THE HIGH SPEED SMALL VESSELS REGULATIONS OF 1999 1

Issued by the Council of Ministers under section 18 of the High Speed Small Vessels Laws of 1992 to 1999

THE HIGH SPEED SMALL VESSELS LAWS 1992 AND 1999

Regulations under section 18

The Council of Ministers exercising the powers vested upon it under section 18 of the High Speed Small Vessels Laws of 1992 and 1999, hereby issues the following 60(I) of 1999. Regulations.

PART I – PRELIMINARY

Short title. 1. These Regulations may be cited as the High Speed Small Vessels Regulations of 1999.

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

Cap. 250. "doctor" means a doctor registered in the Cyprus Medical Register under the 30 of 1959 provisions of the Medical Registration Law; 30 of 1961 53 of 1961

79 of 1968 114 of 1968 14 of 1974 18 of 1979 72 of 1991 112(I) of 1996.

56(I) of 1992

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 translation into English is not the authentic version. The authentic and therefore legally binding version, is the Greek version of these Regulations.

<u>Disclaimer</u>: 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.

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38(I) of 1992 29(I) of 1995 "fees" means the fees imposed by virtue of the Merchant Shipping (Fees and Taxing Provisions) Laws of 1992 to 1999 and any other law amending or substituting the same;

63(I) of 1999.

"high speed small vessel" means a mechanically propelled vessel of a length not exceeding fifteen (15) meters which can attain a speed of at least fifteen (15) knots;

56(I) of 1992 60(I) of 1999. "Law" means the High Speed Small Vessels Laws of 1992 and of 1999;

"Jet ski" means a high speed small vessel which is propelled by an outboard engine or an inboard water jet propulsion system and which is capable of carrying one or more persons, in a sitting, or standing on the vessel position.

(2) Any terms which are not otherwise defined by these Regulations shall have the meaning ascribed to them by the Law.

PART II – CATEGORIES OF HIGH SPEED SMALL VESSELS, CONSTRUCTION AND EQUIPMENT

Categories of high speed small vessels. **3.**-(1) High speed small vessels are classified in the following two categories according to their use:



- (a) high speed small vessels of category A': these are the high speed small vessels of private use which are used exclusively for the purposes of recreation without a reward;
- (b) high speed small vessels of category B': these are the high speed small vessels of public use which are offered by the registered owners to third parties for a reward.

Official
Gazette,
Supplement III:
1.12.1955

(2) The classification of high speed small vessels into categories in accordance with paragraph (1) of this Regulation, shall be made by the competent authority, after inspection, either upon registration in accordance with the Emergency Powers (Control of Small Vessels) Regulations or any other legislation amending or substituting the same or upon application by the owner:

Provided that a high speed small vessel which is already registered by virtue of the aforesaid Regulations on the date of entry into force of these Regulations shall be deemed to fall within category B', unless the owner requests in writing that it be regarded as falling within category A'.

(3) The category of each high speed small vessel shall be recorded in its circulation licence which is issued by virtue of Regulation 9 of these Regulations.

Construction requirements and equipment.

- **4.**-(1) High speed small vessels must satisfy the requirements of construction, mechanical and electrical equipment of the relevant legislation which is in force from time to time in such a way so as to ensure the implementation of section 15 of the Law.
- (2) The modification or intervention in the construction or equipment of high speed small vessels in a manner which deviates from the initial specifications of the manufacturer is prohibited.

Safety equipment.

- **5.-**(1) Where their construction so permits, all high speed small vessels, must be equipped with-
 - (a) an engine the horse-power of which shall not exceed the limits resistance and safe navigation of the vessel in accordance with the specifications of the manufacturer;
 - (b) life-jackets or buoyancy aids which shall exceed the number of passengers by one and in addition, in the case of vessels of above six metres' length, at least one circular life-jacket with a return rope;
 - (c) an anchor or other means of anchoring, depending on the displacement of the vessel;

- (d) either two oars with cruthes or thole pins and thole holes, manufactured, placed and fixed with an appropriate rope, in accordance with the specifications of the manufacturer with some other means of auxiliary propulsion.
- (e) a water bucket attached to a rope of at least twice the height of the freeboard of the vessel;
- (f) at least one foam fire extinguisher of at least two kilos in weight, which shall be refilled as soon as practicable after it has been used and immediately upon expiry of the period during which it remains effective.
- (g) a water-proof electric light, suitable for Morse signals, with spare batteries and a bulb;
- (h) a readily accessible first aid kit containing the principal first for the provisions being within their respective effective dates for use, including dressings, local antiseptic, a sun protection cream and a medicine to combat stings by fish or other marine organisms;
- (i) by virtue of the provisions of paragraph (3) of the present Regulations, two orange buoyant smoke signals and two distress parachute-type red flares.

Provided that, the high speed small vessels of category A' which are of a length of less than six metres and do not have a deck are exempted from the provisions of this sub-paragraph;

- (j) a siren of any type, of a fixed sound signal and of a volume suitable for vessels of a length of six metres and above;
- (k) navigation lights in accordance with the provisions of the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (Ratification) and Matters Connected Therewith Laws, 1980 to 1989, with the exception of vessels travelling only between sunrise and sunset;
- 66 of 1982

18 of 1980

8 of 1981

4 of 1989.

- (l) a compass, with the exception of vessels of a length of less than six metres;
- (m) a fixed or portable manual pump, capable of pumping from the hold of the

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vessel, with the exception of vessels of less than six metres of length which do not have a deck;

- (n) for vessels of a length of six metres or more a radio transmitter (VHF) of marine frequencies of maximum power of twenty five watts.
- (o) for vessels less than six metres of length and without a deck, a portable waterproof floating radio transmitter (VHF) of marine frequencies of a minimum power of three watts, with the exception of jet skis.

Provided that, subparagraphs (b) to (n) of this paragraph shall not apply to jet skis.

