



REPUBLIC OF CYPRUS
MINISTRY OF TRANSPORT,
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 8/2017

28 April 2017

TEN 5.13.09
TEN 12.3.02.44

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

Subject: Harmonisation with the European Union Directive 2014/90/EU:
1) The Merchant Shipping (Marine Equipment) Law of 2017 (Law 23(I)/2017)
2) The Merchant Shipping (Marine Equipment) Order of 2017 (P.I. 135/2017).

1. I refer to the above subject and wish to inform you of the enactment of the **Merchant Shipping (Marine Equipment) Law of 2017 (Law 23(I)/2017)**¹ for the purposes of transposition into our national legislation of Directive 2014/90/EU of the European Parliament and of the Council of 23rd July 2014 on marine equipment and repealing Council Directive 96/98/EC.

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

2. The purpose of Directive 2014/90/EU, and consequently **Law 23(I)/2017** is to enhance safety at sea and to prevent marine pollution through the uniform application of the relevant international instruments relating to marine equipment to be placed on board EU ships, and to ensure the free movement of such equipment within the Union.
3. **Law 23(I)/2017** applies to equipment placed or to be placed on board a Cyprus ship and for which the approval of the Competent Authority of the Republic is required by the international instruments, regardless of whether the ship is situated at the Union at the time when it is fitted with the equipment.
4. Moreover I wish to inform you that the Minister of Transport, Communications and Works of the Republic of Cyprus, in exercising his powers under section 2 of the new **Law 23(I)/2017**, issued the **Merchant Shipping (Marine Equipment) Order of 2017, P.I. 135/2017**².
5. The said new Order provides for the definition of the relevant international conventions coming under the scope of application of the new Law, namely:

¹ Published in the Official Gazette of the Republic of Cyprus No. 4592, Supplement I(I), dated 13.03.2017;

² Published in the Official Gazette of the Republic No. 5010, Supplement III (I), dated 28.04.2017.

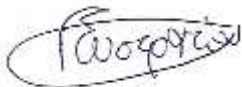


- (a) *the International Convention for the Safety of Life at Sea of 1974 (SOLAS 74);*
- (b) *the International Convention for the Prevention of Pollution from Ships of 1973 and the 1978 Protocol thereto (MARPOL Convention 73/78); and*
- (c) *the Convention on International Regulations for Preventing Collisions at Sea of 1972 (COLREG Convention 72).*

The above term “international conventions” includes the up-to – date version of the international conventions and Protocols ratified by the Republic as well as the relevant Codes in force in the Republic, which lay down specific requirements for the approval by the Competent Authority of equipment to be placed on board ships.

- 6. A translated into English language text of **Law 23(I)/2017** is available on the Department’s website at www.shipping.gov.cy (selecting Legislation/Consolidated Cyprus Shipping Legislation/National Instruments).
- 7. As a result of the enactment of new **Law 23(I)/2017** the previously enacted Merchant Shipping (Marine Equipment) Laws 2002-2006 (Law 55(I)/2002 as amended) are repealed. However your attention is drawn to section 38 of **Law 23(I)/2017**, pursuant to which the following subsidiary legislation³, shall be deemed as issued by virtue of **Law 23(I)/2017** and shall continue to be in force until the replacement thereof by virtue of section 9 of **Law 23(I)/2017**:
 - (a) the Merchant Shipping (Marine Equipment) Order of 2016 (P.I. 92/2016)·
 - (b) the Merchant Shipping (Marine Equipment) Notification of 2016 (P.I. 91/2016).

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



Ioannis Efstratiou
Acting Director
Department of Merchant Shipping

- cc. - **Permanent Secretary, Ministry of Transport, 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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³ issued pursuant to the Merchant Shipping (Marine Equipment) Laws 2002-2006 (Law 55(I)/2002 as amended).