

The Merchant Shipping (Fees and Taxing Provisions) Laws of 2010-2020
(Law 44(I)/2010 as amended by Law 39(I)/2020) ¹

Directions issued by the Shipping Deputy Minister to the President by virtue of Section 57(3) ²

In exercise of the powers vested on me by virtue of subsection (3) of section 57 of Law 44(I)/2010 as amended, with this act I define the following Table as indicative directions for the imposition of administrative fines for non-compliance with the provisions of the Merchant Shipping (Fees and Taxing Provisions) Laws of 2010-2020.

Issued on the 9th of November 2020

VASSILIOS DEMETRIADES
Shipping Deputy Minister to the President

¹ Editorial Note: These Directions were published in the Greek language in the Official Gazette of the Republic of Cyprus No. 5402, Supplement III(I), dated 27.11.2020. This is an “unofficial” translation into English prepared by the Shipping Deputy Ministry (SDM) and does not intend to replace any translation prepared by the Law Commissioner’s Office. According to Article 3 of the Constitution of the Republic of Cyprus, the official languages of the Republic of Cyprus are Greek and Turkish and therefore the present translation into English **is not the authentic version. The authentic and therefore legally binding version, is the Greek version of this Law.** **Disclaimer: This translated document is intended for use as a documentation tool and the Shipping Deputy Ministry of the Republic of Cyprus does not assume any liability for its content.**

² By virtue of the provisions of section 57(3) of Law 44(I)/2010 as amended, the amount of the administrative fine imposed shall be calculated in each case on the basis of indicative directions issued by the Shipping Deputy Minister, and published in the Official Gazette of the Republic without thereby limiting, within the scope of the directions, the discretionary power of the Permanent Secretary of the Shipping Deputy Ministry, which confirms the particular non-compliance, to decide freely on the basis of the actual facts of each case. As provided by the provisions of section 57(1) of the said Law, the minimum amount of the administrative fine is set at €1.700 and the maximum amount at €8.500, depending on the seriousness of the non-compliance.

TABLE

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
100	Section I: OWNERS OF FOREIGN SHIPS				
101	The non-Community ship is not classed with an inspection and survey organisation (classification society) which is recognised by the European Union.	IV	16	(2)(a)	4.000
102	The non-Community ship is not certificated in accordance with the international Conventions regulating maritime safety, security and protection of the environment which are in force at any time.	IV	16	(2)(b)	4.000
103	The non-Community ship is not manned by seafarers who are duly certificated in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers of 1978 and 1995 (STCW Convention).	IV	16	(2)(c)	4.000

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
200	Section II: CHARTERERS				
	<i>A) Bareboat Charterers</i>				
201	The non-Community ship is not classed with an inspection and survey organisation (classification society) which is recognised by the European Union.	V	26	(2)(a)	4.000
202	The non-Community ship is not certificated in accordance with the international Conventions regulating maritime safety, security and protection of the environment which are in force at any time.	V	26	(2)(b)	4.000
203	The non-Community ship is not manned by seafarers who are duly certificated in accordance with the STCW Convention.	V	26	(2)(c)	4.000
	<i>B) Charterers under Time Charter or Voyage Charter or Contract of affreightment</i>				
204	The non-Community ship is not classed with an inspection and survey organisation (classification society) which is recognised by the European Union.	V	26	(2)(a)	2.000
205	The non-Community ship is not certificated in accordance with the international Conventions regulating maritime safety, security and protection of the environment which are in force at any time.	V	26	(2)(b)	2.000

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
206	The non-Community ship is not manned by seafarers who are duly certificated in accordance with the STCW Convention.	V	26	(2)(c)	2.000
300	Section III: SHIP MANAGERS				
	A) Technical Managers				
301	The non-Community ship is not classed with an inspection and survey organisation (classification society) which is recognised by the European Union.	VI	34	(3)(a)	1.700
302	The non-Community ship is not certificated in accordance with the international Conventions regulating maritime safety, security and protection of the environment which are in force at any time.	VI	34	(3)(b)	3.000
303	The non-Community ship is not manned by seafarers who are duly certificated in accordance with the STCW Convention.	VI	34	(3)(c)	1.700
304	The flag of a Community or non-Community ship appears in the Black List of the Paris MOU and its management is not entirely performed from the territory of an EU Member State.	VI	34	(4)	1.700

