is appropriate to provide for transitional measures allowing a smooth conversion of labelling.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 229, 1.9.2009, p. 1.

⁽²⁾ Commission Regulation (EU) 2017/2279 of 11 December 2017 amending Annexes II, IV, VI, VII and VIII to Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed (OJ L 328, 12.12.2017, p. 3).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 767/2009 is corrected as follows:

- (1) in point 2 of Part A of Annex IV, in the second column of the table in row 'ash insoluble in hydrochloric acid', the content of the cell '1 - < 5' is replaced by '1 - 5';
- (2) point 7 of Chapter I of Annex VI is replaced by the following:
'7. Without prejudice to point 6, where a sensory or nutritional feed additive is labelled on a voluntary basis, the added amount shall be indicated in accordance with point 1 or in case of feed additives of the functional group vitamins, pro-vitamins and chemically well-defined substances having similar effect, the total amount guaranteed during the complete shelf-life shall be indicated in accordance with point 2.';
- (3) point 8 of Chapter I of Annex VII is replaced by the following:
'8. Without prejudice to point 7, where a sensory or nutritional feed additive is labelled on a voluntary basis, the added amount shall be indicated in accordance with point 1 or in case of feed additives of the functional group vitamins, pro-vitamins and chemically well-defined substances having similar effect, the total amount guaranteed during the complete shelf-life shall be indicated in accordance with point 2.';
- (4) in point 5 of Annex II and in the third column in rows 3, 5, 12, 15, 16 and 18 of the table in Annex V, the term 'crude oils and fats' is replaced by the term 'crude fat';
- (5) (*does not concern the English language*).

Article 2

1. Feed materials and compound feed which have been labelled before 26 December 2019 in accordance with the rules applicable before 26 December 2018 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for food-producing animals.
2. Feed materials and compound feed which have been labelled before 26 December 2020 in accordance with the rules applicable before 26 December 2018 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for non-food-producing animals.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

DECISIONS

COUNCIL IMPLEMENTING DECISION (EU) 2018/1904

of 4 December 2018

authorising the Netherlands to introduce a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Pursuant to the first paragraph of Article 285 of Directive 2006/112/EC, Member States which have not exercised the option under Article 14 of Council Directive 67/228/EEC ⁽²⁾ may exempt taxable persons whose annual turnover is no higher than EUR 5 000 from value added tax (VAT) or the equivalent in national currency.
- (2) By letter registered with the Commission on 19 July 2018, the Netherlands requested authorisation to introduce a special measure derogating from Article 285 of Directive 2006/112/EC in order to apply an exemption threshold of EUR 25 000. Through that special measure taxable persons whose annual turnover is no higher than EUR 25 000 would be exempt from certain or all of the obligations in relation to VAT as referred to in Chapters 2 to 6 of Title XI of Directive 2006/112/EC.
- (3) A higher threshold for the special scheme for small enterprises set out in Articles 281 to 294 of Directive 2006/112/EC is a simplification measure, as it may significantly reduce the VAT obligations of small enterprises. That special scheme is optional for taxable persons.
- (4) In accordance with the second subparagraph of Article 395(2) of Directive 2006/112/EC, the Commission transmitted the request of the Netherlands to the other Member States by letters dated 9 August 2018, with the exception of Spain and Cyprus, to which the request was transmitted by letters dated 10 August 2018. By letter dated 13 August 2018, the Commission notified the Netherlands that it had all the information necessary for the appraisal of the request.
- (5) The requested derogation is in line with the policy objectives of the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions of 25 June 2008 – ‘Think Small First’ – A ‘Small Business Act’ for Europe.
- (6) Given that the Netherlands expects that the increased threshold will result in reduced VAT obligations and thus a reduction in administrative burdens and compliance costs for small enterprises, the Netherlands should be authorised to apply the special measure for a limited period of time, until 31 December 2022. The special scheme for small enterprises is optional, so taxable persons would still be able to opt for the normal VAT arrangements.
- (7) As Articles 281 to 294 of Directive 2006/112/EC governing the special scheme for small enterprises are subject to review, it is possible that a directive amending those Articles will be adopted and will set a date from which Member States are to apply national provisions before the period of validity of the derogation expires on 31 December 2022. In that case, this Decision should cease to apply.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Second Council Directive 67/228/EEC of 11 April 1967 on the harmonisation of legislation of Member States concerning turnover taxes – Structure and procedures for application of the common system of value added tax (OJ 71, 14.4.1967, p. 1303/67).

