



REPUBLIC OF CYPRUS
SHIPPING DEPUTY MINISTRY

Circular No: 7/2025

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To all Registered Owners, Registered Bareboat Charterers,
Managers and Representatives of ships flying the Cyprus Flag

To all Recognised Organisations (ROs)

Subject: Updated Measures to Enhance Safety Standards on board ships flying the Cyprus Flag

The Shipping Deputy Ministry (SDM) of the Republic of Cyprus is committed and kept ensuring that all ships flying the Cyprus Flag are fully compliant with all applicable International Convention requirements, European Union legislation and national legislation at all times. Thus, SDM has introduced measures which were communicated with Circular 26/2016.

Based on the contents of the aforesaid Circular and the experience gained by their implementation, the SDM has decided to introduce amended measures/instructions, attached as an ANNEX to this Circular.

The new scheme will commence on the **1st April 2025**. SDM will monitor compliance with these instructions and will act accordingly.

The present Circular replaces Circular No. 26/2016.

The present Circular should be kept on board vessels flying the Cyprus Flag.

Dr. Stelios D. Himonas
Permanent Secretary

- CC:**
- Permanent Secretary, Ministry of Foreign Affairs
 - Maritime Offices of the Shipping Deputy Ministry abroad
 - Diplomatic and Consular Missions of the Republic
 - Honorary Consular Officers of the Republic
 - Cyprus Shipping Chamber
 - Cyprus Union of Ship Owners

MEASURES TO ENHANCE SAFETY STANDARDS ON BOARD SHIPS FLYING THE CYPRUS FLAG

1 General

1.1 The present instructions aim at enhancing the control of the flag state over safety standards of ships flying the Cyprus Flag. All terms used are as defined in international conventions for the implementation of which relevant authorizations have been given to Recognized Organizations (RO).

1.2 All communication regarding the implementation of this Circular should be addressed to the Head of the Maritime Safety and Security Section of Shipping Deputy Ministry (SDM) at shipcontrol@dms.gov.cy

2 Change of Flag Surveys/ audits/ verifications/ inspections

2.1 Regardless of whether the Company remains the same as before or a change occurs, no vessel may be registered with any outstanding recommendation. In case a deviation from this policy is required, a relevant request should be made to the SDM for consideration and relevant instructions.

2.2 If due dates for surveys of new certificates are within the applicable time windows for surveys, then the appropriate renewal/ intermediate/ periodical/ annual surveys shall be carried out.

2.3 If due dates for surveys of new certificates are outside the applicable time windows for surveys, then the survey for the cargo ship safety radio certificate shall be carried out to the scope of renewal / periodical and the survey for the international sewage pollution prevention certificate shall be carried out to the scope of renewal. The surveys for the other statutory certificates shall be carried out to the scope of annual surveys.

2.4 Surveys conducted within a three (3) months' time period prior to the date of change of Flag may be credited towards change of Flag with the exception of Safety Radio survey.

2.5 For the certification under SOLAS Chapter IX and the International Safety Management Code (ISM Code), the verification procedure specified in Section B.13 of the ISM Code and SDM Circular 3/2019 should be followed.

2.6 For certification under SOLAS Chapter XI-2 and the Code for the Security of Ships and of Port Facilities (ISPS Code) the verification procedure specified in Section A.19.4.2 of the ISPS Code should be followed. Additionally, please, note that if it is **not** possible for the RSO to verify compliance with the additional Cyprus requirements and carry out a SSP approval during change of flag audit, then an interim verification as required by ISPS Code A/19.4.2 should be carried out.

If it is possible for the RSO to verify compliance with the additional Cyprus requirements and carry out a SSP approval during change of flag audit, then an initial verification may be carried out and a full term ISSC with the same expiry date with the previous one could be issued.

2.7 For the certification under the Maritime Labour Convention, 2006 (MLC 2006) the certification procedure as stipulated in Regulation 5.1.1 should be followed.

2.8 The statutory survey audit/ verification/ inspection reports for the change of flag surveys/ audits/ verifications/ inspections shall be made available to the SDM the soonest possible.

