

Circular No. 7 /2023

13 March 2023

SDM 05.13.002 SDM 12.03.001.032.003

To all Registered Owners, Registered Bareboat Charterers, Managers and Representatives of Ships flying the Cyprus Flag

To all holders of certificates of competency, certificates of proficiency and documentary evidences issued by the Shipping Deputy Ministry

Subject: <u>Cyprus Seafarer's Identification and Sea Service Record Books (SISR Books)</u> not required for certain categories of professionals working on board ocean going passenger ships and cruise ships under the Cyprus flag

I hereby wish to inform you of certain categories of professionals working on board seagoing passenger ships and cruise ships under the Cyprus flag that are not required to be furnished with a Cyprus Seafarer's Identification and Sea Service Record Book (SISR Book).

1. It is recalled that SISR Books are required and issued for all seafarers serving on board Cyprus ships according to the provisions of sections 3, 5, 6, and 10 of the Merchant Shipping (Registration of Seafarers and Seafarers' Register) Laws of 2000 to 2012 (Law 108(I)/2000 as amended). Relevant is also in this respect our Circular No. 14/2001.

2. However section 5(4) of Law 108(I)/2000 amended provides:

"(4) Exceptionally, other professionals who are non-registered seafarers, are allowed to work on Cyprus ships for such specialized positions not included in the organizational structure of the crew."

The expression "**non-registered seafarers**" must be interpreted in the light of the provisions of the Maritime Labour Convention 2006 (Ratification) and for Matters Connected Therewith Law of 2012 (Ratification Law 6(III)/2012). In this respect, it is recalled that under section 2 of Ratification Law 6(III)/2012 the term "**seafarer**" is defined as follows:

"*seafarer*" means any person who is employed in any capacity on board a ship to which this Law applies; ¹

The following categories of persons, among others, are exempted:

¹ A similar definition is provided under section 2 of the *Merchant Shipping (Masters and Seamen) Laws of* 1963 to 1984 (Law 46/1963 as amended) for the term "seaman". "seaman" includes every person (except masters, pilots and apprentices duly indentured and registered) employed or engaged in any capacity on board any ship".

(*i*) scientists,;

(ii) harbour pilots, inspectors, surveyors, auditors, superintendents.....;

(iii) **guest entertainers**, **repair technicians**, port workers whose work is occasional and short term with their principal place of employment being ashore;

(iv) **non-marine personnel**, employed under outsourced service agreements, the terms of which determine the conditions under which the service provider will supply the necessary personnel; "

The expression "**organizational structure of the crew**" must be interpreted in the light of the provisions of sections 15 and 24 of *the Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Law of 2000 to 2005 (Law 105(I)/2000 as amended),* which set the manning of a vessel according to the composition of the crew, resulting in the issuance of a Safe Manning Certificate.

3. On the basis of the aforementionned legislative provisions and of *Resolution VII adopted by the International Labour Conference on 22 February 2006 (Resolution concerning information on occupational groups)* the following categories of professionals working on board ocean going passenger ships and cruise ships under the Cyprus flag are NOT required to be furnished with a Cyprus Seafarer's Identification and Sea Service Record Book:

- guest entertainers,
- catering professionals,
- professionals of retailing activities on board (eg. Sale of alcoholic beverages, perfume, tobacco),
- professionals of health, sport, beauty, Spa and wellness,
- betting or gambling professionals,
- hotel staff,
- contractors and riding crew attending the ship for specific projects, including maintenance,
- arm guards carried on board.

Therefore, the above -mentioned professionals:

(a) shall not be included in the "**organizational structure of the crew**", as required under sections 15 and 24 of *Law 105(I)/2000 as amended.*

(b) may be included in the **Ships' Muster List** as required under section 16 of *Law 105(I)/2000* as amended.

4. Further to our Circular No. 14/2001, I hereby inform you that paragraph 4.9 of the document entitled "Guidance Document and Instructions to Companies for the issue of Seafarer's Identification and Sea Service Record Books and endorsements attesting the recognition of non-Cyprus Certificates" of Circular No. 14/2001 is deleted and a new paragraph 4.9 is inserted as follows:

"4.9 Employment on board a Cyprus flag vessel without a Seafarer's Identification and Sea Service Record Book

In accordance with the provisions of section 5(4) of Cyprus Law 108(I)/2000 as amended, exceptionally, other professionals who are non-registered seafarers, are allowed to work on Cyprus ships without a Seafarer's Identification and Sea Service Record Book, for such specialized positions not included in the organizational structure of the crew (on the minimum safe manning). See in this respect for certain categories of professionals working on **board oceangoing passenger ships** and **cruise ships** under the Cyprus flag our **Circular No. 7** /2023."

This Circular must be placed on board oceangoing passenger ships and cruise ships flying the Cyprus flag.

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CC:

- Maritime Offices of the Shipping Deputy Ministry abroad
- Inspectors of Cyprus Ships
- Permanent Secretary, Ministry of Foreign Affairs
- Diplomatic Missions and Honorary Consular Offices of the Republic
 Cyprus Shipping Chamber
- Cyprus Union of Ship-owners
- Cyprus Master Mariners Association
- Association of Merchant Marine Officers
- Recognised maritime training schools
- Trade Union SEK
- Trade Union PEO
- -Trade Union DEOK
- Cyprus Bar Association