- (8) Based on information provided by the Netherlands, the increased threshold will only have a negligible impact on the overall amount of the tax revenue of the Netherlands collected at the final stage of consumption.
- (9) The derogation has no impact on the Union's own resources accruing from VAT because the Netherlands is to carry out a compensation calculation in accordance with Article 6 of Council Regulation (EEC, Euratom) No 1553/89 ⁽¹⁾,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 285 of Directive 2006/112/EC, the Netherlands is authorised to exempt taxable persons whose annual turnover is no higher than EUR 25 000 from VAT.

Article 2

This Decision shall apply from 1 January 2020 until the earlier of the following two dates:

- (a) 31 December 2022;
- (b) the date from which Member States are to apply any national provisions that they are required to adopt in the event that a directive is adopted amending Articles 281 to 294 of Directive 2006/112/EC governing the special scheme for small enterprises.

Article 3

This Decision shall take effect on the date of its notification.

Article 4

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 4 December 2018.

For the Council
The President
H. LÖGER

⁽¹⁾ Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 155, 7.6.1989, p. 9).

COMMISSION DECISION (EU) 2018/1905**of 28 November 2018****on the proposed citizens' initiative entitled 'EU wide referendum whether the European Citizens want the United Kingdom to remain or to leave!'***(notified under document C(2018) 8006)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) The subject matter of the proposed initiative entitled 'EU wide referendum whether the European Citizens want the United Kingdom to remain or to leave!' is stated as follows: 'All European Citizens should have the possibility to express their political opinion, whether they wish the United Kingdom to stay in the European Union'.
- (2) The main objectives of the proposed initiative are: 'This referendum is not a binding plebiscite but a public opinion poll. European Commission should support this public opinion poll giving all European Citizens in all 28 memberstates, the possibility to express their wish whether the Brexit should happen or not. We hope that we can count on the 100 %th support of the European Commission, primarily because we believe that it cannot be tolerated that all European citizens, were misled in a public referendum by promises and statements which in no way reflect reality.'
- (3) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (4) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.
- (5) The right of any Member State to withdraw from the European Union is enshrined in Article 50(1) of the TEU, according to which any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.
- (6) While the European Commission regrets the decision of the United Kingdom to withdraw from the European Union, as stated by Jean-Claude Juncker, President of the European Commission jointly with Martin Schulz, President of the European Parliament, Donald Tusk, President of the European Council and Mark Rutte, Holder of the Presidency of the Council of the European Union, on 24 June 2016 ⁽²⁾, there is no legal basis in the Treaties which would allow for the adoption of a legal act relating to the decision-making process within a Member State in connection with the notification of that Member State's intention to withdraw from the Union pursuant to Article 50 TEU.
- (7) For these reasons, the proposed citizens' initiative entitled 'EU wide referendum whether the European Citizens want the United Kingdom to remain or to leave!' manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties within the meaning of Article 4(2)(b) of the Regulation, read in conjunction with Article 2, point 1, thereof,

HAS ADOPTED THIS DECISION:

Article 1

The registration of the proposed initiative entitled 'EU wide referendum whether the European Citizens want the United Kingdom to remain or to leave!' is hereby refused.

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

⁽²⁾ http://europa.eu/rapid/press-release_STATEMENT-16-2329_en.htm

Article 2

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative called 'EU wide referendum whether the European Citizens want the United Kingdom to remain or to leave!', represented by Erich Hutter and Tanja Glušić acting as contact persons.

Done at Brussels, 28 November 2018.

