



REPUBLIC OF CYPRUS
MINISTRY
OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF
MERCHANT SHIPPING
LIMASSOL

Circular No. 15/2012

22 March 2012

TEN 5.13.09
TEN 4.2.08.1.01.80
TEN 12.3.02.39

All Owners, Managers and Representatives of Ships under the Cyprus flag

All Owners, Managers, Representatives and Agents in Cyprus of Ships, irrespective of flag they are flying, calling at Cyprus ports or operating within the territorial sea of the Republic of Cyprus

Subject: The Merchant Shipping (Shipowners Insurance for Maritime Claims) Law of 2012 (Law 14(I)/2012)- DMS English translation

I refer to the above matter and further to my Circular No. 43/2011, I wish to inform you as follows:

1. The Merchant Shipping (Shipowners Insurance for Maritime Claims) Law of 2012 (Law 14(I)/2012) transposing the provisions of Directive 2009/20/EC¹ has been enacted by the House of Representatives and published in the Official Gazette of the Republic (No.4321, Supplement I(I), dated 9.3.2012).
2. The Department has prepared a translation into English of Law 14(I)/2012 obtainable from our website www.shipping.gov.cy selecting "Legislation/Consolidated Cyprus Shipping Legislation/ National Instruments".
3. It is recalled that the shipowners of:
 - (a) ships flying the Cyprus flag; and
 - (b) ships, irrespective of the flag they are flying, calling at Cyprus ports or operating within the territorial sea of the Republic of Cyprus;

having a gross tonnage of 300 and over, should have insurance² in place that covers maritime claims subject to limitation under the 1996 LLMC

¹ of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims.

² for example, as stipulated in Article 3 of the Directive, indemnity insurance of the type currently provided by members of the International Group of P & I Clubs.



Convention³, the insurance cover required under Directive 2009/20/EC and to place on board documentary evidence attesting that such a cover is in place.

4. Law 14(I)/2012 provides for the imposition of effective and dissuasive penalties on ships found in breach of the relevant requirements and obligations. Particular attention should be given to below provisions:

Section 7	"Criminal Offence."
Section 8	"Control of compliance of Cyprus ships."
Section 9	"Control of compliance of foreign ships calling at ports of the Republic."
Section 10	"Control of compliance of foreign ships operating within the territorial sea of the Republic."
Section 12	"Administrative fine."

5. The recipients of this Circular are advised to strictly abide by the provisions of Law 14(I)/2012 and of Directive 2009/20/EC.



Serghios S. Serghiou
Director
Department of Merchant Shipping

cc: Attorney General of the Republic
Permanent Secretary, Ministry of Foreign Affairs
Acting Permanent Secretary, Ministry of Communications and Works
Diplomatic Missions and Honorary Consular Officers of the Republic
Maritime Offices of the Department of Merchant Shipping abroad
Inspectors of Cyprus ships
General Manager, Cyprus Ports Authority
Cyprus Bar Association
Cyprus Shipping Association
Cyprus Shipping Chamber
Cyprus Union of Shipowners
SEK
DEOK
PEO

LMK

³ see the Convention on Limitation of Liability for Maritime Claims 1976 as amended by its 1996 Protocol thereto (refer to The Convention on Limitation of Liability for Maritime Claims of 1976 and of its Protocol of 1996 Amending the Said Convention (Ratification) and for Matters Connected Therewith Law of 2005 (Law 20(III)/2005).(Cyprus Official Gazette No. 4015, Supplement I (III), dated 22.07.2005).