- (2) The operation of the engine of a high speed small vessel and/or the use of a mixture of fuels and of lubricants which is contrary to the directions of the engine's manufacturer, which has as a result the emission of fumes in excess of the permitted limit specified as normal by the manufacturer and/or which may adversely affect the eyes, nose, or breathing of any person, or which may cause nuisance or pollute the environment is prohibited.
- (3) The buoyant smoke-signals and parachute-type red flares mentioned in subparagraph (i) of paragraph (1) of this Regulation shall be kept in a special container so that they are protected from humidity and shall be replaced immediately after their expiry date.
- (4) The use of buoyant smoke signals and/or parachute-type red flares is prohibited except under circumstances of absolute danger and emergency.
- (5) The disposal of buoyant smoke signals and/or parachute-type red flares into the sea or elsewhere is prohibited, and any of those which have expired and/or must for any other reason be replaced, must be handed over to the police for disposal.
- (6) The use in any way of a high speed small vessel the engine of which normally operating at its maximum number of revolutions per minute in a normal position of use at the surface of the sea produces a noise level of which is higher than that prescribed by the manufacturer at a distance equal to or longer than seventeen metres or than seventy-four decibel of scale "A" (74 DbA), whichever of the two has the lower level, is prohibited.

(7) The operation in any way of a high speed small vessel the propulsion or the exhaust system of which produces a sound level higher than that specified by the manufacturer or than seventy four decibel of scale "A" (74 DbA), whichever of the two is the lowest, is prohibited.

Maximum transportation capacity.

6. The maximum permitted carrying capacity of high speed small vessels is specified as follows, provided that there are fixed seats for all passengers:

Maximum length of vessel Total number of passengers

3	m.			two (2)
3,5	5 m.			three (3)
4	m.			four (4)
6	m.		A	six (6)
8	m.	A		seven (7)
10	m.	1	K)	eight (8)
15	m.	A		twelve (12):

Provided that, in case a high speed small vessel is manufactured in such a way that is capable of carrying more persons than those specified above, the competent authority may specify a maximum permitted carrying capacity other than that specified above, upon application by the owner and after the vessel has been inspected.

Marking.

- 7.-(1) High speed small vessels must carry the distinctive letters and the registration number of the Register of Small Vessels on the external surface of the freeboard of the hull/careen on both sides of the vessel and in the case of high speed small vessels of category B', the letter "B" will be written after the registration number.
- (2) The marking of high speed small vessels provided in paragraph (1) of this Regulation shall be carried out in the following manner:
 - (a) The height of each number (and letter) must be at least 20 centimeters and be of an appropriate width.
 - (b) if the implementation of the above subparagraph is not possible because of the small size of the vessel, then each number (and letter) may be at least five centimeters in height and have an appropriate width;

- (c) the number shall be placed above the middle of the height of the freeboard of the vessel;
- (d) the colour of the number must be intensely in contrast with the colour of the careen so as to be easily distinguishable from a long distance;
- (e) in case the competent authority deems it necessary, it may request the marking of the vessel on a different place and with different dimensions.

Inspection.

- **8.-**(1) The ascertainment of whether high speed small vessels satisfy the requirements of Regulations 4, 5, 6 and 7 shall be made within the framework of inspection by natural or legal persons which the competent authority may authorize through a relevant notification published in the Official Gazette of Cyprus, upon payment of the prescribed fees.
- (2) The inspections of high speed small vessels in accordance with paragraph (1) of this Regulation include:
 - (a) an initial inspection in the year when these Regulations enter into force or when the initial registration of the high speed small vessels is made in accordance with the Emergency Powers (High Speed Small Vessels Control) Regulations or any legislation which amends or substitutes the same;
 - (b) a periodical inspection which is made every year for high speed small vessels of category B';
 - (c) a periodical inspection which is made every five years for high speed small vessels of category A';
 - (d) an occasional inspection, if damage occurs or changes are made in the construction of the vessel or whenever the competent authority deems it appropriate.
 - (3) The periodical inspections are being processed during the first half of each year.

Circulation licence.

9.-(1) If following an inspection carried out in accordance with Regulation 8 of these Regulations, the competent authority is satisfied that a high speed small vessel fulfills the requirements of the Law and these Regulations, and that in the case of a high speed small vessel of category B' its owner possesses a permit for the provision of facilities

Cap. 59. 22 of 1961 17 of 1964 8 of 1972 52 of 1975 21 of 1987 126 of 1989 11 of 1990 251 of 1990 40 of 1991 87 of 1991 234 of 1991 7(I) of 1992 15(I) of 1992 41(I) of 1992 61(I) of 1992 103(I) of 1992 19(I) of 1993 27(I) of 1993 37(I) of 1993 4(I) of 1994 34(I) of 1994 51(I) of 1994 75(I) of 1994 98(I) of 1997.

First Schedule. under the Foreshore Protection Law, it shall grant or renew the circulation licence of this vessel (hereinafter called a "circulation licence"), upon payment of the prescribed fees, in accordance with the sample set out in the First Schedule of these Regulations, as well as a sign in the form of a sticker which includes the serial number and expiry date of the circulation licence.

- (2) The circulation licence of a high speed small vessel of category A' shall be in force until the end of June following the expiry of the five year period from the date of its issue and shall be renewed every five years upon payment of the fees as provided in paragraph (1) of this Regulation.
- (3) The circulation licence of a high speed small vessel of category B' shall be in force from the date of its issue until the end of June of the following year and shall be renewed annually upon payment of the fees as provided in paragraph (1) of this Regulation.

- (4) Where a periodical or an occasional inspection is conducted, if the vessels is considered as not fulfilling the requirements of Regulations 4, 5, 6 and 7, the circulation licence shall be revoked, and may be only re-issued if an inspection is made with satisfactory results and upon payment of the fees prescribed for the issue of the initial circulation licence.
- (5) If due to the fault of the owner, a periodical inspection is not carried out at the specified time or an occasional inspection is not carried out in case of damage or alterations in the construction of the vessel, then its circulation licence shall cease to be valid end the new circulation licence which is issued in accordance with the relevant procedure, shall expire on the date of expiry of the previous licence.