For the Commission
Frans TIMMERMANS
Vice-President

COMMISSION IMPLEMENTING DECISION (EU) 2018/1906**of 30 November 2018****amending Implementing Decision (EU) 2016/2323 to update the European List of ship recycling facilities established pursuant to Regulation (EU) No 1257/2013 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 16 thereof,

Whereas:

- (1) Article 6(2) of Regulation (EU) No 1257/2013 requires ship owners to ensure that ships destined to be recycled are only recycled at ship recycling facilities included in the European List of ship recycling facilities published pursuant to Article 16 of that Regulation.
- (2) The European List is set out in Commission Implementing Decision (EU) 2016/2323 ⁽²⁾, as last amended by Commission Implementing Decision (EU) 2018/1478 ⁽³⁾.
- (3) Denmark has informed the Commission that a ship recycling facility ⁽⁴⁾ located in its territory has been authorised by the competent authority in accordance with Article 14 of Regulation (EU) No 1257/2013. Denmark has provided the Commission with all information relevant for that facility to be included in the European List. The European List should therefore be updated to include that facility.
- (4) Italy has informed the Commission that a ship recycling facility ⁽⁵⁾ located in its territory has been authorised by the competent authority in accordance with Article 14 of Regulation (EU) No 1257/2013. Italy has provided the Commission with all information relevant for that facility to be included in the European List. The European List should therefore be updated to include that facility.
- (5) Finland has informed the Commission that a ship recycling facility ⁽⁶⁾ located in its territory has been authorised by the competent authority in accordance with Article 14 of Regulation (EU) No 1257/2013. Finland has provided the Commission with all information relevant for that facility to be included in the European List. The European List should therefore be updated to include that facility.
- (6) The Commission has received applications in accordance with Article 15(1) of Regulation (EU) No 1257/2013 for two ship recycling facilities ⁽⁷⁾ located in Turkey to be included in the European List. Having assessed the information and supporting evidence provided or gathered in accordance with Article 15 of Regulation (EU) No 1257/2013, the Commission considers that the facilities comply with the requirements set out in Articles 13 of that Regulation to conduct ship recycling and to be included in the European List. The European List should therefore be updated to include those facilities.
- (7) The Commission has received an application in accordance with Article 15(1) of Regulation (EU) No 1257/2013 for a ship recycling facility ⁽⁸⁾ located in the United States of America to be included in the European List. Having assessed the information and supporting evidence provided or gathered in accordance with Article 15 of that Regulation, the Commission considers that the facility complies with the requirements set out in Articles 13 of that Regulation to conduct ship recycling and to be included in the European List. The European List should therefore be updated to include that facility.

⁽¹⁾ OJ L 330, 10.12.2013, p. 1.

⁽²⁾ Commission Implementing Decision (EU) 2016/2323 of 19 December 2016 establishing the European List of ship recycling facilities pursuant to Regulation (EU) No 1257/2013 of the European Parliament and of the Council on ship recycling (OJ L 345, 20.12.2016, p. 119).

⁽³⁾ Commission Implementing Decision (EU) 2018/1478 of 3 October 2018 amending Implementing Decision (EU) 2016/2323 to update the European List of ship recycling facilities established pursuant to Regulation (EU) No 1257/2013 of the European Parliament and of the Council (OJ L 249, 4.10.2018, p. 6).

⁽⁴⁾ Modern American Recycling Services Europe

⁽⁵⁾ San Giorgio del Porto S.p.A.

⁽⁶⁾ Turun Korjaustelakka Oy

⁽⁷⁾ Leyal Gemi Söküm Sanayi ve Ticaret Ltd and Leyal Demtaş Gemi Söküm Sanayi ve Ticaret A.Ş.

⁽⁸⁾ International Shipbreaking Limited, L.L.C.

