



REPUBLIC OF CYPRUS
SHIPPING DEPUTY MINISTRY

SIN. No.15/2022

5 December 2022

SDM 05.13.008

SANCTIONS INFORMATION NOTICE

Related Documents

Circulars No.10/2014, No. 21/2014 and No. 23/2014

SINs No. 15/2017, No.7/2018, No.1/2022, No.2/2022, No.4/2022,
No.5/2022, No.7/2022, No.8/2022, No.11/2022, No.12/2022 and
No. 13/2022

To all Registered owners, Registered bareboat charterers
Managers and Representatives of Cyprus ships

To all Owners, Managers, Representatives and Agents in Cyprus of Ships, irrespective of flag
they are flying, calling at Cyprus ports

**Subject: New European Union restrictive measures in view of the gravity of the situation
in Ukraine- Russian Oil Price Cap**

1. With reference to the above subject, you are informed that, there are **three new legal acts**
on the **Russian Oil Price Cap** adopted on 3 December 2022:

I. ***European Union restrictive measures amending Council Decision
2014/512/CFSP concerning restrictive measures in view of Russia's actions
destabilising the situation in Ukraine:***

- **Council Decision (CFSP) 2022/2369¹ of 3 December 2022**

This Decision amends **Article 4p** of **Council Decision 2014/512/CFSP** which lays
down the **prohibition** and **relevant exception (Russian Oil Price Cap)** on the
**transport of crude oil or petroleum products, which originate in or are exported
from Russia, to third countries.**

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022D2369&from=EN>



Council Decision (CFSP) 2022/2369 further **amends Annex XI** to Council Decision 2014/512/CFSP and **sets the Russian Oil Price Cap at 60 USD per barrel. The date of application of the Russian Oil Price Cap is 5 December 2022.**

The **consolidated text of Article 4p** as last amended by Council Decision (CFSP) 2022/2369, is contained in the **Annex to this Sanctions Information Notice.**

II. European Union restrictive measures amending Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine:

• **Council Regulation (EU) 2022/2367² of 3 December 2022:**

This Regulation introduces amendments to Council Regulation (EU) No 833/2014 in order to take regulatory action at the level of the Union to implement the amendments adopted by Council Decision (CFSP) 2022/2369.

Accordingly, **Article 3n of Council Regulation (EU) No 833/2014**, which lays down the **prohibition and relevant exception (Russian Oil Price Cap) on the transport of crude oil or petroleum products, which originate in or are exported from Russia, to third countries, is amended.**

The **consolidated text of Article 3n** as last amended by Council Regulation (EU) 2022/2367 is contained in the **Annex to this Sanctions Information Notice.**

• **Commission Implementing Regulation (EU) 2022/2368³ of 3 December 2022:**

This Regulation **amends Annex XXVIII to Regulation (EU) No 833/2014 and sets the Russian Oil Price Cap at 60 USD per barrel.**

The date of application of the Russian Oil Price Cap is 5 December 2022.

2. The European Commission has issued a **Guidance on Oil Price Cap**. This Guidance can be found on below link:

https://finance.ec.europa.eu/system/files/2022-12/guidance-russian-oil-price-cap_en_0.pdf

It is noted that, as stated in the Guidance Document:

“This document is not a legal act. It is a working document drafted by the Commission services in order to help and give guidance to national authorities, EU operators and citizens for the implementation and interpretation of the provisions of Article 3n of Council Regulation (EU) No 833/2014 related to the oil price cap. National authorities and economic operators are expected in good faith to take into account this guidance based on the text, context and purpose of the Regulation, to achieve the uniform application of sanctions across the EU.”

² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R2367&from=EN>

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R2368&from=EN>

3. It is additionally noted that, **the preamble (recital paragraph 11)** of Council Decision (CFSP) 2022/2369 and of Council Regulation (EU) 2022/2367 include the following provision:

“Taking into account the current circumstances, which are challenging the competitiveness of EU shipping, as well as the fact that the shipping industry is a slowly recovering sector of the economy, the Commission intends to urgently adopt appropriate supportive measures, including by further developing existing instruments at the latest by 5 February 2023, aiming at preserving the credibility and strategic importance of the Union’s shipping industry, maintaining and further enhancing the competitiveness of EU shipping, while protecting the interest of the competitive operation of ships which are flying the flags of Member States, as well as encouraging the re-flagging of ships to Member States’ ship registers.”

