



REPUBLIC OF CYPRUS  
MINISTRY OF TRANSPORT,  
COMMUNICATIONS AND WORKS



DEPARTMENT  
OF MERCHANT SHIPPING  
LEMESOS

Circular No. 29/2015

6 October 2015

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To all Registered owners, 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 a Cyprus port or anchorage

*c/o Cyprus Shipping Chamber  
c/o Cyprus Union of Shipowners  
c/o Cyprus Shipping Association*

**Subject: General requirements for ships and obligations of shipowners in respect of the application of Regulation (EU) No 1257/2013 on ship recycling**

## 1. Introduction

The purpose of this Circular is to inform shipowners, managers and representatives of Cyprus flag ships and of ships irrespective of flag they are flying, calling at Cyprus ports or on their obligations in respect to the application and practical implementation of *Regulation (EU) No. 1257/2013 on ship recycling*<sup>1</sup> (hereinafter "the Regulation"), which entered into force on 30 December 2013.

## 2. Scope of application and application date(s)

The Regulation, with the exception of Article 12, applies to ships flying the flag of EU Member States of 500 gross tonnage (GT) and more, engaged in international voyages.

Article 12 (*requirements for ships flying the flag of a third-non EU country*) shall apply to ships flying the flag of third countries that are calling at a port or anchorage of a Member State.

Although the Regulation entered already into force, its application depends on the issuance of the *European List of Ship Recycling Facilities (European List)*, which will be published by the European Commission latest by 31<sup>st</sup> December 2016.

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<sup>1</sup> Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No. 1013/2006 and Directive 2009/16/EC.



According to Article 32, the Regulation shall apply from the earlier of the following two dates, but not earlier than 31 December 2015:

- (a) 6 months after the date that the combined maximum annual ship recycling output of the ship recycling facilities included in the European List constitutes not less than 2,5 million light displacement tonnes (LDT) or
- (b) on 31 December 2018.

However, in relation to the following provisions the following dates of application shall apply:

- (a) Article 2, the second subparagraph of Article 5(2), Articles 13, 14, 15, 16, 25 and 26 from 31 December 2014;
- (b) the first and third subparagraphs of Article 5(2) and Article 12(1) and (8) from 31 December 2020.

### 3. Control of Hazardous Materials (HM)

Article 4 of the Regulation provides that the installation or use of hazardous materials referred to in Annex I on ships shall be prohibited or restricted.

### 4. “Inventory of Hazardous Materials” (IHM)

The IHM shall be ship specific and developed in accordance with the relevant IMO guidelines and shall be verified by a Recognized Organization (RO) against compliance with the applicable requirements.

The Inventory shall consist of 3 parts as follows:

**Part I:** Materials contained in ship structure or equipment; this part needs to be properly *maintained and updated throughout the operational ship's life*.

**Part II:** List of operationally generated wastes; this part is to be incorporated in the Inventory *prior to recycling*.

**Part III:** Stores; this part is to be incorporated in the Inventory *prior to recycling*.

“New ships” shall comply with the requirement to have on board an IHM before entering into service *after the date of effective application* of the Regulation. Practically, this is expected to be any period between 1 July 2016 and 31 December 2018 (reference: Article 32.1 of the Regulation or section 2 above). The IHM for new ships shall identify at least the hazardous materials referred to in Annex II and contained in the structure or equipment of the ship, their location and approximate quantities. *New ships are defined for the purpose of this Regulation as those ships whose building contract, keel laid or delivery is placed on or after the date of effective application.*

“Existing ships” shall comply, as far as practicable, with the requirement to have an IHM onboard *from 31 December 2020* (reference: Article 32.2(b)). It shall identify, at least, the hazardous materials listed in Annex I. Also, for existing ships, a plan is required to be prepared describing the visual or sampling check by which the IHM is developed.

Ships destined for recycling, shall comply, as far as practicable, with the requirement to have an IHM *from the date of the publication of the European List* (reference: Article 5.2 – 2<sup>nd</sup> subparagraph).

#### **4.1 Requirements for third (non – EU) country ships calling at Cyprus ports/anchorages**

*Ships flying the flag of a third (Non-EU) country*, when calling at a Cyprus port or anchorage, shall comply with the requirement to have an IHM on board *from 31 December 2020*. The IHM shall be specific to each ship, be compiled taking into account the relevant IMO guidelines and serve to clarify that the ship complies with paragraph 2 of Article 12.

The IHM shall be supplemented by a *Statement of Compliance* as per the provisions of Article 12.6 &12.7.

#### **4.2 Control of compliance**

All foreign flag ships that are calling at Cyprus ports and anchorages will be subject to Port State Control inspections in the aim to ensure compliance with the provisions of the Regulation. Ships may be warned, detained, dismissed or excluded from the ports or offshore terminals under the jurisdiction of the Republic of Cyprus in the event of failure to comply with the requirements of the Regulation.