Prohibition of use of high speed small vessel without a circulation licence.

10.-(1) No high speed small vessel may be used, unless it has a valid circulation licence.

(2) A copy of the circulation licence must be kept in the vessel and the sticker sign referred to in Regulation 9 must be attached on the windscreen of the vessel, if there is one, or on an other conspicuous spot.

PART III – OPERATOR'S LICENCE AND LEARNER'S LICENCE OF A HIGH SPEED SMALL VESSEL

Operator's licence, learner's licence. Second Schedule.

11. The operator of a high speed small vessel shall, when on board the vessel, carry in a water-proof cover his operator's licence or learner's licence which is issued by the competent authority or, in the case of a temporary visitor, a copy of the binding declaration in accordance with the template in the Second Schedule of these Regulations which has been signed by the temporary visitor and the owner of the high speed small vessel by virtue of the provision of subparagraph (2) of section 4 of the Law:

Provided that, the aforesaid binding declaration shall include a confirmation by the owner of the high speed small vessel regarding the knowledge of the temporary visitor concerning the matters specified in Regulations 19(2) (a), (b), (c), (d), (e) and (g), 19(3) (a), (b) and (c), and 20(2) (c), (e), (f) and (h).

Conditions for acquisition of a learner's

12.-(1) Every person who has completed seventeen (17) years of age may aquire a learner's licence and may operate a high speed small vessel on the condition that he shall always be accompanied by a person who has an operator's licence

Third Schedule..

licence.

(2) An application shall be submitted to the competent authority for the issue of a learner's licence in accordance with the template set out in the Third Schedule of these Regulations, together with two passport size photographs of a size of 3x4 cm and a copy of the identity card or passport.

Fourth
Schedule.

(3) The learner's licence shall be issued in accordance with the template set out in the Fourth Schedule of these Regulations and shall be valid for a period of six months.

Conditions for receiving an operator's

licence.

- **13.-**(1) No person is entitled to apply to the competent authority for an operator's licence unless he has completed eighteen (18) years—of age and, except where Regulation 21 applies, he/she already possesses a learner's licence.
- (2) The operator's licence shall be issued after the candidate succeeds in the special exams in accordance with the following Regulations.

Conduct of examinations.

14.-(1) For the purposes of this Part of these Regulations-

"organisation" means a nautical club or a water sports club-

- (a) registered as a non-profitable private corporation;
- (b) registered in the athletic register of the Cyprus Athletic Organisation which has been established by virtue of the Cyprus Athletic Organisation Laws of 1969 to 1996, and

51 of 1977 27 of 1979 79 of 1980 87 of 1985 140 of 1991 70(1) of 1992 101(1) of 1993 86(1) of 1995 87(1) of 1996.

- (c) the statutes of which and the qualifications of one or more of its regular members allows it, under Regulation 15 of these Regulations, to conduct examinations for an operator's licence.
- (2) The competent authority shall have the responsibility for the conduct and supervision of the examinations for the acquisition of an operator's licence:

Provided that the competent authority in consultation with the Cyprus Athletic Organisation, may on an annual basis and by notification published in the Official Gazette of Cyprus authorize organisations which have the necessary facilities and equipment to carry out the examinations simultaneously during the year.

- (3) The examiners shall be selected by the competent authority from amongst ship inspectors of the Department of Merchant Shipping and from a list of qualified persons submitted by the organisations authorized to carry out the examinations that follow.
- (4) The examiners shall be appointed every year by the competent authority by notification published in the Official Gazette of Cyprus.
- (5) In the conduct of practical or theoretical examinations, by virtue of these Regulations, the examiners designated by authorized organisations shall bind the organisations which recommended them.

(6) The place and time of the examinations shall be notified to the interested parties either by the competent authority or by the authorized organisations.

Qualifications of examiners.

- **15.-**(1) The persons appointed as examiners for the conduct of the examinations for an operator's licence must possess the following qualifications:
 - (a) a school leaving certificate of a six-form school of secondary education;
 - (b) very good knowledge of the Greek language and good knowledge of the English language;
 - (c) integrity of character, honesty, good manners, patience and must have no criminal record and not have been convicted for any offence under the Law;
 - (d) they must be at least twenty-five years old; and
 - (e) an excellent knowledge of the Law and these Regulations.
- (2) In addition the following qualifications shall be required of the examiners of the practical examination:
 - (a) five years' experience in the operation of a high speed small vessel; and
 - (b) an operator's licence under the provisions of the Law or a corresponding licence or certificate issued by the competent foreign authority confirming the ability of its possessor to operate a high speed small vessel.
- (3) In addition, a certificate or diploma or licence of a marine training school or of a nautical club school,in the field of navigation shall be required of the examiners of the theoretical examination.

Application for participation in examination for an operator's

16.-(1) The application for participation in the examinations for an operator's licence shall be submitted by the interested party to the competent authority in accordance with the template set out in the Fifth Schedule of these Regulations and shall be accompanied by the sum of $\mathbf{\epsilon}8,54$ for the examination of the application and an additional amount of

licence.

 ϵ 68,34 for participation in the examinations 2 . The application shall also be accompanied

Fifth by the following:

Schedule.

(a) a certificate of physical ability issued by a doctor at most six months before the date of submission of the application to acquire an operator's licence in accordance with Regulation 18;

- (b) two photographs of the applicant, size 3x4cm;
- (c) a copy of the identity card or passport of the applicant.
- (2) The applications for an operator's licence shall be examined by the competent authority which shall inform the applicant in writing whether he/she is eligible to participate in the examinations:

Provided that, in case the applicant is not eligible to participate in the examinations, the competent authority shall refund the amount of ϵ 68,34 paid for participation in the examination ³.

- (3) In case the conduct of the examinations is assigned to authorised organisations, all applications which have been accepted shall be forwarded by the competent authority to the Cyprus Athletic Organisation in order to be distributed to the authorised organisations.
- (4) In case the conduct of the examinations is assigned to authorised organisations, the amount of ϵ 68,34 paid by each applicant to cover the expenses of the conduct of the examinations ⁴ shall be forwarded by the competent authority to the organisation which is to conduct the examination for the specific applicant.