- (8) Moreover, it is necessary to correct a few data errors and inconsistencies detected in the entries of the European List.
- (9) Implementing Decision (EU) 2016/2323 should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 25 of Regulation (EU) No 1257/2013,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2016/2323 is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 30 November 2018.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

‘ANNEX

THE EUROPEAN LIST OF SHIP RECYCLING FACILITIES REFERRED TO IN ARTICLE 16 OF REGULATION (EU) No 1257/2013

PART A

Ship recycling facilities located in a Member State

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
BELGIUM						
NV Galloo Recycling Ghent Scheepzatestraat 9 9000 Gent BELGIUM Phone: +32 92512521 Email: peter.wyntin@galloo.com	Alongside (wet berth), slope	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 265 meters Width: 36 meters Draught: 12,5 meters		Tacit approval, with a maximum review period of 30 days	34 000 ⁽⁴⁾	31 March 2020
DENMARK						
Fornæs ApS Rolshøjvej 12-16 8500 Grenå DENMARK www.fornaes.dk	Dismantling by quay and subsequent scrapping on impermeable floors with effective drainage systems	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 150 meters Width: 25 meters Draught: 6 meters GT: 10 000	The municipality of Norddjurs has the right to allocate Hazardous waste for environmentally approved reception facilities.	Tacit approval, maximum review period of 14 days	30 000 ⁽⁵⁾	30 June 2021

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
Modern American Recycling Services Europe (M.A.R.S) Sandholm 60 9900 Frederikshavn DENMARK Website: http://www.modernamericanrecyclingservices.com/ Email: Kristi@marsrecyclers.com	Clipping and flame cutting after the item for dismantling has been placed in a slipway facility	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 290 meters Width: 90 meters Draught: 14 meters	The conditions under which the ship recycling facility operates are defined in the Environmental Permit of 9 March 2018 issued by the Municipality of Frederikshavn The Municipality of Frederikshavn has the right to allocate hazardous waste to environmentally approved reception facilities, as set out in the Environmental Permit for the ship recycling facility. The facility must not store hazardous waste for more than one year.	Tacit approval by the Municipality of Frederikshavn with a review period of 2 weeks.	0 ⁽⁶⁾	23 August 2023
Smedegaarden A/S Vikingkaj 5 6700 Esbjerg DENMARK www.smedegaarden.net	Dismantling by quay and subsequent scrapping on impermeable floors with effective drainage systems	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 170 meters Width: 40 meters Draught: 7,5 meters		Tacit approval, maximum review period of 14 days	20 000 ⁽⁷⁾	15 September 2021

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
ESTONIA						
OÜ BLRT Refonda Baltic	Afloat at the quayside and in the floating dock	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 197 meters Width: 32 meters Draught: 9,6 meters GT: 28 000	Waste permit No. LJÄ/327249. Hazardous waste management licence No 0222. Rules of the Vene-Balti Port, Manual on Ships Recycling MSR-Refonda. Environmental Management System, Waste management EP 4.4.6-1-13 The facility can recycle only these hazardous materials for which it has been licensed.	Tacit approval, with a maximum review period of 30 days.	21 852 ⁽⁸⁾	15 February 2021
SPAIN						
DDR VESSELS XXI, S.L. Port of 'El Musel' Gijón SPAIN Phone: +34 630144416 Email: abarredo@ddr-vessels.com	Dismantling ramp	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013, except nuclear ships. Maximum ship dimensions: Length: 169,9 meters (Ships above that size which can operate a zero rollover or negative ramp movement may be accepted depending on the outcome of a detailed feasibility study)	The limitations are included in the integrated environmental authorisation.	Explicit approval by the Harbour Masters Office of the port where the facility is located	0 ⁽⁹⁾	28 July 2020

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
FRANCE						
Démonaval Recycling ZI du Malaquis Rue François Arago 76580 LE TRAIT FRANCE Phone: + 33 769791280 Email: patrick@demonaval-recycling.fr	Alongside, drydock	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions (drydock): Length: 140 meters Width: 25 meters Depth: 5 meters	Environmental limitations are defined in the prefectural authorisation.	Explicit approval – The competent authority for the approval decision is the minister of environment	0 ⁽¹⁰⁾	11 December 2022
Gardet & De Bezenac Recycling /Groupe Baudalet Environnement – GIE MUG 616, Boulevard Jules Durand 76600 Le Havre FRANCE Phone: +33 2359516 34 Email: infos@gardet-bezenac.com	Floating and slipway	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 150 meters Width: 18 meters LDT: 7 000	Environmental limitations are defined in the prefectural authorisation.	Explicit approval – The competent authority for the approval decision is the minister of environment.	16 000 ⁽¹¹⁾	30 December 2021
Grand Port Maritime de Bordeaux 152, Quai de Bacalan - CS 41320 - 33082 Bordeaux Cedex FRANCE Phone: +33 556905800 Email: maintenance@bordeaux-port.fr	Alongside, drydock	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions (drydock): Length: 240 meters Width: 37 meters Depth: 17 meters	Environmental limitations are defined in the prefectural authorisation.	Explicit approval – The competent authority for the approval decision is the minister of environment.	18 000 ⁽¹²⁾	21 October 2021