### **5. Surveys**

Surveys of Cyprus flag ships shall be carried out by Recognized Organizations (ROs) authorized by the Republic of Cyprus, taking into account the relevant IMO guidelines and resolutions.

Cyprus flag ships shall be subject to the following surveys:

- a. An initial survey, to be conducted before the ship is put in service, or before the inventory certificate is issued. For existing ships, an initial survey shall be conducted by 31 December 2020.
- b. A renewal survey, to be conducted at intervals, which shall not exceed five years.
- c. An additional survey either general or partial to be conducted upon owner's request after any modification or repair done, which has an impact on the IHM.
- d. A final survey, which shall be conducted prior to the ship being taken out of service and before the recycling of the ship has started. For existing ships destined for ship recycling, the initial survey and the final survey may be conducted at the same time.

## **6. Issuance and endorsement of “Inventory Certificates”**

After successful completion of an initial or renewal survey, the RO shall issue an “*Inventory Certificate*”. That certificate shall be supplemented by Part I of the inventory of hazardous materials, referred to in Article 5(5)(a).

An “*Inventory Certificate*” shall be endorsed at the request of the ship owner by the RO after successful completion of an *additional survey* conducted in accordance with Article 8(6).

Subject to paragraph 4 of Article 9, the RO shall issue or endorse, as appropriate, an *Inventory Certificate*, where the *renewal survey* is successfully completed.

Where the initial survey and the final survey are conducted at the same time as provided for in Article 8(8), only the “*Ready for Recycling Certificate*” referred to in paragraph 9 of Article 9 shall be issued (see section 7 below).

## **7. Issuance of “Ready for Recycling Certificates”**

This certificate is issued by the RO prior to recycling, after successful completion of a final survey in accordance with Article 8(7).

That certificate shall be supplemented by the IHM and the Ship Recycling Plan. (Reference: Article 9(9)). The Ship Recycling Plan shall be prepared by the operator of the ship recycling facility in accordance with the provisions of Article 7 of the Regulation.

## **8. Duration and validity of certificates**

Subject to Article 9, an *Inventory Certificate* shall be issued for a period, which shall not exceed five (5) years.

A *Ready for Recycling Certificate* shall be issued by the RO for a period not exceeding three (3) months and shall cease to be valid where the condition of the ship does not correspond substantially with the particulars of the *Inventory Certificate*.

By way of derogation from paragraph 3, the *Ready for Recycling Certificate* may be extended by the RO upon the instructions of the Administration for a single point to point voyage to the ship recycling facility.

## **9. EU List of Ship Recycling Facilities**

The *European List* shall be published in the *Official Journal of the European Union* and on the website of the Commission not later than 31 December 2016. It shall be divided into two sub-lists indicating the ship recycling facilities located in a EU Member State and the ship recycling facilities located in a third country.

## **10. Obligations of owners of Cyprus flag ships in respect to ship recycling**

Ship owners shall ensure that Cyprus flag ships are only recycled at ship recycling facilities that are included in the published European List.

For the interim period, owners, managers or representatives of Cyprus flag ships are urged to scrap/recycle their ships only at recycling facilities which maintain appropriate and sound environmental conditions as well as safe working practices.

## 11. Guidelines

The relevant applicable IMO guidelines and resolutions on ship recycling apply. *MEPC.269(68)* is presently the applicable guideline for the development of Inventory of Hazardous Materials.

## 12. Contact details

The relevant contact details within the Administration are:

Department of Merchant Shipping  
Marine Environment Protection Division  
Email: [environment@dms.mcw.gov.cy](mailto:environment@dms.mcw.gov.cy)

c/o Mr Nicos C. Attas - Marine Surveyor A'  
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A copy of the Regulation [is hereby attached] [can be downloaded from the web: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:330:0001:0020:EN:PDF>]

All parties to which the Regulation applies are advised to strictly abide by the provisions of the present Circular.



Andreas I. Chrysostomou  
Director

- cc: - **Permanent Secretary, Ministry of Transport, Communications and Works**
- Permanent Secretary, Ministry of Foreign Affairs
  - Permanent Secretary, Ministry of Agriculture, Rural Development and Environment
  - Maritime Offices of the Department of Merchant Shipping abroad
  - Diplomatic Missions and Honorary Consular Officers of the Republic
  - Director, Department of Environment
  - Acting General Manager, Cyprus Ports Authority
  - Recognized Organizations
  - Cyprus Shipping Chamber
  - Cyprus Union of Shipowners
  - Cyprus Shipping Association
  - Cyprus Bar Association

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