² Editorial Note: Amounts of fees originally provided in Cyprus Pounds and converted in EURO in accordance with the Adoption of the Euro Law of 2007 (Law 33(I) of 2007, as amended). According to the First Schedule of the Merchant Shipping (Fees and Taxing Provisions) Laws of 1992 - 2007 (Law 38(I)/1992 as specifically amended by Amendment Law No. 73(I)/2007), the relevant fees were fixed to 5 Cyprus pounds for the examination of the application; and 40 Cyprus pounds for participation in the examinations.

³ Editorial footnote: see Editorial footnote 2 above.

⁴ Editorial footnote: see Editorial footnote 2 above.

Degree of physical capacity for acquisition of an operator's licence.

- 17. For the purposes of these Regulations, an applicant shall be entitled to take the examinations for an operator's licence, if he/she satisfies a degree of physical capacity which includes-
 - (a) minimum visual acuteness in each eye, with or without correction of eight tenths, with minimum visual acuteness in each eye without correction of five tenths or six tenths in one eye and four tenths in the other:

Provided that-

- (i) in the case of visual intensity each eye of at least two tenths, corrective lenses made from glass or plastic (organic lenses) may be used with a prosthetic system of eye glasses or contact lenses and neutral protective glasses over the contact lenses in the case of operation of a high speed small vessel which does not have a deck, provided that there shall always be an auxiliary pair of glasses in the vessel; and
- (ii) one-eyed persons or persons with reduced vision may take examinations for an operator's licence of a high speed small vessel except in the case of operation of a high speed small vessel which does not have a deck and which can travel with a speed of over fifteen knots;
- (b) normal peripheral visual range which in the case of one-eyed persons and persons with reduced vision is compulsorily checked by a perimetry like the Goldmann apparatus;
- (c) satisfactory perception of colours which is compulsorily checked by examination with the Williams lense or with a corresponding method in the case where four mistakes are made in the ten tables of the Ishihara test;

(d) a minimum acoustic intensity of a level permitting a whispering voice to be heard at a distance of half a metre from each ear and a thin voice to be heard at a distance of five metres from each ear:

Provided that, artificial prosthetics may be used, provided that they are firmly fitted;

(e) satisfactory function of the upper limbs:

Provided that, in the case of disability or amputation, the applicant may be regarded as able if he has an artificial prosthetic which functions satisfactorily and appropriate alterations have been made to the system of operation of the engine and helm;

(f) satisfactory function of the lower limbs:

Provided that, an operator's licence may be granted to person who has only one limb and an intact satisfactory mechanical device in the place of the other, on condition that, when operating a high speed small vessel, that person shall be accompanied by a person at least eighteen years old with full physical integrity and ability, the second person not necessarily possessing an operator's licence;

(g) satisfactory pathological and neuropsychiatric condition and a declaration of the interested party that he has never fainted and that he has never had an epileptic crisis:

Provided that, despite the fact that persons suffering from an illness which may cause a sudden loss of senses are disqualified from participating in the examinations, persons suffering from an illness which is controlled completely by therapy, like diabetes and epilepsy, may take the examinations.

Medical
examination.
Certificate of
physical ability.
Sixth
Schedule

18.-(1) The fulfilment of the conditions of physical ability required by Regulation 17 shall be ascertained after medical examination of the applicant by a doctor who shall complete Part A' of the Certificate of Physical Ability in accordance with the template set out in the Sixth Schedule of these Regulations.

(2) Part B' of the Certificate of Physical Ability shall be completed by the applicant and submitted to the Department of Merchant Shipping.

Examination by medical board.

- (3) In case the medical opinion is disputed, the applicant shall be entitled to submit an application to the director of the Department of Medical Services of the Ministry of Health and to request to be examined by a medical board composed by the doctor who examined him/her and two governmental doctors appointed by the said director, one of whom shall be appointed as chairman. The decision of the medical board shall be taken by majority voting and in case of equality of votes, the vote of the chairman shall prevail. The decision shall be final and recorded in Part C of the Certificate of Physical Ability.
- (4) The expenses of the medical examinations shall burden the applicant.

Practical
examination:
examination
material.

- **19.**-(1) The candidates must be able to preserve command the course and speed of the high speed small vessel under all circumstances of navigation.
- (2) In particular and without prejudice to the general provision of paragraph (1) of this Regulation, the candidates must be able to carry out satisfactorily the following:
 - (a) preparation of engine for start up, engine start up and switch off;
 - (b) Departure/cast off and arrival;
 - (c) manoeuvring, speed control, stoppage of the vessel, change of course, rescuing and collection of a person from the sea;
 - (d) anchoring, mooring, lifting and launching;
 - (e) Emergency stoppage of the vessel;
 - (f) rowing; and
 - (g) swimming.

- (3) Within the framework of the practical examination, the applicants must have a satisfactory knowledge of the following:
 - (a) operation of the engine: ignition faults, fuel supply, lubrication, cooling, detection of small faults in the engine;
 - (b) fire and explosion risks which may arise during the use and storing of fuels, fuel supply tubes and particularly in the flexible couplings, ventilation of the engine compartment, evaporation tubes, batteries, electrical connections;
 - (c) fire fighting and the use of fire extinguishing equipment,
 - (d) danger of water flooding which may arise during the intake or out led of sea water, piping and
 - (e) basic use of ropes and knots;

Theoretical examination: examination material.

- **20.**-(1) The theoretical examination shall be in writing and the topics shall be specified by the competent authority.
 - (2) The candidates shall be examined in the following topics:
 - (a) lights lamps and buoys;
 - (b) lights and shapes signals;
 - (c) international rules of navigation in relation to the prevention of collisions at sea;
 - (d) sound signals;
 - (e) distress signals;
 - (f) safety and navigation rules of vessels in relation to navigation zones, corridors, sea-bathers areas, safety equipment, use of maritime maps and other maritime aids;
 - (g) elements of meteorology: beaufort scale, strength of the wind, sea state,

visibility;

- (h) ways of rescuing persons at sea;
- (i) basic knowledge of first aid.