3 Notification after Detention

3.1 When a ship flying the Cyprus Flag is detained, the master of the ship and or the company managing the ship are obliged immediately to:

- i. Notify and request the ROs which have issued the affected statutory certificates to perform surveys/ audits/ verifications/ inspections required by the present Circular, and
- ii. Notify the SDM communicating the following information:
 - Full copy of the PSC report (Form A and B);
 - Copy of the detention notice; and
 - Confirmation that the involved ROs have been notified.
 - The schedule for the completion of surveys (if applicable)

3.2 In case a ship flying the Cyprus Flag sails without complying with the above, then upon arrival at the next port of call, a prohibition of sail will be issued until all required surveys/ audits/ verifications/ inspections are completed.

3.3 Furthermore an additional company audit in the scope of an annual one may be requested depending on the safety record of the company in question and the nature of the deficiencies recorded.

3.4 When a ship flying the Cyprus Flag has been released from detention, the master of the ship and or the company managing the ship must immediately to notify the SDM communicating a copy of the release notice and any restrictions imposed to the ship (if any).

4 Actions after Detention

Actions after the 1st detention in a 24 month period

4.1 If a ship is detained once within a period of 24 months the following surveys/ audits/ verifications/ inspections should be performed as appropriate:

- i. If the date of the detention does not fall within the ± 3 month's window for annual surveys, a general examination of the vessel and extra surveys if required must be carried out in the extent of annual; **and**
- ii. If the date of the detention falls within the ± 3 month's window for annual surveys, they must be conducted before the ship sails; **and**
- iii. If the date of the detention falls within the window for renewal / periodical / intermediate surveys, they must be conducted to the extent possible, except for safety equipment, radio and I.O.P.P, which must be completed. A time schedule for the completion of surveys at the next convenient port must be set and they shall not be delayed until the end of the window; **or**
- iv. If all the detainable deficiencies concern the implementation of the Maritime Labour Convention, 2006 (MLC), an additional intermediate inspection should be conducted by the RO responsible for the issue of the Maritime Labour Certificate, **or**
- v. If all detainable deficiencies concern the implementation of the Code for the Security of Ships and of Port Facilities (ISPS Code), an additional intermediate verification should be conducted by the RO responsible for the issue of the International Ship Security Certificate (ISSC).

4.1.1 In case the RO clearing the deficiencies and the RO responsible for the issue of the Safety Management Certificate (SMC) are different entities and during the survey/ inspection/ verification it becomes apparent that the Safety Management System (SMS) on board is not properly implemented then the surveyor should notify the ship's RO responsible for the issue of the SMC and the SDM of the findings. In case RO responsible for the issue of the SMC, having assessed the findings, deems that an additional audit is necessary, it shall notify the SDM and proceed as soon as possible to conduct the additional audit of the SMS of the ship and inform the SDM and the RO clearing the deficiencies of the results.

Actions after the 2nd detention in a 24 month period

4.2 If a ship is detained twice within a period of 24 months, in addition to the surveys/ audits/ verifications/ inspections required in case a ship has been detained once within a period of 24 months, an additional shipboard audit to the extent of an initial one should be performed before the ship sails. Furthermore, an additional shore-based audit to the extent of an annual one shall be performed not later than 30 days from the date of the detention.

Actions after the 3rd detention in a 24 month period

4.3 If a ship has been detained three times within a period of 24 months (as from the date of the last detention counting backwards), all statutory certificates will be suspended. In order to reinstate the certificates, renewal surveys shall be carried out to the extent possible. An additional audit to the extent of an initial one shall be performed. Furthermore, an additional shore based audit to the extent of an initial one should be performed, not later than 30 days from the date of the detention.

Actions after the 4th detention in a 24 month period

4.4 In case a ship is detained for the fourth time within a period of 24 months (as from the date of the last detention counting backwards), then the vessel will be deleted from the Cyprus Registry and the Document of Compliance (DoC) of the Company issued on behalf of the Republic will be re-examined.

4.5 It should be noted that the SDM may amend any of the above instructions depending on the number and the nature of the identified deficiencies. Additionally, the SDM may participate to any of the above surveys/ audits/ verifications/ inspections or may request for an occasional Flag State survey /audit /inspection/ verification, at owners' expenses.

