



REPUBLIC OF CYPRUS
MINISTRY OF
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

02 April 2015

TEN 4.2.08.1.01.26

Instructions to Recognised Organisations

Subject: Compliance with European Community Council Directive 96/98/EC of 20th December 1996 on Marine Equipment, as amended lastly by European Union Commission Directive 2013/52/EU¹.

I refer to the above subject and further to the Department of Merchant Shipping (hereinafter referred to as the "DMS") Circulars No. 16/2004 and 40/2014, I wish to recall that the Article 4 of the Marine Equipment Directive (hereinafter referred to as "MED") (Section 5 of the Merchant Shipping (Marine Equipment) Laws 2002 – 2006 (Law 55(I)/2002 as amended, hereinafter referred to as the "Law") respectively) requires the Recognised Organisations to ensure, when issuing or renewing the relevant safety certificates, that the equipment on board Cyprus ships for which they issue safety certificates complies with the requirements of the MED.

In order to ensure that Cyprus Ships comply with the requirement of the MED the following requirements should be considered:

1. For existing ships (keel laid before 01 May 2004):

a. Existing ships transferred to the Cyprus Flag from an EU Flag or a non EU Flag, either before or after 01 May 2004:

- i. As per Article 3 (1) (b) of the MED (section 4 (1) (b) of the Law respectively), the equipment which is to be replaced is required to be MED compliant.

In exceptional circumstances and for justifiable reasons the DMS may permit pursuant to Article 16 of the MED (section 16 of the Law respectively), the replacement equipment to be non-MED approved provided the requirements stipulated by Article 16 are satisfied.

- ii. As per Article 3 (1) (b) of the MED, the equipment which was not previously carried onboard is required to be MED compliant.

¹ the provisions thereof have been applied by the Republic of Cyprus as from the 4th December 2014 according to article 3 thereof.

2. For New ships (keel laid after 01 May 2004):

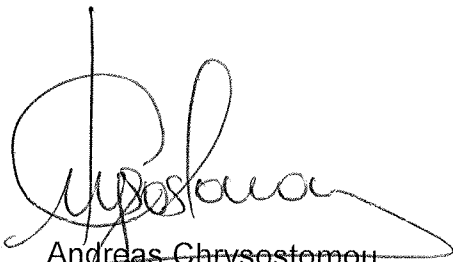
a. New ships transferred to the Cyprus Flag from an EU Flag or ships built for Cyprus or an EU Flag and registered to Cyprus Flag:

- i. The ship's equipment should be MED compliant.
- ii. In the unlikely event that any equipment is not MED approved, the DMS may exceptionally permit, pursuant of Article 14 or 15 of the MED (sections 14 and 15 of the Law respectively), its use provided that the requirements stipulated by Articles 14 and 15 of the MED are satisfied. In such case:
 - a. The request should be received from the shipowner via the Recognised Organisation which is issuing to the ship, on behalf of the DMS, the related statutory certificate and should include the Recognised Organisation's justification, opinion and recommendation for the case.
 - b. Upon the receipt of the relevant permission from the DMS, the Recognised Organisation should issue to the equipment an attestation in accordance to Article 14.3 or Article 15.1(a) of the MED (section 14 (3) and 15 (1) (a) respectively) (please refer to the model attestation specified at Annex I hereto) which shall be carried onboard the ship. A copy of the attestation should be forwarded to the DMS immediately after issuing.
 - c. The DMS will thereafter issue a certificate which will be forwarded to ship-managers who are responsible for replacing the attestation (issued by the RO) with the certificate (issued by DMS) which shall be carried always onboard the ship.
 - d. Any non-MED approved equipment allowed to be installed pursuant to Article 14 or 15 of the directive should be replaced with MED approved equipment when they become time expired or defective.

b. New ships transferred to the Cyprus Flag from a non-EU Flag or ships built and completed outside European Union for a non-EU Flag and registered to Cyprus Flag.