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
Les Recycleurs bretons Zone Industrielle de Kerbriant 29 610 Plouigneau FRANCE Phone: +33 298011106 Email: navaleo@navaleo.fr	Alongside, drydock	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions (drydock): Length: 225 meters Width: 34 meters Depth: 27 meters	Environmental limitations are defined in the prefectural authorisation.	Explicit approval – The competent authority for the approval decision is the minister of environment.	5 500 ⁽¹³⁾	24 May 2021

ITALY

San Giorgio del Porto S.p.A. Calata Boccardo 8 16128 Genova ITALY Phone: +39 010251561 Email: segreteria@sgdp.it; sangiorgiodelporto@legalmail.it www.sgdp.it	Alongside, drydock	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 350 meters Width: 75 meters Immersion: 16 meters GT: 130 000	The limitations and restrictions are included in the integrated environmental authorisation. The facility has a Ship Recycling Facility Plan that meets the requirements of Regulation (EU) No 1257/2013	Explicit approval	38 564 ⁽¹⁴⁾	6 June 2023
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Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
LATVIA						
A/S 'Tosmares kuģubūvētava' Ģenerāļa Baloža street 42/44, Liepāja, LV-3402 LATVIA Phone: +371 63401919 Email: shipyard@tosmare.lv	Ship dismantling (wet berth and dry dock)	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 165 m Width: 22 m Depth: 7 m DWT: 14 000 GT: 200 - 12 000 Weight: 100 - 5 000 tonnes LDT: 100 - 5 000	See national permit No. LI10IB0024.	Explicit approval — written notification in 30 working days	0 ⁽¹⁵⁾	11 June 2020
LITHUANIA						
UAB APK Minijos 180 (berth 133A) LT 93269, Klaipėda, LITHUANIA Phone: +370 46365776 Fax +370 46365776 Email: uab.apk@gmail.com	Alongside (wet berth)	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 130 meters Width: 35 meters Depth: 10 meters GT: 3 500	See national permit No. TL-KL.1-15/2015	Explicit approval — written notification in 30 working days	1 500 ⁽¹⁶⁾	17 March 2020

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
UAB Armar Minijos 180 (berths 127A, 131A) LT 93269, Klaipėda, LITHUANIA Phone: +370 68532607 Email: armar.uab@gmail.com; albatrosas33@gmail.com	Alongside (wet berth)	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions (berth 127A): Length: 80 meters Width: 16 meters Depth: 6 meters GT: 1 500 Maximum ship dimensions (berth 131A): Length: 80 meters Width: 16 meters Depth: 5 meters GT: 1 500	See national permit No. TL-KL.1-16/2015 (berth 127A) See national permit No. TL-KL.1-51/2017 (berth 131A)	Explicit approval — written notification in 30 working days	3 910 ⁽¹⁷⁾	17 March 2020 (berth 127A) 19 April 2022 (berth 131A)
UAB Vakarų refonda Minijos 180 (berths 129, 130, 131A, 131, 132, 133A), LT 93269, Klaipėda, LITHUANIA Phone: +370 46483940/483891 Fax +370 46483891 Email: refonda@wsy.lt	Alongside (wet berth)	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 230 meters Width: 55 meters Depth: 14 meters GT: 70 000	See national permit No. (11.2)-30-161/2011/TL-KL.1-18/2015	Explicit approval — written notification in 30 working days	20 140 ⁽¹⁸⁾	21 May 2020

