



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS

Circular No. 39/2011

TEN 5.13.09
TEN 12.3.02.37

To all Owners, Managers, Representatives
of Ships under the Cyprus Flag
and Recognised Organisations

Subject: Harmonisation with the European Union Directive 2009/15/EC:

- 1) The Merchant Shipping (Recognition and Authorisation of Organisations) Law of 2011 (Law 128(I)/2011)**
- 2) The Merchant Shipping (Recognition and Authorisation of Organisations) Order of 2011 (P.I. 451/2011).**

1. I refer to the above subject and wish to inform you of the enactment of the Merchant Shipping (Recognition and Authorisation of Organisations) Law of 2011 (Law 128(I)/2011)¹ for the purposes of transposition into our national legislation of the Directive 2009/15/EC of the European Parliament and of the Council of 23rd April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations.

The text of the above Community Directive is available on the European Union website at <http://eur-lex.europa.eu>.

2. This Law repeals the *Merchant Shipping (Recognition and Authorisation of Organisations) Laws of 2001 and 2004 (Laws 46(I)/2001 and 83(I)/2004)*. However the Notification issued by virtue of the repealed Laws (P.I. 241/2005) will remain in effect until repealed and replaced by a new Notification issued pursuant section 6 of the new **Law 128(I)/2011**.
3. The new **Law 128(I)/2011** regulates the power of the Department of Merchant Shipping to authorise organisations which are recognised by the European Commission (Classification Societies) to certify, on behalf of the Republic, the compliance of ships flying the flag of the Republic, with the International Conventions.
4. Moreover I wish to inform you that the Minister of Communications and Works of the Republic of Cyprus, in exercising his powers under section 2 of the new **Law 128(I)/2011**, issued the Merchant Shipping (Recognition and Authorisation of Organisations) Order of 2011, P.I.451/2011².

¹ Published in the Official Gazette of the Republic of Cyprus No. 4296, Supplement I(I), dated 07.10.2011;

² Published in the Official Gazette of the Republic No. 4528, Supplement III (I), dated 27.10.2011.



5. The said new Order provides for the definition of International Conventions as follows:

“The term “International Conventions” means:

- (a) the International Convention for the Safety of Life at Sea of 1974 (SOLAS Convention), with the exception of chapter XI-2 thereof, that was ratified by virtue of the International Convention for the Safety of Life at Sea (Ratification) and for Matters Connected Therewith Laws of 1985 to 2009;*
- (b) the International Load Lines Convention, 1966 (LOADLINES Convention), that was ratified by virtue of the International Load Lines Convention of 1966 (Ratification) and for Matters Connected Therewith Laws of 1969 to 1997;*
- (c) the International Convention for the Prevention of Pollution from Ships, 1973 and the 1978 Protocol thereto (MARPOL Convention 73/78) that were ratified by virtue of the International Convention for the Prevention of the Pollution of the Sea from Ships (Ratification) and for Matters Connected Therewith Laws of 1989 to 2005;*
- (d) the International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE Convention 69), that was ratified by virtue of the International Convention on Tonnage Measurement of Ships, 1969 (Ratification) and for Matters Connected Therewith Law 1986;*
- (e) the Special Trade Passenger Ships Agreement 1971 (STP 71), and the Protocol on Space Requirements for Special Trade Passenger Ships 1973 (SPACE STP 73), that were ratified by virtue of the Special Trade Passenger Ships Agreement, 1971, and the Protocol on Space Requirements for Special Trade Passenger Ships 1973 (Ratification) and for Matters Connected Therewith Law of 1989;*
- (f) The International Convention on the Control of Harmful Anti-fouling Systems on Ships of 2001 (ANTI-FOULING Convention) that was ratified by virtue of the International Convention on the Control of Harmful Anti-fouling Systems on Ships of 2001 (Ratification) and for Matters Connected Therewith Law of 2005; and*
- (g) the relevant to these International Conventions Protocols, amendments, and relevant codes in their up-to-date version.”*

6. A translated into English language text of **Law 128(I)/2011** will be soon available on the Department’s website at www.shipping.gov.cy (selecting Legislation/Consolidated Cyprus Shipping Legislation/National Instruments).

The Owners, Managers and Representatives of Cyprus Ships should strictly abide by the above new Order.



Serghios S. Serghiou
Director
Department of Merchant Shipping

- cc.
- Permanent Secretary, Ministry of Communications and Works
 - Attorney General of the Republic
 - Permanent Secretary, Ministry of Foreign Affairs
 - Maritime Offices of the Department of Merchant Shipping abroad
 - Diplomatic Missions and Honorary Consular Officers of the Republic
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners
 - Cyprus Bar Association

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