- i. The ship's equipment should be MED compliant or equivalent.
- ii. Equipment which is not MED compliant or equivalent, shall be replaced.
- iii. Equipment which is not MED approved is considered to be equivalent provided the following minimum requirements are satisfied:
 - a. it is type approved in accordance with the relevant international instruments by either:
 1. a Recognised Organisation which is recognised and authorised by the DMS.
 2. one of the following competent Authorities:
 1. Member States of the European Union
 2. United States of America
 3. Canada
 4. Japan

5. Rep. of Korea
 6. Australia
 7. China
 8. Norway
 9. Russia
- b. Does not impede the unconditional issuance of the relevant safety certificate in accordance with international conventions.
 - c. The Recognised Organisation which is issuing to the ship, on behalf of the DMS, the related statutory certificate, is satisfied that the relevant equipment is equivalent to MED.
 - d. The Recognised Organisation issues an attestation confirming the equivalency according to Article 8.3 of MED (section 8 (3) of the Law respectively) (please refer to the model attestation specified at Annex II hereto). The relevant attestation should be placed onboard the ship. A copy of the attestation should be forwarded to the DMS immediately after issuing.
 - e. The DMS will thereafter issue a certificate which will be forwarded to ship-managers who are responsible for replacing the attestation (issued by the RO) with the certificate (issued by DMS) which shall be carried always onboard the ship.
 - f. Any equipment carried onboard pursuant to Article 8.3 of the MED, should be replaced with MED approved equipment when they became time expired or defective.



Andreas Chrysostomou
Acting Director
Department of Merchant Shipping



- C.C.: - **Permanent Secretary, Ministry of Communications and Works**
- Maritime Offices of the Department of Merchant Shipping abroad
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners

ANNEX I

Attestation

Issued under the provisions of Section of (insert either 14.3 or 15.3) the Merchant Shipping (Marine Equipment) Laws 2002 – 2006 (Law 55(I)/2002 as amended) (Article (insert either 14.3 or 15.3) of the European Community Council Directive 96/98/EC of 20th December 1996 on marine equipment, as amended lastly by European Union Commission Directive 2013/58/EU, respectively) and under the authorization of the Republic of Cyprus

Name of ship	IMO number	Call sign

This is to certify that the equipment listed below
is permitted to be carried on board the above mentioned ship:

Item A/A	Description of equipment	Manufacturer Model Serial Number	Type approval certificate		Quantity of Equipment	Any restrictions or provisions relating to the use of the equipment
			Issuing body Date of Issue Certificate Number			
1						
2						
3						

Issued aton.....

Signature / Seal of the authorized person

ANNEX II**Attestation**

Issued under the provisions of Section 8 (3) of the Merchant Shipping (Marine Equipment) Laws 2002 – 2006 (Law 55(I)/2002 as amended) (Article 8.3 of the European Community Council Directive 96/98/EC of 20th December 1996 on marine equipment, as amended lastly by European Union Commission Directive 2013/58/EU “Marine Equipment Directive”, respectively) and under the authorization of the Republic of Cyprus

Name of ship	IMO number	Call Sign

This is to certify that the equipment listed in the attached table “Record of Equivalent Equipment” (the record) was found equivalent of equipment in compliance with the provisions the Marine Equipment Directive.

Furthermore it is noted that:

1. The equipment listed in the record shall remain on board the ship provided that the each and every equipment listed is in operational condition and corresponds to the certificates that have been issued to the equipment.
2. In case of failure of any of the equipment or in case the need arises to replace any of the equipment listed in the record, this certificate is no longer valid.
3. Equipment that will be replaced should comply with the provisions of the Marine Equipment Directive.

Issued aton.....

Signature / Seal of the authorized person

**Record of Equivalent Equipment
(Issued in accordance with Article 8.3 of the Marine Equipment Directive)**

1 Item A/A	2 Item Number	3 Description of item as per marine equipment directive	4 Manufacturer Model Serial Number	5 Type approval certificate Issuing body Date of Issue Certificate Number	6 Quantity of Equipment
1					
2					
3					