

## 66

**REGULATION OF THE GOVERNMENT****of the Slovak Republic**

of 31 January 2007,

**on port reception facilities for ship-generated waste and cargo residues**

The Government of the Slovak Republic in accordance with Article 2 paragraph 1 letter j) of the Act No 19/2002 Coll. establishing the conditions for the issue of approximation regulations of the Government of the Slovak Republic, as amended by later regulations, shall enact:

## Article 1

(1) This Government regulation shall apply to the seagoing ships<sup>1)</sup> including the seagoing fishing ships, seagoing recreational crafts<sup>1)</sup> and seagoing yachts<sup>1)</sup> calling at, or operating within, a port of a Member State of the European Union (hereinafter referred to as „the Member State“), with the exception of warships, war auxiliary or other ships owned or operated by a State and used, for government non-commercial service.

(2) The purpose of this Government regulation is to reduce the discharges of ship-generated waste and cargo residues into the sea and improve the availability and use of port reception facilities for ship-generated waste and cargo residues, thereby enhancing the protection of the marine environment.

## Article 2

(1) For the purpose of this Government regulation:

- a) ship-generated waste shall mean the waste, including sewage, and residues other than cargo residues, which are generated during the service of a ship and fall under the scope of the international agreement<sup>2)</sup> and cargo-associated waste as defined in the international agreement<sup>3)</sup>,
- b) cargo residues shall mean the remnants of any cargo in cargo holds or tanks which remain after cargo unloading and cargo holds cleaning and shall include remnants of any cargo including excesses and spillage originated during loading or unloading,
- c) port reception facilities shall mean any fixed, floating or mobile facility intended for receiving ship-generated waste or cargo residues,
- d) seagoing fishing vessel shall mean any craft equipped commercially for catching fish or other living resources of the sea,
- e) port shall mean a place equipped for the activities associated with the seagoing ships operation, including the seagoing fishing ships, seagoing recreational crafts and yachts.

(2) Provisions of paragraph 1 letters a) and b) shall be without prejudice to the provisions of special regulation.<sup>4)</sup>

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<sup>1)</sup> Article 2 of the Act No 435/2000 Coll. on Maritime Navigation as amended by later regulations.

<sup>2)</sup> Annexes Nos I, IV and V of the International Convention for the Prevention of Pollution from Ships (MARPOL 1973) as amended by later regulations (Communication No 165/2001 Coll.).

<sup>3)</sup> Annex No V of the International Convention for the Prevention of Pollution from Ships (MARPOL 1973) as amended by later regulations.

<sup>4)</sup> Act No 223/2001 Coll. on waste and on amendments of some Acts, in the wording of later regulations.

### Article 3

(1) The master of a seagoing ship, other than seagoing fishing ship, seagoing recreational craft<sup>1)</sup> or yacht<sup>1)</sup> bound for a port of the Member State shall provide the information in accordance with the model established in Annex II of the Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues as amended by the Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 and notify required information to the competent authority of coastal Member State:

- a) at least 24 hours prior to arrival, if the port of call is known,
- b) as soon as the port of seagoing ship call is known, if this information is available less than 24 hours prior to arrival or
- c) at the latest upon departure from the previous port, if the duration of the voyage is less than 24 hours.

(2) The information referred to in paragraph 1 shall be kept on board of a seagoing ship at least until the next port of call and shall upon request be made available to the competent authorities of coastal Member State.

### Article 4

(1) The master of a seagoing ship shall, before leaving the port of the Member State, ensure unloading all ship-generated waste to a port reception facility.

(2) Seagoing ship may proceed in voyage to the next port of call without unloading the ship-generated waste, if it follows from the information given in accordance with Article 3 paragraph 1, that the seagoing ship has sufficient storage capacity for all ship-generated waste that has been accumulated and will be accumulated during the intended voyage of the ship until the port of unloading.

### Article 5

The seagoing ship owner or operator shall pay fees for use of port reception facilities so as the costs of the port reception facilities operation and the treatment and disposal of the waste would be covered, in accordance with the relevant regulations of the Member State in which a ship-generated waste shall be unloaded.

### Article 6

The master of a ship calling at a port of the Member State shall ensure that cargo residues are unloaded to a port reception facility in accordance with the provisions of the international agreement<sup>2)</sup>. The seagoing ship owner or operator, as a user the reception facility, shall pay fee for unloading of cargo residues.

### Article 7

Legal Act of the European Communities listed in Annex is transposed by this Government regulation.

### Article 8

This Government regulation shall enter into force on 1 April 2007.

p. p. **Dušan Čaplovič** s. m.

**Annex**  
**to the Government regulation No 66/2007 Coll.**

**LIST OF TRANSPOSED LEGAL ACTS OF THE EUROPEAN COMMUNITIES**

Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues (Special edition OJ EU, 7/Vol. 5.) as amended by the Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 (Special edition OJ EU, 7/Vol. 7.).