

Model –Declarations as per the provisions of the Sixth Schedule of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 as amended

Guidelines and model declarations when submitting an application as per the provisions of section 21(1) and the supporting documentation submitted as per the provisions of section 21(2) and the Sixth Schedule of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 (the Law) should adhere to the wording of the model declarations attached herewith and submitters should observe the following formalities:

1. Formalities (version 2: 12/10/15)

The private ship security company (PSSC) and the Authorized Representative when submitting the declarations required by the Sixth Schedule section 14 to 21, of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 {thereafter “the Law”} will have to follow the below guidelines:

- *The declaration(s) shall be on a headed paper of the PSSC.*
- *The declaration EN04F120 shall be signed by the person appointed by the PSSC to act as the natural person responsible for the legal entity for purposes of the Law, as requested by Section 7 of the Sixth Schedule of the Law, duly on behalf of the legal entity. The appointment of such a person by the Legal Entity will be documented by a Resolution of Directors duly executed, i.e. legalised as per the provisions of article 92 of the Law, for the appointment and should bear no limitations.*
- *All declarations have to be duly executed i.e. legalised as per the provisions of article 92 of the Law. In cases where legalisation is done by a Notary Public the declaration should be Apostilled or alternatively the signature of the Notary Public should be legalised by a Consular officer of the Republic of Cyprus in the country the document was notarial attested.*

Attachment 1

Declaration Sample 1

Declarations as required in Sixth Schedule of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012, Sections 14, 15, 16, 17, 18, 19,

(the terms used in the present declaration have the meaning attributed to them in section 2 of Law 77(I) of 2012)

I /We the undersigned <enter the name / names of the duly authorised person(s) to sign the declaration>, holder(s) of a <passport / identity card¹> issued by the authorities of <enter the country that issued the identity card / passport >, acting in my(our) capacity as the person (s) responsible for the <enter name of the Company> (the company), a private limited liability company incorporated and organized under the laws ofwith registration number.....having its registered office at <enter the registered address of the Company>² and its offices from where she carries her activities at <enter address from which the Company is conducting its business³>, hereby declare the following, as per the provisions of the Sixth Schedule (Sections 14, 15, 16,17 ,18 and 19) of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012(the Law), for and on behalf of the company:

I have read and understood and I am fully aware of the provisions of the Law and that:

1. As per section (14) of the Sixth Schedule of the law, the Company is satisfied and undertakes to ensure that its shareholders or partners, directors, managers, secretary, the person responsible for the company for purposes of the Law, the private ship security guards that are employed or are otherwise retained by the company, and all other persons employed by, or working for, the company do not fall within the provision of section 20(3) (a) of the Law;

2. As per section (15) of the Sixth Schedule of the law, the Company has lawfully acquired and lawfully possesses the firearms and/or specialized security equipment it intends to use for the provision of its security related services it may so be certified to provide and that the firearms and/or specialized security equipment will remain in company's possession and will not be sold or given for use by other States or other natural or legal entities after the completion of their usage on-board any ship the aforesaid services may be provided;

3. As per Section (16) of the Schedule of the Law the company undertakes the responsibility to compensate the persons on board any ship it may so provide services and any such ship's operator for any damage they may suffer due to the company's fault or negligence, or due to the fault or negligence of the private ship security guards or of any other person it employs or is working for the company;

4. As per Section (17) of the Sixth Schedule of the Law all private ship security guards that are employed or are otherwise retained by the company have in force contract of employment with the company and they are trained, to a degree that satisfies the legal entity, in transportation,

¹ Delete as appropriate

² Enter the registered address

³ Enter the address where the company is carrying out its activities.

handling, storage, stowage and use of firearms and/or specialized security equipment the company intends to use for the provision of its services;

5. As per Section (18) of the Sixth Schedule of the Law the Company undertakes and assumes, irrevocably, the responsibility for the health care and the repatriation of the private ship security guards, on whom the company will entrust the implementation of the provisions of the company's services within the framework of a written private agreement between the company and the ship operator, and of the other persons it employs or work for it which may go on board on its instructions;

6. As per Section (19) of the Sixth Schedule of the Law the Company, undertakes and assumes, irrevocably, the obligation to abide by and implement the provisions of the Law and to cooperate, obey and implement the decisions and directives of the Competent Authority;

Declared and Signed at <enter the place / country name on [Insert Date].>

For and on behalf of<PSSC name>

<Enter First Name(s) and Family name or Surname>

Attachment 2

Declaration Sample 2: Sixth Schedule of the Protection of Cyprus Ships against Acts of Piracy and Other Unlawful Acts Law of 2012 as amended, Section 20

