



REPUBLIC OF CYPRUS  
MINISTRY OF  
COMMUNICATIONS AND WORKS



DEPARTMENT  
OF MERCHANT SHIPPING  
LEMESOS

Circular No. 7/2012

25 January 2012

TEN 5.13.09  
TEN 4.3.08.13

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

**Subject: Implementation of European Union Council Decision 2012/35/CFSP amending Decision 2010/413/CFSP, concerning restrictive measures against Iran: New measures notified by present Circular pursuant to paragraph 4 of Order P.I. 369/2010<sup>1</sup>**

1. I refer to the above subject and further to my Circulars No. 19/2010, No. 30/2010 and No. 34/2010, I wish to inform you of the adoption of the **European Union Council Decision 2012/35/CFSP** of 23<sup>rd</sup> January 2012 amending Decision 2010/413/CFSP concerning restrictive measures against Iran.
2. Your attention is drawn to the adoption of the above instrument in the Cyprus legal order under paragraph 4(2) of 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* (paragraph 2(e) of my Circular No. 30/2010 is of relevance). It is recalled that paragraph 4 of 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.”
3. The impact of **EU Council Decision 2012/35/CFSP** on the current restrictive measures scheme against Iran is as follows:

**(A)** Article 1 (1) (e) of EU Council Decision 2010/413/CFSP (providing for the prohibition of transportation of certain items) is replaced with the following:

“(e) other dual-use goods and technology listed in Annex I to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports,

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<sup>1</sup> Published in the Official Gazette of the Republic No. 4447, Supplement III (I), dated 20.08.2010.

transfer, brokering and transit of dual-use items and not covered by point (a) except for certain items in category 5 - Part 1 and category 5 - Part 2 in Annex I to that Regulation.”

**(B)** EU Council Decision 2012/35/CFSP introduces the prohibition of transportation of certain goods and in some cases the provision of financing related to such goods, as well as provides for respective exemptions to such prohibitions (where applicable) as follows:

(B. 1) IRANIAN CRUDE OIL AND PETROLEUM PRODUCTS:

**Prohibits:**

- (a) the transport of Iranian crude oil and petroleum products;
- (b) the direct or indirect provision of financing or financial assistance, including financial derivatives, as well as insurance and reinsurance, related to transport of Iranian crude oil and petroleum products.

**Exemptions:**

The prohibitions in (a) and (b) above shall be without prejudice to the execution of:

- (i) until 1 July 2012, contracts concluded before 23 January 2012 or ancillary contracts necessary for the execution of such contracts, to be concluded and executed not later than 1 July 2012;
- (ii) obligations provided for in contracts concluded before 23 January 2012 or in ancillary contracts necessary for the execution of such obligations where the supply of Iranian crude oil and petroleum products or the proceeds derived from their supply are for the reimbursement of outstanding amounts with respect to contracts concluded before 23 January 2012 to persons or entities within the territories of Member States or under their jurisdiction, where those contracts specifically provide for such reimbursements.

(B. 2) IRANIAN PETROCHEMICAL PRODUCTS:

**Prohibits:**

- (a) the transport of Iranian petrochemical products;
- (b) the direct or indirect provision of financing or financial assistance, as well as insurance and reinsurance, related to the import, purchase, or transport of Iranian petrochemical products.

**Exemptions:**

The prohibitions in (a) and (b) above shall be without prejudice to the execution of:

- (i) until 1 May 2012, contracts concluded before 23 January 2012 or in ancillary contracts necessary for the execution of such contracts, to be concluded and executed not later than 1 May 2012;
- (ii) obligations provided for in contracts concluded before 23 January 2012 or in ancillary contracts necessary for the execution of such obligations where the supply of petrochemical products or the proceeds derived from the supply of these products are for the reimbursement of outstanding amounts with respect to contracts concluded before 23 January 2012 to persons or entities within the territories of Member States or under their jurisdiction, where those contracts specifically provide for such reimbursements.

#### (B.3) EQUIPMENT FOR PETROCHEMICAL INDUSTRY/ENTERPRISES:

##### **Prohibits:**

The transport of key equipment for the petrochemical industry in Iran, or to Iranian or Iranian-owned enterprises engaged in that industry outside Iran, whether or not originating in Member States' territories.

##### **Exemptions:**

The above prohibition shall be without prejudice to the execution of:

- (i) an obligation relating to the delivery of goods provided for in contracts concluded before 23 January 2012;
- (ii) an obligation arising from contracts concluded before 23 January 2012 and relating to investments made in Iran before the same date by enterprises established in Member States.

#### (B.4) GOLD, PRECIOUS METALS AND DIAMONDS:

##### **Prohibits:**

The transportation of gold and precious metals, as well as of diamonds, to, from or for the Government of Iran, its public bodies, corporations and agencies, the Central Bank of Iran, as well as to, from or for persons and entities acting on their behalf or at their direction, or entities owned or controlled by them.

#### (B.5) IRANIAN BANKNOTES AND COINAGE:

##### **Prohibits:**

The delivery of newly printed or minted or unissued Iranian denominated banknotes and coinage to or for the benefit of the Central Bank of Iran.

4. The text of **EU Council Decision 2012/35/CFSP** is obtainable 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](http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf).

5. All recipients of the present Circular are invited to take note of its content and should strictly abide by the provisions of the aforementioned European Union Instrument, other related European Union Instruments, Order P.I. 369/2010 and UNSCR 1929/2010.

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



Serghios S. Serghiou  
Director  
Department of Merchant Shipping

- Cc:** - Acting 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

EP/LMK