4. A regularly updated list of all the European Union restrictive measures may be found on the website of the Official Journal of the European Union (<https://eur-lex.europa.eu/oj/direct-access.html>) and on the **EU Sanctions Map** (<https://www.sanctionsmap.eu/#/main>).

In addition, the “European Union Consolidated Financial Sanctions List”, regularly updated by DG FISMA, may be found on below link

<https://webgate.ec.europa.eu/europeaid/fsd/fsf/public/files/pdfFullSanctionsList/content?token=dG9rZW4tMjAxNw> .

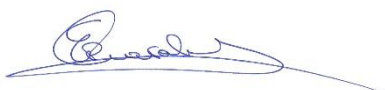
In view of the gravity of the situation in Ukraine, it is stressed that, the relevant restrictive measures are subject to constant review by the European Union thus, it is advisable to regularly consult the aforementioned links.

5. Furthermore, additional information in view of the gravity of the situation in Ukraine may be found on the **specialised link** created on the SDM website titled “Information in view of the gravity of the situation in Ukraine”:

<https://www.dms.gov.cy/dms/shipping.nsf/all/75954F9E737CE2DCC225880E00321DEB?opendocument>).

6. All recipients of the present Sanctions Information Notice are invited to take note of its content and should strictly abide by the provisions of *The Implementation of the Provisions of the U.N. Security Council Resolutions or Decisions (Sanctions) and the E.U. Council Decisions and Regulations (Restrictive Measures) Law of 2016 (Law 58(I)/2016)*, as well as the EU Instruments implemented by virtue thereof, and SDM Sanctions Information Notices.

This Sanctions Information Notice, which is intended solely as a guidance document, must be placed on board vessels flying the Cyprus flag.



Liana Charalambous Tanos
Acting Permanent Secretary

Cc: - Attorney General of the Republic
- Permanent Secretary, Ministry of Foreign Affairs

- Permanent Secretary, Ministry of Finance
- Permanent Secretary, Ministry of Defence
- Permanent secretary, Ministry of Energy, Commerce and Industry
- Permanent Secretary, Ministry of Transport, Communications and Works
- Diplomatic and Consular Missions and Honorary Consular Officers of the Republic
- Maritime Offices of the Shipping Deputy Ministry abroad
- General Manager, Cyprus Ports Authority
- Director, Department of Customs and Excise
- Registrar of Companies and Intellectual Property
- Commander, Cyprus Marine Police
- Cyprus Bar Association
- Institute of Certified Public Accountants of Cyprus
- Cyprus Shipping Chamber
- Cyprus Union of Shipowners
- Cyprus Shipping Association

LMK

**Article 4p⁴ of Council Decision 2014/512/CFSP
as last amended by Council Decision (CFSP) 2022/2369**

1. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services or financing or financial assistance, related to the trading, brokering or transport, including through ship-to-ship transfers, to third countries of crude oil or petroleum products which originate in Russia or which have been exported from Russia.

2. The prohibition in paragraph 1 shall not apply to the execution of contracts concluded before 4 June 2022, or of ancillary contracts necessary for the execution of such contracts, until:

- (a) 5 December 2022, for crude oil falling under CN code 2709 00;
- (b) 5 February 2023, for petroleum products falling under CN code 2710.

3. The prohibition in paragraph 1 does not apply to the payment of insurance claims after 5 December 2022, for crude oil falling under CN code 2709 00, or after 5 February 2023, for petroleum products falling under CN code 2710, on the basis of insurance contracts concluded before 4 June 2022 and provided that the insurance coverage has ceased by the relevant date.

4. It shall be prohibited to trade, broker or transport, including through ship-to-ship transfers, to third countries crude oil falling under CN code 2709 00, as of 5 December 2022, or petroleum products falling under CN code 2710, as of 5 February 2023, as listed in Annex XXV to Regulation (EU) No 833/2014, which originate in Russia or which have been exported from Russia.

5. The prohibition in paragraph 4 of this Article shall apply as from the date of entry into force of the first Council Decision amending Annex XI in accordance with point (a) of paragraph 9 of this Article.

As from the date of entry into force of every subsequent Council Decision amending Annex XI to this Decision, the prohibitions in paragraphs 1 and 4 of this Article shall not apply, for a period of 90 days, to the transport of products listed in Annex XXV to Regulation (EU) No 833/2014 which originate in Russia or which have been exported from Russia, and to the provision, directly or indirectly, of technical assistance, brokering services or financing or financial assistance, related to the transport, provided that:

- (a) the transport or the provision of technical assistance, brokering services or financing or financial assistance, related to the transport is based on a contract concluded before the date of entry into force of every subsequent Council Decision amending Annex XI to this Decision; and

⁴ This is an unofficial consolidation of the provision prepared by the Shipping Deputy Ministry. The authentic text of the provision is the one published in the Official Journal of the European Union.