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
THE NETHERLANDS						
Keppel-Verolme Prof. Gerbrandyweg 25 3197 KK Rotterdam-Botlek THE NETHERLANDS Phone: +31 181234353 Email: mzoethout@keppelverolme.nl	Shipbreaking	Maximum ship dimensions: Length: 405 meters Width: 90 meters Depth: 11,6 meters	The site has a permit to operate; this permit contains limitations and conditions to operate in an environmental sound manner.	Explicit approval	52 000 ⁽¹⁹⁾	21 July 2021
Scheepssloperij Nederland B.V. Havenweg 1; 3295 XZ s-Gravendeel Postbus 5234; 3295 ZJ s-Gravendeel THE NETHERLANDS Phone: +31 786736055 Email: info@sloperij-nederland.nl	Shipbreaking	Maximum ship dimensions: Length: 200 meters Width: 33 meters Depth: 6 meters Height: 45 meters (Botlek-bridge) Recycling operations start on water to make the hull lighter; the winch to haul ships on the ramp can pull 2 000 tonnes.	The site has a permit to operate; this permit contains limitations and conditions to operate in an environmental sound manner.	Explicit approval	9 300 ⁽²⁰⁾	27 September 2021
PORTUGAL						
Navalria - Docas, Construções e Reparações Navais Porto Comercial, Terminal Sul, Apartado 39, 3811-901 Aveiro PORTUGAL Phone: +351 234378970, +351 232767700 Email: info@navalria.pt	Drydock dismantling, decontamination and dismantling on an horizontal plane and inclined plane, according to the ship's size	Nominal capacity of the horizontal plane: 700 tonnes Nominal capacity of the inclined plane: 900 tonnes	Conditions applied to the activity are defined in specifications annexed to Title AL n.º 5/2015/CCDRC, of 26 January 2016	Explicit approval	1 900 ⁽²¹⁾	26 January 2020

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
FINLAND						
Turun Korjaustelakka Oy (Turku Repair Yard Ltd) Navirentie 9 21110 Naantali FINLAND Phone: +358 405106952 Email try@turkurepairyard.com	Alongside, drydock	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 250 meters Width: 40 meters Draught: 7,9 meters	The limitations are included in the national environmental permit.	Tacit approval, with a maximum review period of 30 days.	20 000 ⁽²³⁾	1 October 2023
UNITED KINGDOM						
Able UK Limited Teesside Environmental Reclamation and Recycling Centre Graythorp Dock Tees Road Hartlepool Cleveland TS25 2DB UNITED KINGDOM Phone: +44 1642806080 Email: info@ableuk.com	Ship dismantling and associated treatment authorised with dry dock and wet berth	Any ship within the dimensions authorised within the permit. Maximum ship dimensions: Length: 337,5 meters Beam: 120 meters Draft: 6,65 meters	The facility has a Ship Recycling Facility Plan that meets the requirements of Regulation (EU) No 1257/2013. The site is authorised by way of a permit (Reference EPR/VP3296ZM) that limits the operations and places conditions on the operator of the facility.	Explicit approval	66 340 ⁽²³⁾	6 October 2020