Exemption from obligation to participate in examinations.

- **21.** Unless the competent authority, for a reasonable cause, otherwise decides, persons falling within the categories below or who possess the diplomas or certificates mentioned below shall be exempted from the obligation to participate in the examinations for an operator's licence and from the obligation to acquire a learner's licence:
 - (a) Permanent Officers of the Navy, deck and engine departments;
 - (b) Warrant Officers, deck department;
 - (c) Sail-trimmer Officers and non-commissioned Officers
 - (d) Non-commissioned Officers of the Underwater Demolition Command;
 - (e) Holders of certificate of Master, Chief Officer or Officer in Charge of a navigational watch;
 - (f) Holders of Skipper certificate;
 - (g) Holders of Boatswain certificate;
 - (h) Holders of Skipper certificate for fishing vessels;
 - (i) Graduates of Marine training schools for Masters;
 - (j) Holders of Skipper certificate for Police patrol boats;
 - (k) Holders of Skipper certificate for boats operating in public ports and marinas.

Success in examinations for an operator's licence.
Seventh

22. Where a candidate is considered to have succeeded in the examinations for an operator's licence, the competent authority or organization, as the case may be, shall grant to the candidate a certificate of success in the examinations for an operator's licence of a high speed small vessel, in accordance with the template set out in the Seventh Schedule of these Regulations.

Issue of an operator's licence.
Eighth
Schedule.

Schedule.

23.-(1) The operator's licence shall be issued by the competent authority in accordance with the template set out in the Eighth Schedule of these Regulations, after the interested party presents a certificate of success in the examinations for an operator's licence of a high speed small vessel and pays the relevant fees, within three months at the latest.

Third Schedule. (2) In the case of persons who are exempted from the obligation to participate in the examinations under Regulation 21, the operator's licence shall be granted after the submission of a relevant application to the competent authority, in accordance with the template set out in the Third Schedule of these Regulations, which shall be accompanied by certified photocopies of proof of their qualifications, two photographs of a size 3x4cm, and a photocopy of the identity card or passport.

(3) The operator's licence shall be issued for one or five years or for a continuous period of time up to the 70 years of age of the operator:

Provided that, where the applicant is above 70 years old, the operator's licence shall be issued only for one year with the right of annual renewal.

Conditions for renewal of an operator's licence.

24. When the licence of an operator expires, it may be renewed by the competent authority, after its possessor-

Schedule.

Ninth

(a) submits a relevant application to the competent authority, in accordance with the template set out in the Ninth Schedule, accompanied by two photographs of a size 3x4cm, a photocopy of his identity card or passport

and a certificate of physical ability issued under Regulation 18, if the applicant is above 70 years of age;

- (b) returns the expired operator's licence to the competent authority; and
- (c) has paid the relevant fees for its renewal.

PART IV – PROVISIONS REGARDING TOWED OBJECTS

Categories of towed objects.

25. Towed objects are divided into two categories; flying and surface.

Flying objects

26.-(1) Flying objects in tow means any towed object capable of flying:

in tow.

- (2) It is prohibited for the owner and operator of a high speed small vessel to allow a person under eight years of age hoisted into the air with the use of a towed object by the vessel, unless accompanied by a person over 18 years of age.
- (3) The use of a high speed small vessel is prohibited where the vessel towes a flying object in tow at a distance of less than 300 metres from the nearest shore, isle, reef, object which is at a depth of less than 2 metres and object which projects from the surface of the sea or in a route crossed by another flying object in tow.
- (4) The use of any damaged or unsuitable material or mechanism, as well as the use of any material or mechanism contrary to the specifications of the constructor of the flying object in tow is prohibited.
- (5) The owner and the operator of a high speed small vessel to which the flying object in tow is tied shall have the obligation to check and maintain all the materials and mechanisms used for the flying object in tow, either in accordance with the directions of the manufacturer or, if there are no such directions, in accordance with the practice established by sailing experience, before each use of the flying object in tow.

- (6) The end of the tow line or two rope at the side of the high speed small vessel must be firmly and safely connected to the vessel.
- (7) The end of the tow line or tow rope at the side of the flying object in tow must be safely connected and pedantically checked by the owner and the operator of the high speed small vessel before each flight.
- (8) The overall length of the tow line or tow rope of the flying object in tow must not exceed 100 metres.
- (9) The owner of any flying object in tow shall have the obligation to keep a diary regarding the use of the flying object in tow in which he shall record with accuracy the duration of its use, the details of its maintenance in accordance with the instructions of the manufacturer and any remarks in relation to the use of the flying object in tow.
- (10) It is prohibited for the owner and the operator of the high speed small vessel to use a flying object in tow and a tow rope when the wind speed exceeds the limit of 16 knots in order to ensure safe use or when the sea is rough, as well as before sunrise and after sunset.
- (11) The owner and the operator of a high speed small vessel shall ensure that a second person is on board the vessel, who shall be responsible for the supervision of the use of the flying object in tow if the construction of the vessel is such as to make this necessary.
- (12) The owner and operator of a high speed small vessel shall be responsible to ensure that any person who is hoisted into the air with the use of a flying towed object wears a life-jacket and complies with the provisions of these Regulations.
- (13) The operator of a high speed small vessel as well as the person responsible for the supervision of the flight of the flying object in tow shall have the obligation to follow strictly the instructions of the manufacturer of the flying object in tow regarding its use.

Surface objects

in tow.

27.-(1) A surface towed object means any object which is towed on the surface of the sea.

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(2) The use of a tow rope and any mechanisms and objects which are used for towing a surface object contrary to the specifications of the manufacturer or, in the absence, contrary to the practice established by the prevailing nautical experience, is prohibited.

