

Shipping & Transport - Cyprus

Government publishes new ship registration policy

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Introduction

The Department of Merchant Shipping has published details of the amended government policy on ship registration under the Merchant Shipping (Registration of Ships, Sales and Mortgages) Laws 1963 to 2005. The amended policy has applied since October 15 2011. It simplifies, and in some cases relaxes, the earlier policy, which was in effect from July 1 2009.

The interpretation of the policy and the determination of the age and type of ship for the purposes of applying the policy are the exclusive prerogative of the director of the Department of Merchant Shipping and the registrar of Cyprus ships.

Eligibility for registration and related requirements

Apart from ships which do not qualify by reason of safety concerns, all seagoing ships of any type or size may be registered in the Register of Cyprus Ships or the Special Book of Parallel Registration, provided that they comply with the relevant age and type-related requirements set out below.

Non-qualifying vessels

Applications will not be accepted for ships which, at the time of the application for registration:

- are banned by a member of any memorandum of understanding on port state control from entering the ports of the states which are party to that memorandum;
- have been banned by a state from entering its ports; or
- have been detained on three or more occasions during the two-year period before the application for registration by a member of the Paris, Tokyo or Mediterranean memorandum of understanding on port state control or by the US Coast Guard.

Applications will not be considered for ships built for exclusive use on inland navigation or which are to be used exclusively on inland navigation.

Age-related requirements

There is no maximum age limit for the registration of passenger vessels. For cargo vessels, fishing vessels, floating production storage offloading vessels, floating storage offloading vessels and mobile offshore drilling units, the maximum age limit for registration is 25 years. For vessels of all other types it is 35 years.

The age of the vessel is calculated by deducting the year in which the keel was laid from the year in which the application for registration was filed with the registrar of Cyprus ships, provided that its provisional, direct permanent or parallel-in registration is to take place during the same year. Otherwise, the age of the ship will be calculated from the year in which the provisional, direct permanent or parallel-in registration is to take place.

Where a ship has undergone major conversion or reconstruction, the year in which the conversion or reconstruction began may be substituted for the year in which its keel was laid, provided that at the end of the conversion the ship complied with all the requirements of the applicable international treaties to which Cyprus is a state party, as if it were a new ship whose keel was laid in the year in which the major conversion or reconstruction began. In such a case the application for registration should be accompanied by appropriate confirmation from the recognised organisation that surveyed and certified the ship on behalf of its flag state.

For recreational craft falling within the scope of EU Directive 94/25/EC, the year of production will be substituted for the year in which the keel was laid.

Depending on the age of the ship, an entry inspection and additional periodic inspections may be required, as set out in the following table.

Type of ship	Maximum age limit	Related conditions	
		Entry inspection required	Additional inspection required
Cargo ships and cargo high-speed craft	Yes: 25 years	Yes, if older than 15 years	No
Passenger ships and passenger high-speed craft engaged on international or short international voyages	No	Yes if older than 30 years	Yes: biennial if aged between two and 10 years; annual if older than 10 years
Passenger ships and passenger high-speed craft engaged on domestic voyages within the territory of a state other than Cyprus	No	Yes, if older than 25 years	Yes: biennial if aged between two and 10 years; annual if older than 10 years.
Passenger ships and passenger high-speed craft engaged on domestic voyages within the territory of Cyprus	No	Yes, if older than 20 years	No: in order to operate they must be inspected and certified annually
Fishing vessels	Yes: 25 years	Yes, if older than 20 years	No
Floating production storage offloading vessels, floating storage offloading vessels and mobile offshore drilling units	Yes: 25 years	Yes, if older than 15 years	No
Ships of types other than those listed above	Yes: 35 years	Yes, if older than 20 years	Yes: biennial if the ship carries industrial or special purpose personnel and is aged between two and 10 years; annual if older than 10 years.
<p>'Cargo ship' means a ship which has been constructed or adapted for the purpose of carrying cargo in any form.</p> <p>'Passenger ship' means a ship which has been constructed or adapted for the purpose of carrying fare-paying passengers.</p>			

Type-related requirements

Training placements

Passenger and cargo ships engaged on international voyages, including short international voyages, should

engage for sea training cadets who are permanent residents of Cyprus, if so requested by the director of the Department of Merchant Shipping.

Fishing vessels

An application to register a fishing vessel must be accompanied by confirmation from the Department of Fisheries and Marine Research of the Ministry of Agriculture, Natural Resources and the Environment that the vessel in question is eligible for registration.

Fishing vessels which are outside the scope of EU Directive 97/70/EC are required to:

- be classed by one of the recognised organisations;
- comply with all applicable codes and recommendations of the International Maritime Organisation, the International Labour Organisation, the Food and Agricultural Organisation and the European Union which are relevant to their type; and
- be certified to that effect by one of the recognised organisations.

Other vessels

The following vessels may be required to be classed with one of the recognised organisations and to comply with all applicable codes and recommendations of the International Maritime Organisation, the International Labour Organisation and the European Union which are relevant to their type, and to be certified to that effect by one of the recognised organisations:

- ships other than those subject to survey and certification in accordance with the provisions of the international treaties to which Cyprus is a contracting party;
- passenger ships or passenger high-speed craft engaged on domestic voyages within the territory of Cyprus;
- fishing vessels; and
- recreational craft.

Transitional arrangements

The authorities are expected to issue a new circular shortly setting out the time limits for the various inspections to be carried out. Until the circular is available, the relevant provisions of the 2009 policy will apply.

The registered owner or registered bareboat charterer of a ship whose registration was allowed under the 2009 policy or an earlier policy may apply for the replacement of the conditions stipulated in the current policy with the conditions imposed at the time of the initial registration for ships of the same type and age.

For further information on this topic please contact [Costas Stamatiou](mailto:Costas.Stamatiou@neocleous.com) at [Andreas Neocleous & Co LLC](mailto:Andreas.Neocleous@neocleous.com) by telephone (+357 25 110 000), fax (+357 25 110 001) or email (stamatiou@neocleous.com).

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