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
Dales Marine Services Ltd Imperial Dry Dock Leith Edinburgh EH6 7DR UNITED KINGDOM Contact: Phone: +44 1314543380 Email: leithadmin@dalesmarine.co.uk; b.robertson@dalesmarine.co.uk	Ship dismantling and associated treatment authorised within a drydock, and wet berth	Any ship up to a maximum of 7 000 tonnes Maximum ship dimensions: Length: 165 meters Beam: 21 meters Draft: 7,7 meters	The facility has a Ship Recycling Facility Plan that meets the requirements of Regulation (EU) No 1257/2013. The site is authorised by way of a licence (Ref: WML L 1157331) that limits the operations and places conditions on the operator of the facility.	Explicit approval	7 275 ⁽²⁴⁾	2 November 2022
Harland and Wolff Heavy Industries Limited Queen's Island Belfast BT3 9DU UNITED KINGDOM Phone: +44 2890458456 Email: trevor.hutchinson@harland-wolff.com	Ship dismantling and associated treatment authorised with dry dock, and wet berth	Any ship with the dimensions detailed in the agreed Working Plan. Maximum ship dimensions: The main dock (the largest) is 556 m × 93 m × 1,2 m DWT, and can take vessels up to this size. This largest dry dock is 1,2 million DWT.	The facility has a Ship Recycling Facility Plan that meets the requirements of Regulation (EU) No 1257/2013. The site is authorised by way of a waste management licence, authorisation number LN/07/21/V2 that limits the operations and places conditions on the operator of the facility.	Explicit approval	13 200 ⁽²⁵⁾	3 August 2020
Swansea Drydock Ltd Prince of Wales Dry Dock Swansea Wales SA1 1LY UNITED KINGDOM	Ship dismantling and associated treatment authorised with dry dock, and wet berth	Any ship within the dimensions authorised within the permit.	Site has a Ship Recycling Facility Plan that meets with the requirements of Regulation (EU) No 1257/2013.	Explicit approval	7 275 ⁽²⁶⁾	2 July 2020

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
Phone: +44 1792654592 Email: info@swanseadrydocks.com		Maximum ship dimensions: Length: 200 meters Beam: 27 meters Draft: 7 meters	The site is authorised by way of a permit (Reference EPR/UP3298VL) that limits the operations and places conditions on the operator of the facility.			

⁽¹⁾ As referred to in Article 7(3) of Regulation (EU) No 1257/2013 on ship recycling

⁽²⁾ As referred to in the third sentence of Article 32(1)(a) of Regulation (EU) No 1257/2013

⁽³⁾ The date of expiry of inclusion in the European List corresponds to the date of expiry of the permit or authorisation granted to the facility in the Member State.

⁽⁴⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 50 000 LDT per year.

⁽⁵⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 50 000 LDT per year.

⁽⁶⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 200 000 LDT per year.

⁽⁷⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 50 000 LDT per year.

⁽⁸⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 15 000 LDT per year.

⁽⁹⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 60 000 LDT per year.

⁽¹⁰⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 15 000 LDT per year.

⁽¹¹⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 18 000 LDT per year.

⁽¹²⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 23 000 LDT per year.

⁽¹³⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 10 000 LDT per year.

⁽¹⁴⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 60 000 LDT per year.

⁽¹⁵⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 15 000 LDT per year.

⁽¹⁶⁾ According to its permit, the facility is authorised to recycle a maximum 30 000 LDT per year.

⁽¹⁷⁾ According to its permits, the facility is authorised to recycle a maximum 12 000 LDT per year (6 000 LDT per berth).

⁽¹⁸⁾ According to its permit, the facility is authorised to recycle a maximum 45 000 LDT per year.

⁽¹⁹⁾ According to its permit, the theoretical maximum annual ship recycling capacity of the facility is 100 000 LDT per year.

⁽²⁰⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 45 000 LDT per year.

⁽²¹⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 5 000 LDT per year

⁽²²⁾ According to the information submitted, the theoretical maximum annual ship recycling capacity of the facility is 40 000 LDT per year

⁽²³⁾ According to its permit, the facility is authorised to recycle a maximum of 230 000 LDT per year.

⁽²⁴⁾ According to its permit, the facility is authorised to recycle a maximum of 7 275 LDT per year.

⁽²⁵⁾ According to its permit, the facility is authorised to recycle a maximum of 300 000 LDT per year.

⁽²⁶⁾ According to its permit, the facility is authorised to recycle a maximum of 74 999 LDT per year.