- (b) the purchase price per barrel did not exceed the price laid down in Annex XI to this Decision on the date of conclusion of that contract.

6. The prohibitions in paragraphs 1 and 4 shall not apply:

- (a) as of 5 December 2022, to crude oil falling under CN code 2709 00, and as of 5 February 2023, to petroleum products falling under CN code 2710, which originate in Russia or which have been exported from Russia, provided that the purchase price per barrel of such products does not exceed the prices laid down in Annex XI to this Decision;
- (b) to crude oil or petroleum products as listed in Annex XXV to Regulation (EU) No 833/2014 where those goods originate in a third country and are only being loaded in, departing from or transiting through Russia, provided that both the origin and the owner of those goods are non-Russian;
- (c) to the transport, or to technical assistance, brokering services, financing or financial assistance related to such transport, of the products mentioned in Annex XII to this Decision to the third countries mentioned therein, for the duration specified in that Annex;
- (d) as of 5 December 2022, to crude oil falling under CN code 2709 00, which originates in Russia or which has been exported from Russia purchased above the price laid down in Annex XI to this Decision which is loaded onto a vessel at the port of loading prior to 5 December 2022 and unloaded at the final port of destination prior to 19 January 2023.

7. The prohibition in paragraph 1 shall not apply to the provision of pilot services necessary for reasons of maritime safety.

8. In the event that, after the entry into force of a Council Decision amending Annex XI, a vessel has transported the Russian crude oil or petroleum products referred to in paragraph 4, and the operator responsible for the transport knew or had reasonable cause to suspect that such crude oil or petroleum products were purchased above the price laid down in Annex XI on the date of conclusion of the contract for such purchase, it shall be prohibited to provide the services referred to in paragraph 1 relating to the transport of crude oil or petroleum products that originate in Russia or are exported from Russia as referred to in paragraph 4 by that vessel for 90 days following the date of unloading of the cargo purchased above the price cap.

9. The Council, acting by unanimity on a proposal by the High Representative with the Commission's support, shall amend:

- (a) Annex XI on the basis of the prices agreed by the Price Cap Coalition;
- (b) Annex XII on the basis of objective eligibility criteria agreed by the Price Cap Coalition to exempt specific energy projects essential for the energy security of certain third countries.

10. The prohibitions in paragraph 1 and 4 shall not apply to the transport or provision of technical assistance, brokering services or financing or financial assistance, related to the transport necessary for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment, or as a response to

natural disasters, provided that the national competent authority has been notified immediately once the event has been identified.

11. The Member States and the Commission shall inform each other of detected instances of a breach or circumvention of the prohibitions set out in this Article.

Any information provided or received in accordance with this Article shall be used for the purposes for which it was provided or received, including ensuring the effectiveness of the measure.

12. The functioning of the price cap mechanism, including Annex XI as well as the prohibitions in paragraphs 1 and 4 of this Article, shall be reviewed as of mid-January 2023 and every 2 months thereafter.

The review shall take into account the effectiveness of the measure in terms of its expected results, its implementation, international adherence to and informal alignment with the price cap mechanism, and its potential impact on the Union and its Member States. It shall respond to developments in the market, including possible turbulences.

In order to achieve the objectives of the price cap, including its ability to reduce Russia's oil revenues, the price cap shall be at least 5% below the average market price for Russian oil and petroleum products, calculated on the basis of data provided by the International Energy Agency.

**Article 3n⁵ of Council Regulation (EU) No. 833/2014
as last amended by Council Regulation (EU) 2022/2367**

1. It shall be prohibited to provide, directly or indirectly, technical assistance, brokering services or financing or financial assistance, related to the trading, brokering or transport, including through ship-to-ship transfers, to third countries of crude oil or petroleum products as listed in Annex XXV which originate in Russia or which have been exported from Russia.

2. The prohibition in paragraph 1 shall not apply to the execution of contracts concluded before 4 June 2022, or of ancillary contracts necessary for the execution of such contracts until:

- (a) 5 December 2022, for crude oil falling under CN code 2709 00;
- (b) 5 February 2023, for petroleum products falling under CN code 2710.

3. The prohibition in paragraph 1 does not apply to the payment of insurance claims after 5 December 2022, for crude oil falling under CN code 2709 00, or after 5 February 2023, for petroleum products falling under CN code 2710, on the basis of insurance contracts concluded before 4 June 2022 and provided that the insurance coverage has ceased by the relevant date.

