



REPUBLIC OF CYPRUS  
**SHIPPING DEPUTY MINISTRY**

Circular No: 10/2022

4 March 2022

SDM 05.13.002, 03.02.004

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

To all Recognised and Authorised Classification Societies,

**Subject: Urgent Provisional Measures with respect to the seafarers' employment agreements (SEA) extensions in view of the gravity of the situation in Ukraine**

I refer to the above subject and wish to inform you of the following:

1. Due to the gravity of the situation in Ukraine, resulting in travel restrictions that prevent the normal crew change and repatriation of seafarers our Shipping Deputy Ministry (SDM) has decided to adopt urgent provisional measures and to examine applications for the approval of seafarers' employment agreements (SEA) extensions over eleven months, provided that this is supported by documented evidence. In this respect, immediately after a seafarer completes eleven months continuous sea service, a **repatriation plan** shall be submitted by the owner / bareboat charterer or manager of a ship flying the Cyprus Flag, for approval by the Shipping Deputy Ministry.

The supporting documents need to be submitted are:

- Signed contracts or the written consent of the seafarer for the period for which the extension of SEA is requested.
- Repatriation plan, as per the attached form, with the inclusion of the personal details of the seafarers whose contracts have been extended, as well as the rest of the crew.
- Justification for the untimely repatriation of seafarers after the expiry of their contract.
- Evidence of the actions taken by the owner / bareboat charterer or manager of the ship to protect the mental health of seafarers and to fight fatigue due to long stay on board.

Applications and supporting documents shall be submitted electronically at [mlc@dms.gov.cy](mailto:mlc@dms.gov.cy)



2. Furthermore, a self explanatory Circular issued on 2 March 2022 by the Paris MoU on Port State Control is herewith attached for your information titled “*Guidance on repatriation of seafarers due to the situation in Ukraine*” (PSCircular 101).

The SDM will be at the disposal of, Owners, Managers and anyone concerned with the matter for any explanations and clarifications they may require.

**This Circular must be placed on board vessels flying the Cyprus flag.**



Liana Charalambous Tanos  
Acting Permanent Secretary  
Shipping Deputy Ministry

- Cc: - Permanent Secretary, Ministry of Labour, Welfare and Social Insurance  
- Permanent Secretary, Ministry of Foreign Affairs  
- Maritime Offices of the Shipping Deputy Ministry abroad  
- Diplomatic Missions and Honorary Consular Offices of the Republic  
- Inspectors of Cyprus Ships  
- Recognised Organisations (ROs)  
- Recognised maritime training schools  
- Cyprus Shipping Chamber  
- Cyprus Union of Shipowners  
- Cyprus Shipping Association  
- Cyprus Bar Association  
- Trade Union SEK  
- Trade Union PEO  
- Trade Union DEOK

ML/ AM



# PSCircular 101

2 MARCH 2022

## Guidance on repatriation of seafarers due to situation in Ukraine

### Introduction

- 1 Following the developments in Ukraine, MAB considered that there is a need to apply flexibility under these circumstances considering difficulties to be encountered in repatriation of seafarers. In its decision MAB has taken due account to the views expressed by the Marine Transport Workers Trade Union of Ukraine (MTWTU – ITF affiliate) (<https://mtwtu.org.ua/en/news/mtwtus-official-statement-on-crew-change-of-ukrainian-seafarers>).
- 2 It is acknowledged that the effects on repatriation is not limited to Ukrainian seafarers on board ships flying the flag of Ukraine, but to all seafarers caught up in the present situation..
- 3 In applying flexibility, due regard is to be paid to the experiences gained with issues regarding repatriation, (re)validation of STCW and MLC certificates during the COVID-19 pandemic.

### Repatriation

- 4 With respect to the issue of application of flexibility, if appropriate, the port State should be assured that, in case the maximum duration of the seafarers' employment agreement (SEA) has expired, seafarers are not able or willing to return home due to the war. In making his/her decision the PSCO should take into account any available documentation provided by the MLC shipowner and the flag State and information from the relevant crew members.
- 5 Any extension of the period of service on board beyond the default 11 months should be authorized only on a case-by-case basis to face the emergency situation and only with the seafarer's consent.
- 6 Flag States remain responsible for enforcing compliance with the MLC. Similarly to the circumstances during the COVID-19 pandemic, port States are therefore urged to specifically require written evidence of the flag State's authorization for each vessel including (a list of) individual seafarers performing any period of service on board beyond the default 11 months. It is recalled that, in any way, a valid SEA must remain in force until the seafarer is duly repatriated in accordance with Regulation 2.5 of the MLC, 2006.
- 7 A vessel should be treated in the normal manner where an SEA is expired.

8 STCW Certification

Similarly to the circumstances during the COVID-19 pandemic, seafarers may face issues with STCW certification. In making his/her decision the PSCO should take into account any available documentation provided by the appropriate maritime administration and the flag State and information from the relevant crew members.

9 Medical Certificates

In cases where it has been difficult for seafarers to renew or extend their medical certificate the flag administration may allow seafarers to serve on-board. PSCOs should accept documents produced by flag States which acknowledges seafarers' extended stay on board due to force majeure associated with the circumstances in Ukraine.

**Review of the guidance**

- 10 This PSCircular will be reviewed, as appropriate, to keep aligned with developments and future initiatives by relevant stakeholders.

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