



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 52/2012

08 October 2012

TEN 5.13.09
TEN 4.2.12.3.11

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

To all Owners, Managers and Representatives of ships, irrespective of flag,
calling Cyprus ports or sailing within the territorial sea of the Republic of Cyprus
c/o Cyprus Shipping Chamber
c/o Cyprus Union of Shipowners
c/o Cyprus Shipping Association

Subject: New European Union restrictive measures against Syria- Council Regulation (EU) No. 867/2012 amending Regulation (EU) No. 36/2012

I refer to the above matter and further to DMS Circulars No. 38/2011, No.13/2012, No.30/2012, No. 36/2012 and No. 37/2012, I wish to inform you of the recent adoption by the Council of the European Union of **Regulation (EU) No. 867/2012** of 24 September 2012 amending Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria.

2. **Regulation (EU) No. 867/2012** has been adopted in order to introduce the necessary amendments to Regulation (EU) No. 36/2012 resulting from the adoption of Council Decision 2012/420/CFSP of 23 July 2012 amending Decision 2011/782/CFSP concerning restrictive measures against Syria.

3. It is recalled that Council Decision 2012/420/CFSP (see DMS Circular No. 36/2012 of 25 July 2012) introduces an additional measure to Decision 2011/782/CFSP, namely that Member States **should inspect, in their seaports as well as in their territorial sea, all vessels bound for Syria** if they have information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited or subject to authorisation.

4. Furthermore, Council Decision 2012/420/CFSP also introduces the measure that, vessels transporting cargo to Syria are subject to the requirement of **additional pre-arrival or pre-departure information for all goods** brought into or out of a Member State.



5. Subsequently, in view of the above new measures, **Regulation (EU) No. 867/2012** provides that the rules governing the obligation to provide advance information as determined in the relevant provisions concerning summary declarations as well as customs declarations in Regulation (EEC) No. 2913/92¹ and Regulation (EEC) No. 2454/93² **apply to all goods leaving the customs territory of the Union to Syria.**

The person or entity who provides that information shall also present any authorisations if required by Regulation No. 36/2012 as amended ("the Regulation").

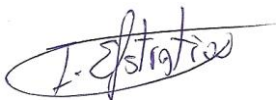
6. Under the Regulation, **the seizure and disposal of** equipment, goods or technology, the supply, sale, transfer or export of which is prohibited by the Regulation may, in accordance with national legislation or the decision of a competent authority, be carried out **at the expense of the person or entity referred to in paragraph 5 above** or, if it is not possible to recover these expenses from that person or entity, the expenses may, in accordance with national legislation, be recovered from any person or entity who assumes responsibility for the carriage of the goods or equipment in the attempted illicit supply, sale, transfer or export.

7. 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.

8. 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 Member State.

9. All recipients of the present Circular are invited to take note of its content (in addition to the content of previous Circulars on the matter) and should strictly abide by the provisions of the EU Instruments imposing restrictive measures against Syria and by Order P.I. 281/2012.

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



Ioannis Efstratiou
Acting Director
Department of Merchant Shipping

Cc: -Permanent Secretary, Ministry of Communications and Works
-Attorney General of the Republic
-Permanent Secretary, Ministry of Foreign Affairs

¹Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code, as amended.

²Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, as amended.

- 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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