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
	B) Crew Managers				
305	The non-Community ship is not classed with an inspection and survey organisation (classification society) which is recognised by the European Union.	VI	34	(3)(a)	1.700
306	The non-Community ship is not certificated in accordance with the international Conventions regulating maritime safety, security and protection of the environment which are in force at any time.	VI	34	(3)(b)	1.700
307	The non-Community ship is not manned by seafarers who are duly certificated in accordance with the STCW Convention.	VI	34	(3)(c)	3.000
308	The flag of a Community or non-Community ship appears in the Black List of the Paris MOU and its management is not entirely performed from the territory of an EU Member State.	VI	34	(4)	1.700
309	Non-compliance with the provisions of the Maritime Labour Convention 2006 (MLC) concerning the seafarer's employment agreement (Regulation 2.1 and Standard A2.1 of Title 2 of MLC).	VI	36	(1)(a)	2.000

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
310	Non-compliance with the provisions of the MLC Convention concerning the seafarer's compensation in the case of a ship's loss or foundering (Regulation 2.6 and Standard A2.6 of Title 2 of MLC).	VI	36	(1)(b)	2.000
311	Non-compliance with the provisions of the MLC Convention concerning the seafarer's onboard and onshore medical care (Regulation 4.1 and Standard A4.1, Regulation 4.3 and Standard A4.3, Regulation 4.4 of Title 4 of MLC).	VI	36	(1)(c)	2.000
312	Non-compliance with the provisions of the MLC Convention concerning the shipowner's liability, including payment of wages in case of accident or sickness (Regulation 4.2 and Standard A4.2 of Title 4 of MLC)	VI	36	(1)(d)	2.000
313	Failure of the crew manager to provide financial security in case the shipowner's liability (Regulation 4.2 and Standard A4.2 of Title 4 of MLC) to meet claims of contractual compensation in the event of the death or long-term disability of the seafarers due to an occupational injury, illness or hazard is not covered by the ship owner with financial security.	VI	36	(2)(a)	2.000

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
314	Non-compliance with the provisions of the MLC Convention concerning repatriation (Regulation 2.5 and Standard A2.5 of Title 2 of MLC)	VI	36	(1)(e)	2.000
315	Non-compliance with the provisions of the MLC Convention regarding hours of work and hours of rest.	VI	36	(3)	3.000
316	Failure to conclude appropriate private contractual arrangements between the crew manager and the shipowner (that must be reflected in the individual contracts of employment of the seafarers under crew management), and such arrangements providing for the express obligation of the employer of the seafarers to fully comply with the requirements of section 36 of the Law.	VI	37	(c)	2.000

Code	Description of Non-Compliance	Part of the Law	Section	Subsection / Paragraph	Administrative Fine (Euro)
400	Section IV: VARIOUS				
401	<p>Late submission of a relevant tonnage tax declaration in breach of the prescribed time period, as such time period is prescribed from time to time by a Notification issued pursuant to the provisions of sections 13(2), 15 (1)(b), 21(2), 23(2), 25(1)(b) and 31(1) of the Law as follows:</p> <ul style="list-style-type: none"> - Late submission of a tonnage tax declaration for a period of up to 6 months, - Late submission of a tonnage tax declaration for a period of over 6 months and up to 12 months, - Late submission of a tonnage tax declaration for a period of over 12 months. 	X	57	(5)	<p>2.000</p> <p>4.000</p> <p>8.500</p>

Provided that, for the same ship and for the same incidents/facts of non-compliance that occurred during the period, the simultaneous/combined imposition of an Administrative Fine is possible for any of the above non-compliance incidents (violations).