(3) The points where the rope, the length of which shall not exceed 50 metres, or any other means of towing is tied to the high speed small vessel and to the surface object in tow as well as all the relevant mechanisms and materials must be in excellent condition and be checked before each individual usage by the owner and operator of the high speed small vessel.

(4) Whenever a surface object in tow is used, the owner and operator of the high speed small vessel shall ensure that a second person is on board the vessel who shall be responsible for the supervision of the towing, where the construction of the vessel is such to make this necessary.

(5) It is prohibited for the owner and operator of a high speed small vessel to tow a surface object at a distance of less than 200 metres from the nearest coast, as well as at a distance of less than 100 metres from the marked boundary of the side of the bathing area which is parallel to the coast.

(6) The owner and operator of the high speed small vessel shall be responsible to ensure that any person towed on the surface of the sea by the vessel wears a life-jacket and that he/she complies with the provisions of these Regulations.

(7) It is prohibited for the owner and operator of the high speed small vessel to tow a surface object in tow at a speed when the wind speed exceeds the limit of 16 knots for which is prescribed in order to ensure safe use or when the sea is rough, as well as before sunrise and after sunset.

PART V - MISCELLANEOUS

Procedure for the hire of high

28. The owners of high speed small vessels of category B' shall have the obligation-

speed small

vessels of

vessers of

category B'.

- (a) to offer their vessels for hire and to deliver them to the hirers, only having been reasonably assured that the vessel will be used in accordance with the provisions of the Law and of these Regulations;
- (b) to ensure that each hirer of a high speed small vessel of above 6 metres' length and of a high speed small vessel of 6 metres' length or less shall compulsorily carry or wear, respectively, a life-jacket or buoyancy aid during the operation of the vessel;
- (c) to keep a numbered book-diary for the recording of the particulars of the hirers of the vessel (name and surname, address of residence in Cyprus, number of operator's licence or learner's licence), the date and time of hire and duration of hire, the name and number of the vessel, as well as emergency situations.

Anchoring, piloting and removal of high speed small vessels.

- **29.-**(1) The owners and operators of high speed small vessels must comply with the directions and indications of the police or of the authority competent for the anchoring, piloting and removal of the vessels.
- (2) Without prejudice to the cases regulated by special law, the police or the authority competent by virtue of any law for the anchoring, piloting and removal of vessels, may immediately remove a high speed small vessel, at the owner's expense and risk, in case of-
 - (a) denial by the owner or operator of the vessel to comply with the lawful indications of the police or the competent authority;
 - (b) a necessary removal of the vessel in the absence of the owner or operator of the vessel, if the vessel obstructs or may obstruct the lawful and safe movement of other vessels;
 - (c) emergency;

Departure of high speed small vessels of category A'.

30. The departure of high speed small vessels of category A´ for a trip of a duration longer than two hours is prohibited, without the operator having previously notified the police in the area beforehand or any other person or authority responsible for the control or safety of the area of-

- (a) the details of the vessel and operator;
- (b) the place and time of departure;
- (c) the number and particulars of the persons on board the vessel;
- (d) the course and destination of the vessel; and
- (e) the expected time and place of return.

Movement through passages and non-specified sea-bathing areas. 72 of 1968

12 of 1986.

- **31.**-(1) The movement of high speed small vessels through the passages (corridors) which are between bathers areas, as these are specified by an order under the Protection of Sea-Bathers Laws of 1968 and 1986 or any other law which amends or substitutes the same, as well as in any other sea area at a distance of up to 100 metres from the nearest coast, rock or isle, shall take place at speed not exceeding 3 knots and not creating waves which will endanger any person.
- (2) The stoppage, anchoring or immobilization of high speed small vessels in the passages (corridors) provided in subparagraph (1) of this Regulation, in a way which obstructs the free and safe passing of vessels, is prohibited.

Movement of jet skis.

- **32.**-(1) The use of jet skis beyond 700 metres from the nearest coast is prohibited.
- (2) The use of jet skis at a distance of less than 100 metres from the clearly distinguishable signs (buoy) is prohibited, in a sea-bathing area, as this is specified by an order under the Protection of Sea Bathers Laws of 1968 and 1986 or any other law which amends or substitutes the same:

The movement of jet skis to and from the coast shall be made through the passages (corridors), as provided in Regulation 31 of these Regulations.

- (3) The circulation of jet skis is prohibited:
 - (a) for the period 1^{st} May to 30^{th} September, except between 10.00 a.m. -13.00 p.m. and 4.00 p.m. -7.00 p.m.;
 - (b) for the period from 1st October to 30th April, during the hours after sunrise

and until sunset;

- (c) through out the year and through out day and night-
 - (i) when the sea is rough;
 - (ii) when the speed of the wind is above 16 knots;
 - (iii) when the visibility is less than one nautical mile.

Duplicates of operator's licence, learner's licence and circulation licence.

- **33.**-(1) In the case where the competent authority is convinced that the operator's or the learner's licence or the circulation licence of the high speed small vessel has been lost or stolen, provided that the theft has been reported at a police station, or that it has been altered or has become difficult to read, it may issue a duplicate of the relevant licence, provided that the relevant prescribed fee for the re-issuing thereof has been paid ⁵.
- (2) In the case where the licence for which the duplicate is issued has been subsequently found, the possessor of the duplicate shall have the obligation to return the relevant duplicate to the competent authority without delay:

Provided that, in such a case the fee paid for the issue of the duplicate shall not be refunded.

Offences and penalties.

34. Any person who contravenes or fails to comply with any provision of these Regulations is guilty of an offence and, in case of conviction, shall be liable to imprisonment for a term not exceeding two (2) years or to a fine not exceeding five thousand one hundred twenty five euro (£5.125) or to both such imprisonment and fine.

⁵ Editorial Note: According to the *First Schedule* of the Merchant Shipping (Fees and Taxing Provisions) Laws of 1992 - 2007 (Law 38(I)/1992 as specifically amended by Amendment Law No. 73(I)/2007), the relevant fees for duplicates were fixed to **10 Cyprus pounds**, i.e now according to the Adoption of the Euro Law of 2007 (Law 33(I) of 2007, as amended) to **17**, **06 Euro**.

