

**THE EMERGENCY POWERS (CONTROL OF SMALL VESSELS) REGULATIONS,
1955¹**

THE EMERGENCY POWERS ORDERS IN COUNCIL 1939 AND 1952

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 6

JOHN HARDING,

Governor.

In exercise of the powers conferred on me by section 6 of the Emergency Powers Orders in Council, 1939 and 1952, I, the Governor, do hereby make the following Regulations:-

Short title.

1. These Regulations may be cited as the Emergency Powers (Control of Small Vessels) Regulations, 1955.

Interpretation.

2. (1) In these Regulations unless the context otherwise requires-

“Superintendent of the Port”² means the principal officer of Customs in charge of the administrative district in which such port is situated, and includes any person authorized by him for the purposes of these Regulations: Provided that at the port of Famagusta, the expression shall include the Port Superintendent and Senior Pilot;

¹ Consolidation Note : Published in the English language in the Cyprus Gazette No 3893, Supplement III(I), dated 1.12.1955. The said Regulations constitute colonial Cypriot maritime subsidiary legislation enacted in 1955 by the British authorities and still in force - saved under Article 188 of the Constitution of the Republic of Cyprus .

The present consolidation includes the latest amendments introduced by the Fines (Increase) Law of 1987 (Law 166/87).

This is an “unofficial” consolidation prepared by the Department of Merchant Shipping, and does not intend to replace any consolidation prepared by the Law Commissioner’s Office.

According to Article 3 of the Constitution of the Republic of Cyprus, the official languages of the Republic of Cyprus are Greek and Turkish and therefore the present English version is **not the authentic version**.

Disclaimer: Consolidation entails the integration of basic instruments of Cyprus merchant shipping legislation, their amendments and corrections in single, non-official documents. Each document is intended for use as a documentation tool and the Department of Merchant Shipping of the Republic of Cyprus does not assume any liability for its content.

² Consolidation Note : Powers vested under these Regulations to the Superintendent of the Port are today exercised by the **Director of the Department of Merchant Shipping of the Republic of Cyprus** . Construed today, by effect of Article 188 of the Constitution of the Republic of Cyprus , as reference to the **Director of the Department of Merchant Shipping of the Republic of Cyprus** .

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19 of 1954
30 of 1954
42 of 1955.

“vessel” includes every ship, boat, lighter and floatable craft of every kind used in navigation, whether operated by power or otherwise.

(2) The Interpretation Law shall apply to the interpretation of these Regulations and of any Order made or direction given there under, as it applies to the interpretation of a Law and, for the purposes of the said Law, these Regulations shall be deemed to be Laws.

Recording of certain vessels.

3. All fishing vessels and pleasure or other vessels (other than portable or collapsible craft for use by bathers) of or below fifteen net registered tons, operating or plying exclusively in any port or shipping place in the Colony³ or plying between such ports or shipping places, or otherwise within the territorial waters of the Colony or on any inland waters or reservoir therein, shall be recorded at the office of the Superintendent of the Port, either of the administrative district where the owner is for the time being domiciled or at a port in that district or, in the case of any vessel plying exclusively on any inland waters or reservoir, at the office of the Superintendent of the Port of the administrative district in which such waters or reservoir are or is situated.

Particulars to be furnished by owners of vessels on recording.

4. The owners or person in possession, or having control, of any vessel specified in regulation 3 of these Regulations, or into whose possession or under whose control any such vessel may come, shall forthwith notify the Superintendent of the Port and furnish him with the following particulars which, together with tonnage of the vessel as ascertained by him, shall be entered in the port record by him:-

(a) the name of the vessel, if any;

(b) description and dimensions of the vessel;

(c) the name and address of the owner, and if the owner is: partnership, company or other body corporate registered in the Colony, or consists of more than one person, the proportions of their respective interests in the vessel;

(d) how, when and whence the vessel has been acquired.

Issue of note of record.

5. On completion of the recording of a vessel the Superintendent of the Port shall issue a note of record, in the approved form, in which the particulars entered in the record shall be set forth, and he shall allot to such vessel a registration numbers with a letter prefix distinguishing the series of the numbers of each port from those of other ports.

Display of registration number.

6. Every vessel in respect of which a note of record has been issued under regulation 5 of these Regulations shall have affixed thereto, on each bow and on the stern, a white disc on which there shall be displayed in black the registration number allotted in the vessel under the said regulation 5. The figures comprising the registration number displayed on the disc shall be at least four inches high.

³ **Consolidation Note** : Construed today, by effect of *Article 188 of the Constitution of the Republic of Cyprus* , as reference to the **Republic of Cyprus** .

Note of record to be carried and produced.

7. The owner or person in whose possession or under whose control any vessel specified in regulation 3 of these Regulations may be, shall always carry with him, while such vessel is in use by him, the note of record relating to such vessel and, upon demand by the Superintendent of a Port, or Customs or Police officer, or any member of Her Majesty's ⁴ Naval, Military or Air Forces, shall produce the same for inspection.

Vessels not to be employed unless recorded.

8. No vessel specified in regulation 3 of these Regulations shall ply or be employed in any place in the Colony unless it has been recorded in accordance with the provisions of these Regulations.

Notification of changes in ownership, etc.

9. Where, as regards any vessel specified in regulation 3 of these Regulations, any change shall occur in any of the particulars set out in paragraphs (1), (2) or (3) of regulation 4 of these Regulations, or if any such vessel shall be lost, broken up, or transferred outside the Colony, the owner or person having possession or control of such vessel, and in the case of a transfer of ownership both the transferor and the transferee, shall forthwith notify the Superintendent of the Port where such vessel is recorded of the circumstances thereof.

Amendment of note of record and record upon changes in ownership, etc.

10. If any change, mentioned in regulation 9 these Regulations, shall occur regarding any vessel specified in the said regulation other than loss, breaking up, or transfer outside the Colony thereof, the owner or person having possession or control of such vessel shall produce the note of record thereof to the Superintendent of the Port where such vessel is recorded, who shall amend the particulars of the record, and the note of record of the said vessel, in accordance with the change.

Note of Record to be cancelled and record expunged in certain cases.

11. If any vessel, specified in regulation 3 of these Regulations, shall be lost, broken up, or transferred outside the Colony, the owner or person having possession or control of such vessel shall surrender the note of record thereof to the Superintendent of the Port where the said vessel is recorded, who shall cancel the note of record and expunge the particulars thereof in the record.

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21 of 1951.*

12. The provisions of these Regulations shall be in addition to, and not in derogation of, the provisions of the Fisheries Law or of any Law amending or substituted for the same.

⁴ Construed today, by effect of *Article 188 of the Constitution of the Republic of Cyprus*, as reference to the Naval, Military or Air Forces of the **Republic of Cyprus**.

Penalties.

13. Any person who owns, possesses or has under his control any vessel specified in regulation 3 of these Regulations in contravention of any of the provisions of these Regulations, or who fails to comply with any of the provisions of these Regulations shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding two thousand five hundred and sixty two euro (€2.562) or to both such imprisonment and fine.⁵

Made at Nicosia , this 29th day of November , 1955.

Consolidated DMS version August 2010 (Final)

⁵ The present amount of the fine is a result of an increase effected by the *Fines (Increase) Law of 1987 (Law 166/87)*: namely increased **from 100 pounds to 1.500 pounds**, and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007) issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).