Outstanding Recommendations

5 In case a ship is burdened with recommendations imposed either by the SDM or PSC, these shall be communicated to the relevant RO and the latter shall ensure that they have been rectified according to the set schedule. Otherwise, the RO shall contact the SDM for a decision on the action to be taken.

Postponement of surveys/ audits/ verifications/ inspections related to detentions

6 Applications for postponement or waiving of surveys/ audits/ verifications/ inspections related to detentions will be considered by the SDM only in cases where special circumstances warrant them.

ISM audits by Ros

7 When conducting ISM audits, the ROs should take into consideration all deficiencies revealed in the course of the PSC inspections leading to detentions. The ISM audits should, among other things, aim to identify any specific failures of the SMS which may be attributed as a causal factor to the deficiencies revealed. The ISM audits shall also ensure that appropriate corrective and preventive actions have been taken or a schedule is in place for the implementation of the appropriate corrective and preventive actions.

Reporting Defective Equipment and Accidents

8 Recently, we have observed several cases where PSC inspections have resulted in unnecessary detentions due to failure of the master and or the company to report to the relevant PSC Authorities, in advance, defective equipment or damages usually resulting from a casualty or heavy weather.

8.1 In view of the above, we kindly remind you that Regulation 11(c) of SOLAS Chapter I specifies that "*Whenever an accident occurs to a ship or a defect is discovered, either of which affects the*

safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by regulations 7, 8, 9 or 10, is necessary. If the ship is in a port of another Contracting Government, the master or owner shall also report immediately to the appropriate authorities of the port state and the nominated surveyor or recognized organization shall ascertain that such a report has been made."

8.2 It is therefore imperative that the master notifies accordingly, before arrival, the relevant PSC Authorities, the relevant RO and the SDM explaining the deficiencies, the circumstances under which these deficiencies occurred and the actions taken for their rectification including a rectification plan (if available at the time of notification). It should be stressed out that some countries (like the United States of America) have specific notification procedures that include notifications for defective equipment or damages. In such cases the masters and companies are urged to strictly follow the notification procedures adopted by these countries.

Disputing a PSC detention

9 In case the master feels that a detention is unjustified, such matter could be initially discussed, calmly and in a professional manner, with the PSC Officer in charge.

9.1 In case the company managing the ship, is of the view that a detention is not justified, the company may decide to appeal the PSC detention. However, it should be noted that initiating an appeal, complaint or review procedure will not result to the suspension of a detention.

9.2 Additionally, it should be noted that time limits apply to each procedure (appeal, complaint or review) and that the time limits vary between MOUs and between countries within the same MOU. Details on the procedure to be followed in each case and the applicable time limits can be found from the websites of the relevant MOU. Alternatively, companies may contact SDM for advice.

9.3 The appeal procedure is usually initiated by the company or the ship owner directly to the PSC authority involved requesting re-consideration of the detainable deficiencies. SDM is generally not involved in the formal appeal procedure, but will provide a supporting statement upon request for appeals where there are grounds to believe that the detention is not justified.

9.4 Masters and companies are advised to consider Appendix 2 of IMO Assembly Resolution A.1185(33) entitled "Guidelines for the Detention of Ships" which contains a list of deficiencies that are considered to be of such a serious nature that they may warrant the detention when they consider to make an appeal against a PSC detention.

9.5 Where the PSC authority's appeal procedure requires the appeal to be made by the Flag State, the SDM will appeal only upon written request by the company or the ship owner where the detention is considered unjustified or inappropriate in the circumstances.

Complaints

10 In cases where the PSC authorities do not provide for an administrative hierarchical recourse and no appeal is made, the Company may submit a written complaint to the SDM. If the objective evidence supporting the complaint is sufficient to indicate that the detention is unjustified or inappropriate, then the SDM will approach the PSC authority requesting them to reconsider their position.

10.1 The SDM has been made aware of several allegations of instances where PSC Officers allegedly have misused their authority for financial gain. Allegations of improper conduct by any PSC Officers may be reported to the SDM for further advice and consideration. The reports should contain full details of the allegation and any supporting information. All reports regarding improper conduct by any PSC Officers will be treated in confidence.