



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 21/2014

5 August 2014

TEN 5.13.09
TEN 4.2.12.3.15

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

Subject: New EU Council Instruments concerning the situation in Ukraine adopted on 25 July 2014 and 30 July 2014- Targeting of port and shipping entities subject to restrictive measures/ asset freeze

1. I refer to the above subject and further to DMS Circular No. 10/2014 I wish to inform you of the very recent adoption by the European Union of the following instruments concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine:

- **Council Decision 2014/499/CFSP of 25 July 2014** amending **Decision 2014/145/CFSP**;
- **Council Implementing Regulation (EU) No 810/2014 of 25 July 2014** implementing **Regulation (EU) No. 269/2014**;
- **Council Decision 2014/508/CFSP of 30 July 2014** amending **Decision 2014/145/CFSP**;
- **Council Implementing Regulation (EU) No. 826/2014 of 30 July 2014** implementing **Regulation (EU) No. 269/2014**.

2. The text of the aforementioned European Union instruments may be found on <http://eur-lex.europa.eu> whereas 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.

3. **Council Decision 2014/499/CFSP** of 25 July 2014, *inter alia*, amends the freezing of funds provision and the Annex to **Decision 2014/145/CFSP**. It is particularly brought to your attention that the following entities have now been added to the Annex under the heading “*Entities whose ownership has been transferred contrary to Ukrainian law*”:

- State ferry enterprise ‘Kerch ferry’;
- State enterprise ‘Sevastopol commercial seaport’;
- State enterprise ‘Kerch commercial sea port’.

4. **Council Implementing Regulation (EU) No. 810/2014** amends Annex I to Regulation (EU) No. 269/2014. It is recalled that pursuant to **Regulation (EU) No. 269/2014** the entities contained in its Annex I are subject to the freezing of funds and economic resources. Moreover, Article 2 of said Regulation provides that no funds or economic resources shall be made available directly or indirectly to or for the benefit of entities contained in Annex I to **Regulation (EU) No. 269/2014**. By virtue of **Council Implementing Regulation (EU) No. 810/2014**, Annex I has now been amended to *inter alia* include the following entities particularly brought to your attention under the heading “*Entities whose ownership has been transferred contrary to Ukrainian law*”:

- State ferry enterprise ‘Kerch ferry’;
- State enterprise ‘Sevastopol commercial seaport’;
- State enterprise ‘Kerch commercial sea port’.

5. Thus, as a result of **Council Decision 2014/499/CFSP** and **Council Implementing Regulation (EU) No. 810/2014**, the funds and economic resources of the aforementioned entities are now subject to asset freeze. Furthermore, as a result of **Council Implementing Regulation (EU) No. 810/2014**, the indirect or direct making available of funds or economic resources to the aforementioned entities is now prohibited.

6. **Council Decision 2014/508/CFSP** adopted on 30 July 2014 has further amended the Annex to **Decision 2014/145/CFSP** whereas **Council Implementing Regulation (EU) No. 826/2014** adopted also on 30 July 2014 has further amended Annex I to **Regulation (EU) No. 269/2014**. Both aforementioned amending EU Instruments in effect add more entities to those that are subject to restrictive measures.

All recipients of the present Circular are invited to take note of its content and should strictly abide by the provisions of the aforementioned EU Instruments. It is recalled that DMS Circulars No. 20/2014 and No. 22/2014 relate to EU restrictive measures on the illegal annexation of Crimea and Sevastopol.

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



Andreas I. Chrysostomou
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Department of Merchant Shipping

* Pursuant to the definition contained in Article 1 of Regulation (EU) No. 269/2014 as amended the term “funds” means “financial assets and benefits of every kind, including, but not limited to:

- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
- (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
- (iii) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
- (iv) interest, dividends or other income on or value accruing from or generated by assets;
- (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
- (vi) letters of credit, **bills of lading**, bills of sale; and
- (vii) documents showing evidence of an interest in funds or financial resources;”

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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