



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 09/2013

05 April 2013

TEN 5.13.09
TEN 4.3.08.13

To all Registered owners, Registered bareboat charterers
Managers and Representatives of ships flying the Cyprus Flag

To all Owners, Managers, Representatives and Agents in Cyprus of Ships, irrespective of flag they are flying, calling at Cyprus ports
c/o Cyprus Shipping Chamber
c/o Cyprus Union of Shipowners
c/o Cyprus Shipping Association

To all Recognised Organisations (Classification Societies)

Subject: New European Union restrictive measures against Iran (Iran's Nuclear Programme): Council Regulation (EU) No 1263/2012 of 21 December 2012 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran- Circular under paragraph 4 of Order P.I. 369/2010¹

I refer to the above matter and further to DMS Circulars No. 19/2010, No.30/2010, No.34/2010, No. 7/2012, No. 17/2012, No. 48/2012, No. 55/2012, No. 63/2012 and No.05/2013² I wish to inform you of the adoption by the Council of the European Union of Council Regulation (EU) No 1263/2012 of 21 December 2012 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran.

2. As previously announced by DMS Circular No. 55/2012, in October 2012 the European Union adopted **Amending Council Decision 2012/635/CFSP** which amended **Council Decision 2010/413/CFSP**. Consequently in essence, the following prohibitions on transportation have been introduced to **Regulation (EU) No 267/2012³** by virtue of the adoption of **Amending Council Regulation (EU) No 1263/2012:**

¹ The Cyprus Ships (Prohibition of Transportation of Specific Items, Materials, Equipment, Goods and Technology to and from Iran) Order of 2010, P.I. 369/2010 published in the Official Gazette of the Republic No. 4447, Supplement III (I), dated 20.08.2010.

² It is recalled that DMS Circulars No. 17/2012 (Part II), No. 63/2012 and No.05/2013 relate to the deterioration of the human rights situation in Iran.

³ DMS Circular No. 17/2012 of 9 April 2012 is of particular relevance with respect to the adoption of Regulation (EU) No 267/2012.



- (i) prohibition on the transportation of **key equipment** listed in Annexes VI and VIIA of the Regulation to any Iranian person or entity or for use in Iran, including **key equipment and technology for the key sectors of the oil and gas industry in Iran** (see new Article 8 of Regulation (EU) No 267/2012 as last amended by Council Regulation (EU) No 1263/2012, hereinafter “the Regulation” as well as new Article 10 providing for the relevant exceptions);
- (ii) prohibition on the transportation of **key naval equipment or shipbuilding technology** listed in Annexes VIB of the Regulation, to any Iranian person or entity or for use in Iran (see new Article 10a of the Regulation as well as new Article 10c providing for the relevant exceptions);
- (iii) prohibition on the transportation of certain **software** including software for integrating industrial processes **relevant to Iran’s nuclear, military or ballistic missile programme** to any Iranian person or entity or for use in Iran (see new Article 10d of the Regulation as well as new Article 10f providing for the relevant exceptions);
- (iv) prohibition on the transportation of **Iranian natural gas** as well as provision of **insurance or re-insurance** relating to such activities (see new Article 14a of the Regulation whereas the relevant exceptions are contained in the 2nd paragraph of the same Article);
- (v) prohibition on the transfer to Iran of **graphite, and raw or semi-finished metals** such as aluminum and steel listed in Annex VIIB of the Regulation (see new Article 15a whereas the relevant exceptions are contained in the 3rd paragraph of the same Article).

3. A number of prohibitions on the provision of **certain services to oil tankers and cargo vessels** flying the flag of the Islamic Republic of Iran or owned/ chartered or operated by an Iranian person/ entity which had been introduced by Amending Council Decision 2012/635/CFSP (as described in paragraphs 4 to 6 of DMS Circular No. 55/2012) have also been reflected in Amending Council Regulation (EU) No 1263/2012. These are the following:

- (i) prohibition on the provision of **classification services of any kind** and supervision of and participation in the **design or construction or repair** of such vessels, carrying out **inspections and surveys** and **issuing/ renewing or endorsing flag State Administration’s certificates** (see new Article 37a);
- (ii) prohibition on the making available of **vessels designed for the transport or storage** of oil and petrochemical products (see new Article 37b).

4. **Owners, bareboat charterers, managers and representatives of ships under the Cyprus flag as well as of ships, irrespective of flag, calling Cyprus ports, are advised to strictly abide by the new prohibitions on transportation introduced by Amending Council Regulation (EU) No 1263/2012 outlined above in order to avoid exposure to criminal and other penalties.** It is recalled that paragraph 4 of national Prohibition Order P.I. 369/2010 extends the prohibition of transportation by Cyprus ships to “any items, materials and equipment in contravention of EU Council Decision 2010/413/CFSP and of any related Regulations or other instruments of the European Union adopted towards the implementation, amendment or replacement of the said Decision” (paragraph 2(e) of DMS Circular No. 30/2010 and Part I of DMS Circular No. 17/2012 are of relevance).

5. The text of the aforesaid EU instruments may be obtained from <http://eur-lex.europa.eu/>. A regularly updated list of all the European Union restrictive measures in force can be found at http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf.

6. It is recalled that EU instruments have a direct effect and are binding on shipowners /ship operators and any violation may expose them to relevant penalties under the Cyprus legislation or the legislation of any other EU Member State.

7. All recipients of the present Circular are invited to abide by the new prohibitions introduced by **Amending Council Regulation (EU) No 1263/2012**, as well as the provisions of other EU Instruments imposing restrictive measures against Iran and by Order P.I. 369/2010.

This Circular must be placed on board vessels flying the Cyprus flag.



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Department of Merchant Shipping

Cc: -Permanent Secretary, Ministry of Communications and Works

- Attorney General of the Republic
- Permanent Secretary, Ministry of Foreign Affairs
- Permanent Secretary, Ministry of Defence
- Permanent Secretary, Ministry of Justice and Public Order
- Diplomatic Missions and Honorary Consular Officers of the Republic
- Maritime Offices of the Department of Merchant Shipping abroad
- General Manager, Cyprus Ports Authority
- Director, Department of Customs and Excise
- Registrar of Companies
- Commander, Cyprus Marine Police
- Cyprus Shipping Chamber
- Cyprus Union of Shipowners
- Cyprus Shipping Association
- Cyprus Bar Association

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