Ship recycling facilities located in a third country

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
TURKEY						
LEYAL GEMİ SÖKÜM SANAYİ ve TİCARET LTD. Gemi Söküm Tesisleri Parcel 3-4 Aliaga, Izmir 35800 TURKEY Phone: +90 2326182030 Email: info@leyal.com.tr	Landing method	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: no limit Width: 100 meters Draught: 15 meters	The site has a Ship Dismantling Permit, issued by the Ministry of Environment and Urban Planning, and a Ship Dismantling Authorisation Certificate, issued by the Ministry of Transport, Maritime Affairs and Communication, which contain limitations and conditions under which the facility operates. Hazardous wastes are handled by SRAT (Ship Recycling Association of Turkey) which operates under the necessary licence issued by the Ministry of Environment and Urban Planning.	Tacit approval The ship recycling plan (SRP) is part of a set of documents, surveys and permits/licences that are submitted to the competent authorities in order to obtain permission to dismantle a ship. The SRP is neither explicitly approved nor rejected as a standalone document.	55 495 ⁽⁴⁾	9.12.2023
LEYAL-DEMTAŞ GEMİ SÖKÜM SANAYİ ve TİCARET A.Ş. Gemi Söküm Tesisleri Parcel 25 Aliaga, Izmir 35800 TURKEY Phone: +90 2326182065 Email: demtas@leyal.com.tr	Landing method	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: no limit Width: 63 meters Draught: 15 meters	The site has a Ship Dismantling Permit, issued by the Ministry of Environment and Urban Planning, and a Ship Dismantling Authorisation Certificate, issued by the Ministry of Transport, Maritime Affairs and Communication, which contain limitations and conditions under which the facility operates. Hazardous wastes are handled by SRAT (Ship Recycling Association of Turkey) which operates under the necessary licence issued by the Ministry of Environment and Urban Planning.	Tacit approval The ship recycling plan (SRP) is part of a set of documents, surveys and permits/licences that are submitted to the competent authorities in order to obtain permission to dismantle a ship. The SRP is neither explicitly approved nor rejected as a standalone document.	50 350 ⁽⁵⁾	9.12.2023

Name of the facility	Method of recycling	Type and size of ships that can be recycled	Limitations and conditions under which the ship recycling facility operates, including as regards hazardous waste management	Details on the explicit or tacit procedure for the approval of the ship recycling plan by the competent authority ⁽¹⁾	Maximum annual ship recycling output, calculated as the sum of the weight of ships expressed in LDT that have been recycled in a given year in that facility ⁽²⁾	Date of expiry of inclusion in the European List ⁽³⁾
UNITED STATES OF AMERICA						
International Shipbreaking Limited L.L.C 18601 R.L Ostos Road Brownsville TX, 78521 UNITED STATES Phone: +1 9568312299 Email: chris.green@internationalshipbreaking.com robert.berry@internationalshipbreaking.com	Alongside (wet berth), slope	Ships as defined in point (1) of Article 3(1) of Regulation (EU) No 1257/2013 Maximum ship dimensions: Length: 335 meters Width: 48 meters Draught: 9 meters	The conditions under which the facility is authorised to operate are defined in permits, certificates and authorisations issued to the facility by the Environmental Protection Agency, the Texas Commission of Environmental Quality, the Texas General Land Office and the U.S Coast Guard. The U.S. Toxic Substances Control Act prohibits the import into the US of foreign flagged vessels that contain PCB concentrations greater than 50 parts per million. The facility has two slips with ramps for final vessel recycling (East Slip and West Slip). Ships flying a flag of EU Member States shall be recycled exclusively on the East Slip ramp.	There is currently no procedure in US law related to the approval of ship recycling plans	120 000 ⁽⁶⁾	9.12.2023

⁽¹⁾ As referred to in Article 7(3) of Regulation (EU) No 1257/2013 on ship recycling.

⁽²⁾ As referred to in the third sentence of Article 32(1)(a) of Regulation (EU) No 1257/2013.

⁽³⁾ The inclusion of a ship recycling facility located in a third country in the European List is valid for a period of five years from the date of entry into force of the relevant Commission Implementing Decision which provides for the inclusion of that facility, unless otherwise stated.

⁽⁴⁾ The theoretical maximum annual ship recycling capacity of the facility is 80 000 LDT per year.

⁽⁵⁾ The theoretical maximum annual ship recycling capacity of the facility is 60 000 LDT per year.

⁽⁶⁾ The theoretical maximum annual ship recycling capacity of the facility is 120 000 LDT per year.'

