



STATUTORY INSTRUMENTS.

**S.I. No. 257 of 2012**



EUROPEAN COMMUNITIES (MARINE EQUIPMENT) (AMENDMENT)  
REGULATIONS 2012

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I, LEO VARADKAR, 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 Council Directive No. 96/98/EC of 20 December 1996<sup>1</sup>, as amended by Commission Directive 2011/75/EU of 2 September 2011<sup>2</sup>, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Marine Equipment) (Amendment) Regulations 2012.

(2) These Regulations come into operation on 5 October 2012.

2. In these Regulations “Regulations of 2011” means the European Communities (Marine Equipment) (Amendment) Regulations 2011 (S.I. No. 448 of 2011).

3. The European Communities (Marine Equipment) Regulations 2009 (S.I. No. 259 of 2009) are amended—

(a) in Regulation 3(1) (inserted by Regulation 3(a) of the Regulations of 2011) by substituting for the definition of “Marine Equipment Directive” the following:

“ ‘Marine Equipment Directive’ means Council Directive No. 96/98/EC of 20 December 1996<sup>1</sup> (as amended by Commission Directive 98/85/EC of 11 November 1998<sup>3</sup>, Commission Directive 2001/53/EC of 10 July 2001<sup>4</sup>, Commission Directive 2002/75/EC of 2 September 2002<sup>5</sup>, Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002<sup>6</sup>, Commission Directive 2008/67/EC of 30 June 2008<sup>7</sup>, Commission Directive 2009/26/EC of 6 April 2009<sup>8</sup>, Commission Directive 2010/68/EU of 22 October 2010<sup>9</sup> and Commission Directive 2011/75/EU of 2 September 2011<sup>2</sup>);”

<sup>1</sup>OJ No. L 46, 17.02.1997, p. 25

<sup>2</sup>OJ No. L 239, 15.09.2011, p. 1

<sup>3</sup>OJ No. L 315, 25.11.1998, p. 14

<sup>4</sup>OJ No. L 204, 28.07.2001, p. 1

<sup>5</sup>OJ No. L 254, 23.09.2002, p. 1

<sup>6</sup>OJ No. L 324, 29.11.2002, p. 53

<sup>7</sup>OJ No. L 171, 01.07.2008, p. 16

<sup>8</sup>OJ No. L 113, 06.05.2009, p. 1

<sup>9</sup>OJ No. L 305, 20.11.2010, p. 1

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 24th July, 2012.*

and

- (b) by inserting after Regulation 9B (inserted by Regulation 3(b) of the Regulations of 2011) the following:

“9C. Despite Regulation 4, equipment listed in Annex A.1 to the Marine Equipment Directive (as in force on 5 October 2012) as having been transferred from Annex A.2 to that Directive to Annex A.1, being equipment that does not comply with the requirements of that Regulation, may be placed on the market and on board an Irish ship until 5 October 2014 if the equipment was manufactured before 5 October 2012 in accordance with procedures for type approval in force before that date within the State or the territory of another Member State.”.



GIVEN under my Official Seal,  
19 July 2012.

LEO VARADKAR,  
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.)*

Commission Directive 2011/75/EU updates the principal Directive 96/98/EC on marine equipment by substituting a new Annex A that sets out the marine equipment to be placed on board ships and the testing standards that apply under the international maritime conventions for MARPOL (prevention of pollution), SOLAS (safety at sea), Load Lines and Collision Regulations.

These Regulations transpose Directive 2011/75/EU with effect from 5 October 2012 and provide that transitional arrangements apply until 5 October 2014 in respect of certain marine equipment that was manufactured before 5 October 2012. The updating consists of amending the European Communities (Marine Equipment) Regulations 2009 (S.I. No. 259 of 2009) as amended by S.I. No. 86 of 2010 and S.I. No. 448 of 2011.

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