Declaration

I, the undersigned *<enter the name of the person signing the declaration>*, holder of a *<passport / identity card!>* issued by the authorities of *<enter the state that issued the identity card / passport >*, employed as a *<enter the position of the person(s) making the declaration>* by *<enter name of the Company>* (the company), a private limited liability company incorporated and organized under the laws of*<name of the state where the company is incorporated>*with registration number.....having its registered office at *<enter the registered address of the Company>* and its offices from where she carries her activities at *<enter address from which the Company is conducting its business>* hereby declare the following, as per the provisions of the Sixth Schedule (Section 20 of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 (the Law):

As per Section (20) of the Sixth Schedule of the Law, the undersigned declare that I have read and understood the provisions of the Law and instructions issued by the Deputy Ministry of Shipping and declare that I do not fall within the provision of section 20(3)(a) of the Law and that I agree, undertake and assume, irrevocably, the obligation to abide by and implement the provisions of the Law and to cooperate, obey and implement the decisions and directives of the Competent Authority.

Declared and Signed at *<enter the place / country name>* on [Insert Date]

<enter First Name(s) and Family name or Surname>

1: Delete as applicable

Attachment 3

Declaration Sample 3: Appointment of Authorised Representative

Appointment of the Authorized Representative for the provisions of Section 20 (2) (b) and 20 (2) (c) of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 (the Law)

I the undersigned *<enter the name / names of the duly authorised person(s) to sign the declaration>*, holder(s) of a *<passport / identity card!>* issued by the authorities of *<enter the country that issued the identity card / passport >*, acting in my capacity as the person responsible for the *<enter name of the Company>* (the company), a private limited liability company incorporated and organized under the laws ofwith registration number.....having its registered office at *<enter the registered address of the Company>* and its offices from where she carries her activities at *<enter address from which the Company is conducting its business>*, hereby declare that the nominated Authorised Representative of the *<enter name of the Company>* for the purposes of Section 20 (2) (b) and 20 (2) (c) of the Law is *<name of person/legal entity¹>* and I hereby declare that the contact details for the use by the competent authority are :

Contact Person : _____

Address of the office of the contact person : _____

Mail address : _____

Office telephone /fax : _____

After office hours telephone : _____

E-mail address : _____

Declared and Signed at *<enter the town / state>* on [Insert Date]

<enter First Name(s) and Family name(s) or Surname(s)>

1. When the Authorised Representative is a Legal entity as per 23 (1) (b) of the Law

Attachment 4

Declaration Sample 4: Item by authorised representative

Declaration - Sixth Schedule of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 as amended, Section (20)

I the undersigned *<enter the name of the person signing the declaration, or person duly authorised in case of the appointment of the a legal entity as the Authorized representative (to include supporting documentation)>*, holder(s) of a *<passport / identity card'>* issued by the authorities of *<enter the country that issued the identity card / passport >*, acting under my capacity of the authorized representative, nominated according the provisions of Sections 20 (2) (b) and (c) of the Protection of Cyprus Ships Against Acts of Piracy and Other Unlawful Acts Law of 2012 {the Law}, of *<enter name of the Company>* (the Company)), a private limited liability company incorporated and organized under the laws of*<name of the state where the company is incorporated>*with registration number..... having its registered office at *<enter the registered address of the Company>* and its offices from where she carries her activities *<enter the address from which the Company is conducting its business>*, hereby declare the following, as per the provisions of paragraph 21 of the Sixth Schedule {hereafter Schedule}

The undersigned declare that I have read and understood the provisions of the Law and instructions issued by the Deputy Ministry of Shipping and declare that *<l/the legal entity on behalf of which I sign this declaration¹>* accept the appointment as the authorised representative of *<enter the name of the private ship security company>* having its registered offices at *<enter the registered address>* and its offices from where she carries her activities at *<enter address from which the Company is conducting its business>*, that I do not fall within the provisions of section 20(3)(a) of the Law and that I agree, undertake and assume, irrevocably, the obligation to abide by and implement the provisions of the Law, to cooperate, obey and implement the decisions and directives of the Competent Authority, and that the contact details for the use by the Competent Authority are:

Contact Person : _____
Address of the office of the contact person : _____
Mail address : _____
Office telephone /fax : _____
After office hours telephone : _____
E-mail address : _____

Declared and Signed at *<enter the town / Cyprus>* on [Insert Date]

<enter First Name(s) and Family name(s) or Surname(s)>

1. Delete as applicable