⁵ This is an unofficial consolidation of the provision prepared by the Shipping Deputy Ministry. The authentic text of the provision is the one published in the Official Journal of the European Union.

4. It shall be prohibited to trade, broker or transport, including through ship-to-ship transfers, to third countries, crude oil falling under CN code 2709 00, as of 5 December 2022, or petroleum products falling under CN code 2710, as of 5 February 2023, as listed in Annex XXV, which originate in Russia or which have been exported from Russia.

5. The prohibition in paragraph 4 of this Article shall apply as from the date of entry into force of the first Council Decision amending Annex XI to Decision 2014/512/CFSP in accordance with point (a) of Article 4p(9) of that Decision.

As from the date of entry into force of every subsequent Council Decision amending Annex XI to Decision 2014/512/CFSP, the prohibitions in paragraphs 1 and 4 of this Article shall not apply, for a period of 90 days, to the transport of products listed in Annex XXV to this Regulation which originate in Russia or which have been exported from Russia, and to the provision, directly or indirectly, of technical assistance, brokering services or financing or financial assistance, related to the transport, provided that:

- (a) the transport or the provision of technical assistance, brokering services or financing or financial assistance, related to the transport is based on a contract concluded before the date of entry into force of every subsequent Council Decision amending Annex XI to Decision 2014/512/CFSP; and
- (b) the purchase price per barrel did not exceed the price laid down in Annex XXVIII to this Regulation on the date of conclusion of that contract.

6. The prohibitions in paragraphs 1 and 4 shall not apply:

- (a) as of 5 December 2022, to crude oil falling under CN code 2709 00, and as of 5 February 2023, to petroleum products falling under CN code 2710, which originate in Russia or which have been exported from Russia provided that the purchase price per barrel of such products does not exceed the price laid down in Annex XXVIII;
- (b) to crude oil or petroleum products as listed in Annex XXV where those goods originate in a third country and are only being loaded in, departing from or transiting through Russia, provided that both the origin and the owner of those goods are non-Russian;
- (c) to the transport, or to technical assistance, brokering services, financing or financial assistance related to such transport, of the products mentioned in Annex XXIX to the third countries mentioned therein, for the duration specified in that Annex;
- (d) as of 5 December 2022, to crude oil falling under CN code 2709 00, which originates in Russia or which has been exported from Russia purchased above the price laid down in Annex XXVIII which is loaded onto a vessel at the port of loading prior to 5 December 2022 and unloaded at the final port of destination prior to 19 January 2023.

7. In the event that, after the entry into force of a Council Decision amending Annex XI to Decision 2014/512/CFSP, a vessel has transported the Russian crude oil or petroleum products referred to in paragraph 4, and the operator responsible for the transport knew or had reasonable cause to suspect that such crude oil or petroleum products were purchased above the price laid down in Annex XXVIII to this Regulation on the date of conclusion of the

contract for such purchase, it shall be prohibited to provide the services referred to in paragraph 1 of this Article relating to the transport of crude oil or petroleum products that originate in Russia or are exported from Russia as referred to in paragraph 4 of this Article by that vessel for 90 days following the date of unloading of the cargo purchased above the price cap.

8. The prohibition in paragraph 1 shall not apply to the provision of pilot services necessary for reasons of maritime safety.

9. The prohibitions in paragraph 1 and 4 shall not apply to the transport or provision of technical assistance, brokering services or financing or financial assistance, related to the transport necessary for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment, or as a response to natural disasters, provided that the national competent authority has been notified immediately once the event has been identified.

10. Member States and the Commission shall inform each other of detected instances of a breach or circumvention of the prohibitions set out in this Article.

Any information provided or received in accordance with this Article shall be used for the purposes for which it was provided or received, including ensuring the effectiveness of the measure.

11. The functioning of the price cap mechanism, including Annex XXVIII as well as the prohibitions in paragraphs 1 and 4 of this Article, shall be reviewed as of mid-January 2023 and every 2 months thereafter.

The review shall take into account the effectiveness of the measure in terms of its expected results, its implementation, international adherence to and informal alignment with the price cap mechanism, and its potential impact on the Union and its Member States. It shall respond to developments in the market, including possible turbulences.

In order to achieve the objectives of the price cap, including its ability to reduce Russia's oil revenues, the price cap shall be at least 5% below the average market price for Russian oil and petroleum products, calculated on the basis of data provided by the International Energy Agency.
