



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

Circular No. 26/2012

20 June 2012

TEN 5.13.09
TEN 12.3.02.36

To all Operators, Representatives and Masters
of Foreign Vessels calling at Cyprus Ports

Cyprus Shipping Association

Subject: Foreign Vessels calling at Cyprus Ports under the Port State Control Regime

I refer to the above mentioned subject and further my previous Circulars No. 8/2010 (15.03.2010), No. 24/2011 (22.07.2011) and No. 31/2011 (08.09.2011) I wish to inform you of the reporting obligations of the operator, the representative or the master of foreign vessels calling at Cyprus Ports, resulting from the provisions of the Merchant Shipping (Port State Control) Law of 2011 (95 (I) / 2011) and the Merchant Shipping (Community Vessel Traffic Monitoring and Information System) Law of 2004 (131(I)/2004) as amended.

The reporting obligations and penalties resulting from the above mentioned Laws are as follows:

1. Reporting obligation and fines under Law 131(I)/2004 as amended.

Section 6 of Law 131(I)/2004 as amended, provides for the notification arrival of the vessel at least twenty four (24) hours prior its arrival or at the latest, at the time the ship leaves the previous port, if the voyage time is less than twenty four (24) hours. Also Section 6 (3) of Law 131(I)/2004 as amended, provides for the timely and correct amendment of the information should there be any changes to the information. The notification should take place using the Cyprus Ports Authority (CPA) system CyPoS.

Section 30 of Law 131(I)/2004 as amended, provides for the imposition of an administrative fine in case the operator, the representative or the master of foreign vessels calling at Cyprus Ports do not fulfill their obligations under Section 6 of the said Law. The administrative fine shall not exceed the amount of €8543.

2. Reporting obligation and fines under Law 95(I)/2011.

Section 12 (1) of Law 95(I)/2011 provides that the operator, representative or master of any foreign vessels calling at Cyprus Ports liable for an expanded inspection as defined in Section 17 of the said Law should submit the relevant information at least seventy two



(72) hours prior its arrival or at the latest, at the time the ship leaves the previous port, if the voyage time is less than seventy two (72) hours. It is important for the notification to indicate whether the vessel will enter the port of the Republic or stay at anchorage. The notification should take place using the Cyprus Ports Authority (CPA) system CyPoS.

Section 32 of the said Law provides for the imposition of an administrative fine if the operator, representative or master of foreign vessels calling at Cyprus Ports do not fulfill their obligations under Section 12 (1) of the said Law. The administrative fine shall not exceed €8550.

Furthermore, I would like to stress the importance of Section 12 (5) (a) of the said Law which provides for the obligation of the operator, representative or master of any foreign vessels calling at Cyprus Ports liable for an expanded inspection, to ensure that the such vessels remain at the port or anchorage for seventy two (72) hours after their arrival, so as to allow sufficient time for the Competent Authority to perform the required expanded inspection, in case they have failed to provide timely the information as required above. Section 31 (c) of the said Law considers the violation of Sections 12 (1) and 12 (5) (a) as a criminal offence punishable with imprisonment not exceeding two (2) years or a monetary penalty of an amount not exceeding €8550 or both these penalties.

All recipients of the present Circular are invited to take note of its content and comply with the provisions of the Merchant Shipping (Port State Control) Law of 2011 (95 (I) / 2011) and the Merchant Shipping (Community Vessel Traffic Monitoring and Information System) Law of 2004 (131(I)/2004) as amended. The Republic of Cyprus seeks to strictly enforce the above mentioned provisions by prosecuting offenders and/or imposing administrative fines, therefore compliance would result in the avoidance of fines, prosecutions and unnecessary delays.



Ioannis Efstratiou
Acting Director
Department of Merchant Shipping

- cc:
- Permanent Secretary, Ministry of Communications and Works
 - Attorney General of the Republic
 - Maritime Offices of the Department of Merchant Shipping abroad
 - Diplomatic Missions and Honorary Consular Officers of the Republic
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners
 - Cyprus Bar Association