⁶ Editorial Note: Amount originally provided in Cyprus 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).

Entry
into force
of these

35. These Regulations shall enter into force as from the date of their publication in the Official Gazette of Cyprus.⁷

Transitional provision.

Regulations.

36. Notwithstanding the provisions of these Regulations the operation of high speed small vessels by persons who do not possess an operator's licence is permitted until 31st December 1999, provided that such persons possess a car driver's licence and comply with the provisions of the Second Schedule of the Law.

⁷ Editorial Note: These Regulations entered into force as from the 11th of June 1999.

FIRST SCHEDULE

Template of licence of circulation of a high speed small vessel

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 9 of the High Speed Small Vessels Regulations of 1999)

LICENCE OF CIRCULATION OF A HIGH SPEED SMALL VESSEL

PART I

(To be completed by the high speed small vessel's owner)

Registration number and distinctive letters of high speed small vessel: Name of high speed small vessel:
Date of manufacture of high speed small vessel' s:
Registered owner:
Address of the owner (permanent residence):
Telephone number of the owner:
Length of high speed small vessel (metres):
Width of high speed small vessel (metres): Manufacturer of
Height of high speed small vessel (metres): engine:
Type of engine: Inboard hydro-propelled motor: [] Number of engine:
Outboard hydro-propelled motor: [] Date of manufacture:
Horse-power of engine:
Categories of a high speed small vessel: A'[], B'[], Sea Scooter[]
Night sailing: YES [], NO []
DADE!
PART II
(For official use)
Number of circulation licence:
The above high speed small vessel has been surveyed in accordance with the provisions of Regulation 8 of the High Speed Small Vessels Regulations of 1999 on
and it was found to comply with the safety requirements of these regulations.
Maximum transportation capacity: persons Night sailing: YES/NO
This circulation licence is valid until
Fees of issue:
Issued at Limassol on the
Competent Authority
(signature)

Official Stamp of the Competent Authority

SECOND SCHEDULE

Template of a binding declaration

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 11 of the High Speed Small Vessels Regulations of 1999)

BINDING DECLARATION

PART I

(To be completed by the vessel's owner)

Name of legal person: Full name of natural person: Identity card or passport number:
Number of permit for the use of coast: Valid from to Place:
I the undersigned owner of the high speed small vessel with registration characteristics LL
Signature of the owner: Date:
PART II
(To be completed by the temporary visitor)
Surname: Name:
Passport number:
Nationality:
I the undersigned hereby declare that I have a good knowledge of the High Speed Small Vessels Law as well as of the High Speed Small Vessels Regulations and I take full responsibility to comply to any provision of them.
I hereby certify that I've got recently examined by a doctor and according to the results of the examination, on the basis of the Regulations in force, I am completely able to operate a high speed small vessel.
I hereby certify that I have been examined by

Signature of the temporary visitor

1)	Preparation for starting the engine, starting and switching off the engine:	
2)	Setting sail and sailing into harbour:	
3)	Maneuvering, variations in speed, immobilization of the vessel, change and reversal of route, rescuing a person from the sea:	
4)	Anchoring, bringing into port, setting afloat, launching:	
5)	Immobilization of the vessel:	
6)	Swimming:	
7)	Function of the engine:	
8)	Fire and explosion risks:	
9)	Extinction of fire and the manner of use fire extinguishers:	
10)	International rules of navigation in relation to the prevention of collisions at sea:	2
11)	Danger signals:	
12)	Rules of navigation and security of vessels, in relation to navigation zones, passages, security equipment, use of maritime maps and other maritime aids:	
13)	Ways of rescuing persons in the sea:	

THIRD SCHEDULE

Template of an Application Form for Acquisition of a Learner's Licence of a High Speed Small Vessel

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 12 of the High Speed Small Vessels Regulations of 1999)

APPLICATION FORM FOR ACQUISITION OF A LEARNER'S LICENCE OF A HIGH SPEED SMALL VESSEL

I the undersigned hereby submit an application for acquisition of a learner's licence of a high speed small vessel.(*)

APPLICANT'S PARTICULARS

Surname:	
Name:	4 (/) /
Male [], Female []	
Place and date of birth:	
Address (permanent residence):	
Identity card	
or passport number:	
Blood group:	
Date:	
	Signature of the applicant

- (*) The application must be accompanied by:
 - 1. Two photographs of 3 by 4 centimetres in size.
 - 2. A photocopy of the applicant's identity card or passport.
 - 3. An amount of €8,54 for the issue of the learner's licence.

FOURTH SCHEDULE

Template of a learner's licence of a High Speed Small Vessel*

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 12 of the High Speed Small Vessels Regulations of 1999)

LEARNER'S LICENCE OF A HIGH SPEED SMALL VESSEL

Licence number: Place of photograph Surname: Name: Place and date of birth: Address (permanent residence): Identity card or Signature of the holder Passport number: Blood group: The operation of a high speed small vessel is permitted to the person entered and represented above, according to the High Speed Small Vessels Regulations of 1999, on the condition that he/she always be accompanied by a person who has an operator's licence of a high speed small vessel. Issued at Limassol on the ... The Competent Authority (Signature) Official stamp of the Competent Authority

^{*} The learner's licence of a high speed small vessel must be of small size.

