



REPUBLIC OF CYPRUS
SHIPPING DEPUTY MINISTRY

2 November 2023

Circular No. 26/2023

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To all Registered Owners, Registered bareboat charterers
Managers and Representatives of ships flying the Cyprus flag

To all Recognised Organisations

Subject: Implementation of European Union and national legislation on passenger ship safety: Directives 98/41/EC, 2003/25/EC and 2009/45/EC as amended and relevant National Transposition Laws

I wish to refer to the above subject and inform you that for the benefit of better implementation and monitoring of the compliance of Cyprus flagged passenger ships with applicable European Union and national legislation, the Shipping Deputy Ministry ("SDM") hereby issues the following instructions.

1. Directive 98/41/EC Articles 8(2) and 10(1) – Registration of passengers
(National Transposition Law 57(I)/2002¹ as amended - sections 8(2) and 10(1))

All companies, as defined in Article 2² of Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community as amended ("Directive 98/41/EC"), shall have a procedure for data registration in place, which guarantees that information required by this Directive is reported in an accurate and timely manner.

Personal data collected in accordance with Article 5 of Directive 98/41/EC (section 7 of Law 57(I)/2002 as amended) shall be kept by the company no longer than is necessary for the purposes of this Directive, and in any event only until the moment the ship's voyage in question has been safely completed and the data has been reported as required by this Directive and Law 57(I)/2002 as amended.

A certificate or other documentary evidence attesting compliance with the provisions of Directive 98/41/EC issued by the competent authority of an EU Member State or a relevant approval issued by the competent authority of UK shall be submitted by the company to the SDM as evidence of compliance before the commencement of a new route including calls to a port of an EU Member State.

¹ The Merchant Shipping (Registration of Persons Sailing on Board Passenger Ships) Laws of 2002 and 2020 (Law 57(I)/2002 as amended).

² see corresponding definition of the term "operator of a passenger ship" in section 2 of Law 57(I)/2002 as amended.

Recognised Organisations (ROs) delegated to act on behalf of the Republic of Cyprus shall verify compliance with the provisions of Articles 8(2) and 10(1) of Directive 98/41/EC (sections 8(2) and 10(1) of Law 57(I)/2002 as amended) during shipboard and office ISM audits.

2. Directive 2003/25/EC Article 8(1) – Special stability requirements

(National Transposition Law 48(I)/2005³ as amended - section 9)

All ro-ro passenger ships operating to or from a port of an EU Member State shall be issued with a certificate on behalf of the Government of the Republic of Cyprus pursuant to the provisions of Article 8(1) of Directive 2003/25/EC on specific stability requirements for ro-ro passenger ships as amended (section 9 of Law 48(I)/2005 as amended), confirming compliance with the specific stability requirements provided in Article 6 and Annex I of said Directive (section 7 of Law 48(I)/2005 as amended). This certificate will indicate the significant wave height up to which the ship can satisfy the specific stability requirements.

3. Directive 2009/45/EC, Article 13(1) and Annex II – PSSC

(National Transposition Law 190(I)/2020⁴ - section 13(1))

The Passenger Ship Safety Certificate (PSSC) of a passenger ship engaged in voyages in sea areas from a port of an EU Member State to the same or another port within that Member State (domestic voyages) shall be issued in accordance with the format provided in Annex II of Directive 2009/45/EC on safety rules and standards for passenger ships **as shown in the attachment**. It is noted that, pursuant to note (4) of Annex II of Directive 2009/45/EC, Cyprus has included the following restriction/requirement:

The PSSC will be issued for a specific regular service provided that the significant wave height of the sea area is not higher than the one for which the ship can satisfy the specific stability requirements provided in Article 6 and Annex I of Directive 2003/25/EC. This information will be inserted in the front page of the PSSC in the last row of the table of ship's particulars as shown in the attachment.

The new format of the PSSC shall be used **not later than 30/10/2023**.

All PSSCs issued under the provisions of Law 190(I)/2020 not being amended with the new format will **cease to be valid by 31/12/2023**.

4. Directive 2009/45/EC Article 8 and Annex III - Safety requirements for persons with reduced mobility

(National Transposition Law 190(I)/2020, section 10)

The internal market for maritime passenger services should benefit citizens in general. Consequently, disabled persons and persons with reduced mobility, whether caused

³ The Merchant Shipping (Specific Stability Requirements for Ro-Ro Passenger Ships) Laws of 2005 and 2006 (Law 48(I)/2005 as amended).

⁴ The Merchant Shipping (Safety Rules and Standards for Passenger Ships) Law of 2020 (Law 190(I)/2020).

by disability, age or any other factor, should have opportunities for using passenger services and cruises that are comparable to those of other citizens. Disabled persons and persons with reduced mobility have the same rights as all other citizens with regard to free movement, freedom of choice and non-discrimination.

In the light of Directive 2009/45/EC as amended, Law 190(I)/2020, Article 9 of the United Nations Convention on the Rights of Persons With Disabilities (CRPD)⁵ and Regulation (EU) No 1177/2010⁶ concerning the rights of passengers when travelling by sea and inland waterway and in order to give disabled persons and persons with reduced mobility opportunities for maritime travel comparable to those of other citizens, SDM fully endorses and implements the provisions of IMO MSC/Circ.735 "*Recommendation on the Design and Operation of Passenger Ships to Respond to Elderly and Disabled Persons' needs*".