FIFTH SCHEDULE

Template of an Application Form for Participation in the Examinations for Acquisition of an Operator's Licence of a High Speed Small Vessel

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 16 of the High Speed Small Vessels Regulations of 1999)

APPLICATION FORM FOR PARTICIPATION IN THE EXAMINATIONS FOR ACQUISITION OF AN OPERATOR'S LICENCE

I the undersigned hereby submit an application for participation in the examinations for acquisition of an operator's licence of a high speed small vessel.(*)

APPLICANT'S PARTICULARS

Surname:	
Name:	
Male [], Female [] Place and Date of Birth:	
Address (permanent residence):	
	Telephone:
Identity card	Telephone.
or passport number:	
or passport number.	
Learner's licence of a high speed small ve	essel number (if the applicant is already a possessor):
	's licence of a high speed small vessel in the past: YES [],
NO { }. If YES, the date should be noted:	
I fall within the categories mentioned in Regula	tion 21regarding exemption from obligation to participate in
examinations: YES [], NO []	won 2 meganaming enemption from configurous to participate in
	Regulation 21: YES [], NO []. If YES, a photocopy of
the diploma or certificate should be attached.	
Date:	
Date	
	Signature of the applicant

- (*) The application must be accompanied by:
 - 1) A certificate of physical ability issued by a doctor at most six months before the date of submission of the application.
 - 2) Two photographs of 3 by 4 centimetres in size.
 - 3) A photocopy of the identity card or passport.
 - 4) An amount of €76, 88 (The sum of €8,54 for the examination of the application and an amount of €68,34 for participation in the examinations).

SIXTH SCHEDULE

Template of Certificate of Applicants Physical Ability for Acquisition of an Operator's Licence of a High Speed Small Vessel

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 18 of the High Speed Small Vessels Regulations of 1999)

CERTIFICATE OF APPLICANTS PHYSICAL ABILITY FOR ACQUISITION OF AN OPERATORS LICENCE OF A HIGH SPEED SMALL VESSEL

PART A' PART B'

(To be completed by the doctor.)	(To be completed by the candidate.)
I the undersigned	I the undersigned
general practitioner/specialist doctor hereby certify that I have got examined him/her	born inand living in
applicant for participation in the examinations for acquisition of an operator's licence of a high speed small vessel.	hereby declare that I have a good knowledge of the Regulations regarding the conditions of physical ability in order to be able to take the examinations for an operator's licence of a high speed small vessel and I take full responsibility to comply to any provision of the licence.
I hereby declare that the interested party	
FULFILLS []	
DOES NOT FULFILL []	
the conditions of Regulation 17 of the High Speed Small Vessels Regulations of 1999 which are stated at the back side of this certificate.	
I hereby recommend the following conditions that should be mentioned in operator's licence of a high speed small vessel:	
Done at/on	Done at/on

PART C'

Final decision of the Medical Board:

Signatures of President and Members of the Medical Board:

Filed with the Department of Merchant Shipping today the

The registrar

Note: Regulations 17 and 18 of the High Speed Small Vessels Regulations of 1999 are stated at the back side of this Certificate.

SEVENTH SCHEDULE

Template of Certificate of Success in the Examinations for acquisition of an operator's licence of a high Speed small vessel

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 22 of the High Speed Small Vessels Regulations of 1999)

CERTIFICATE OF SUCCESS IN THE EXAMINATIONS FOR ACQUISITION OF AN OPERATOR'S LICENCE OF A HIGH SPEED SMALL VESSEL

The undersigned
appointed as examiners for the conduct of the examinations for an operator's licence of a high
speed small vessel for the yearaccording to the notification under Nowhich
was published in Supplement No.III(I) of the Official Gazette of the Republic, No.
, dated, hereby certify that the candidate
with identity card or passport numberhas succeeded in the examinations for
acquisition of an operator's licence of a high speed small vessel which took place on
Done at/on
Signature of the examiner for theoretical examinations:
Signature of the examiner for practical examinations.

Official stamp of the examination center

EIGHTH SCHEDULE

Template of Licence of a High Speed Small Vessel's Operator

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 23 of the High Speed Small Vessels Regulations of 1999)

OPERATOR'S LICENCE OF A HIGH SPEED SMALL VESSEI

Licence number: Place of photograph

	race or photograph	
Surname: Name: Place and date of birth: Address (permanent residence): Identity card or passport number: Blood group:	Signature of the holder	
	small vessel is permitted to the person entered and represented Speed Small Vessels Regulations of 1999, on the following of physical ability:	
Issued for one year [], five ye].*	ears [], up to the age of 70 years [], above the age of 70 years [
Relevant fee: €17,09 [], €42	2,72 [], €85,43 []	
Issued at Limassol on the		
Valid until		
Restrictions of use according Court's judgment	The Competent Authority (signature)	
(Laws 56(I)/92 and 60(I) of 199 Section 24(4)	Official stamp of the Competent Authority	
* The operator's licence is issue	ed only for one	

^{*} The operator's licence is issued only for one year where the applicant is above 70 years old.

NINTH SCHEDULE

Template of an Application Form for the Renewal of an Operator's Licence of a High Speed Small Vessel

REPUBLIC OF CYPRUS MINISTRY OF COMMUNICATIONS AND WORKS DEPARTMENT OF MERCHANT SHIPPING

(Regulation 24 of the High Speed Small Vessels Regulations of 1999)

APPLICATION FORM FOR THE RENEWAL OF AN OPERATOR'S LICENCE OF A HIGH SPEED SMALL VESSEL

I the undersigned hereby submit an application for the renewal of an operator's licence of a High Speed Small Vessel *.

<u>APPLICANT'S PAI</u>	RTICULAR'S
Surname:	
Name:	
Male [], Female []	
Place and date of birth:	
Address (permanent residence):	
	Telephone:
Identity card or	
passport number:	
Blood group:	
Number of the operator's expired	
licence:	
necice.	
Continuous period of time for which the renewal is	1 year
demanded:	
	5 years
	Up to the age
y	of 70 years old
	32 / 2 / 3432 232
	Above 70
	years old
Relevant fees: €17,09 [], €42,72 [], €85,43 []]
Done at/on	
	Signature of the applicant
(*) Application must be accompanied by:	
1) Two photographs of 3 by 4 centimetres in s	17e
1) I wo photographs of 5 by 4 continiencs in s	120.

- 2) A photocopy of the identity card or passport.
- 3) The operator's expired licence of a high speed small vessel.
- 4) A certificate of physical ability which is issued by a doctor at most six months before the date of submission of the application for renewal, if the applicant is above 70 years of age.

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