In view of the above, all passenger ships and passenger high-speed crafts registered under the Cyprus flag are expected to have a plan approved by the RO issuing the PSSC in which the following will be indicated:

- i. Access to the ship by wheelchair users and other disabled persons;
- ii. Special parking spaces for the wheelchair users;
- iii. Elevators for use by the wheelchair users;
- iv. Door to public spaces suitable for wheelchair users;
- v. Stairways constructed in order to facilitate the climb for elderly and disabled persons;
- vi. Places reserved for the wheelchair users;
- vii. Seats suitable for disabled persons;
- viii. Corridors, doors and rails suitable for elderly and disabled persons;
- ix. Steps and or ramps for use by elderly and disable persons;
- x. Cabins suitable for wheelchair users;
- xi. Toilets suitable for wheelchair users;
- xii. Signs and alarms suitable for disabled persons;
- xiii. Means to communicate messages.

Furthermore, the crew shall be issued with clear instructions about the assistance needed by elderly and disabled persons in filing a complaint.

The approved plan shall be submitted to the SDM **not later than 01 July 2024**.

5. Implementation measures

The implementation of the prescribed in paragraphs 1 to 4 measures is an obligation of the company which is responsible for the safe operation of the ship as provided by ISM

⁵The Republic of Cyprus ratified said Convention by virtue of Law 8(III)/2011.

⁶SDM Circulars No. 16/2014, 4/2015 and 13/2015 are of relevance.

More information on the "Rights of passengers travelling by sea" may be obtained from the SDM website.

Code The RO issuing the PSSC and/or DOC⁷ and/or SMC⁸ under either SOLAS and/or Directive 2009/45/EC provisions on behalf of the Republic of Cyprus, shall include in its procedures/instructions/checklists appropriate provisions in order to ensure the correct and timely implementation of aforementioned measures.



Dr. Stelios D. Himonas
Permanent Secretary

Cc:

- Maritime Offices of the Shipping Deputy Ministry abroad
- General Manager, Cyprus Ports Authority
- Cyprus Shipping Chamber
- Cyprus Union of Shipowners
- Cyprus Shipping Association
- Cyprus Bar Association

⁷ Document of Compliance issued to the Company under the provisions of ISM Code

⁸ Safety Management Certificate issued to the ship under the provisions of ISM Code

PASSENGER SHIP SAFETY CERTIFICATE

This Certificate shall be supplemented by a Record of Equipment⁽¹⁾

Issued under the provisions of the

The Merchant Shipping (Safety Rules and Standards for Passenger Ships) Law of 2020 (Law 190(I)/2020)

and confirming compliance of the vessel hereafter with Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships as amended

under the authority of the Government of The Republic of Cyprus
by (Full official designation of the organisation recognised under Directive 2009/15/EC)

Particulars of ship	
Name of ship:	
Port of registry:	
Distinctive number or letters:	
IMO number ⁽²⁾ :	
Length	
Number of passengers:	
Gross tonnage:	
Date on which the keel was laid or the ship was at a similar stage of construction:	
Date of initial survey:	
Sea Areas in which the ship is certified to operate (SOLAS Regulation IV/2)	A1/A2/A3/A4 ⁽³⁾
Class of ship in accordance with the sea area in which the ship is certified to operate, subject to following restrictions or additional requirements ⁽⁴⁾ : a. Vessel is engaged in domestic voyages between the ports of and b. The vessel complies with the specific stability requirements established in Article 6 and Annex I of Directive 2003/25/EC for a significant wave height up to m.	A/B/C/D ⁽³⁾

¹ Class A ships holding a valid SOLAS Passenger Ship Safety Certificate may be waived from this supplement.

² IMO ship identification number in accordance with resolution A.1078(28), if any.

³ Delete as appropriate.

⁴ Record any restriction applicable by reason of either the route, area of operation or restricted period of operation or any additional requirement due to specific local circumstances per Article 9(1) of Directive 2009/45/EC.

Initial⁽⁵⁾/Periodical⁽⁵⁾ survey

This is to certify,

1. that the ship has been surveyed in accordance with Article 12 of Directive 2009/45/EC,
2. that the survey showed that the ship fully complies with the requirements of Directive 2009/45/EC, and
3. that the ship is, under the authority conferred by Articles 9(2) and (3) of Directive 2009/45/EC, exempted from and/or granted equivalency to the following requirements of the directive:

.....

Conditions on which the exemption and/or equivalency are granted:

.....

4. that the ship complies with Part G of Chapter II-1 using as fuel/N.A. ⁽⁵⁾
5. that the following subdivision load lines have been assigned:

Subdivision load lines assigned and marked on the ship's sides amidships (SOLAS II-1/18) ⁽⁶⁾	Freeboard (in mm)	Remarks with regard to alternative service conditions
P.1		
P.2		
P.3		

This certificate is valid until in accordance with Article 13.2 of Directive 2009/45/EC.

(Date of the next periodical survey)

Place Date

.....

(Signature and/or seal of issuing authority)

If signed the following paragraph to be added:

The undersigned declares that he is duly authorised by the said Flag State to issue this Passenger Ship Safety Certificate.

.....

⁵ Delete as appropriate.

⁶ For ships built in accordance with the requirements of Annex I, Section 1, Chapter II-1, Part B-2, the applicable subdivision load line notations 'C1, C2 and C3' should be used (regulation II-1/B/11). The Arabic numerals following the letter 'C' may be replaced by Roman numerals or letters if the Administration of the Flag State consider this necessary to distinguish them from the international subdivision load line notation.

(Signature)

Endorsement to extend the validity of the certificate one month in accordance with Article 13.2

This certificate shall, in accordance with Article 13.2 of Directive 2009/45/EC of the European Parliament and of the Council, be accepted as valid until

Place Date

.....
(Signature and/or seal of issuing authority)