

REPUBLIC



OF CYPRUS

64(I) of 2004
97(I) of 2014.

**THE EXCLUSIVE ECONOMIC ZONE AND THE CONTINENTAL SHELF
LAWS 2004 AND 2014**

(English translation and consolidation)

**Office of the Law Commissioner
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October, 2014**

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NOTE FOR THE READER

The publication at hand by the Office of the Law Commissioner is an English translation and consolidation of the Exclusive Economic Zone and the Continental Shelf Laws, 2004 and 2014 [i.e. Laws 64(I)/2004, 97(I)/2014].

However useful the English translation of the consolidated Laws is in practice, it does not replace the original text of the Laws since only the Greek text of the Laws published in the Official Gazette of the Republic is authentic.

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64(I) of 2004
97(I) of 2014.*

**A LAW TO PROVIDE FOR THE PROCLAMATION OF
THE EXCLUSIVE ECONOMIC ZONE AND THE
CONTINENTAL SHELF BY THE REPUBLIC OF CYPRUS**

The House of Representatives enacts as follows:

Short title.
2 of 97(I)/2014.* **1.** This Law may be cited as the Exclusive Economic Zone and the Continental Shelf Laws, 2004 and 2014.

Interpretation. **2.**—(1) In this Law, unless the context otherwise requires—

3(g) of 97(I)/2014.* "Continental Shelf" means the sea-bed and the subsoil of the submarine areas that extend beyond the territorial sea of the Republic, the outer limit of which is defined in section 5A;

3(e) of 97(I)/2014.* "Convention" means the United Nations Convention on the Law of the Sea of 1982, which was ratified by the United Nations Convention on the Law of the Sea (Ratification) Law, 1988;

— "Court" means the Court as defined in section 10;

3(b) of 97(I)/2014.* "Director" *Deleted*;

3(a) of 97(I)/2014.* "Exclusive Economic Zone" means the zone adjacent to the territorial sea of the Republic, the limits of which are defined in section 3;

3(c) of 97(I)/2014.* "living resources" include fish and any other living organisms;

3(f) of 97(I)/2014.* "Minister" *Deleted*;

3(g) of 97(I)/2014.* "natural resources" means the living and non-living resources;

* See Note at the end of the text

“nautical mile” means the distance of one thousand eight hundred and fifty two meters;

3(d) of 97(I)/2014.* “non-living resources” means the various mineral and other non-living resources which generally lie on the sea-bed or its subsoil;

“Republic” means the Republic of Cyprus;

3(g) of 97(I) 2014.* “safety zone” means the area around installations, structures, or artificial islands which are intended to be placed in or already existing in and/or above the Exclusive Economic Zone and/or the Continental Shelf, the breadth and status of which shall be designated by Order of the Minister of Communications and Works;

3(g) of 97(I)2014.* “ship” means a vessel of any type not permanently attached to the sea-bed, including dynamically supported craft, submersibles or any other floating craft;

3(g) of 97(I)/2014.* “territorial sea” means the maritime zone as defined in section 2 of 45 of 1964 the Territorial Sea Laws, 1964 and 2014.
95(I) of 2014.

(2) Terms not otherwise defined in this section, shall have the meaning assigned to them by the Convention and in case of conflict between this Law and the Convention, the interpretation of the Convention shall prevail.

* See Note at the end of the text

4 of 97(I)/2014.*

PART I: EXCLUSIVE ECONOMIC ZONE

Proclamation and delimitation of the Exclusive Economic Zone.
5(a)(i) of 97(I)/2014.*
5(a)(ii) of 97(I)/2014.*

3.-(1) By this Law, there shall be proclaimed an Exclusive Economic Zone, the outer limit of which is defined to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured in accordance with the Territorial Sea Laws, 1964 and 2014.

5(b) of 97(I)/2014.*

(2) In case where any part of the Exclusive Economic Zone overlaps with part of the Exclusive Economic Zone of any other State with opposite coasts to those of the Republic, the delimitation of the Exclusive Economic Zone of the Republic and the Exclusive Economic Zone of the other State shall be effected by agreement between them; in the absence of an agreement between them, the limit of the zone is the median line or the equidistance line from the respective baselines from which the breadth of the territorial sea is measured.

5(b) of 97(I)/2014.*

(3) The limits of the Exclusive Economic Zone as defined by agreement or in the absence of an agreement according to the method of the median line or the equidistance line in accordance with the provisions of subsections(1) and (2), shall be made public, by a notification of the Minister of Foreign Affairs to be published in the Official Gazette of the Republic .

Rights and jurisdiction in the Exclusive Economic Zone.

4.-(1) In the Exclusive Economic Zone the Republic exercises:

*See Note at the end of the text

- (a) Sovereign rights for the purpose of exploring, exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the sea-bed and of the sea-bed and its subsoil and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds;
- (b) jurisdiction with regard to–
 - (i) the establishment and use of artificial islands, installations and structures;
 - (ii) marine scientific research;
 - (iii) the protection and preservation of the marine environment;
- (c) other rights and duties provided for in the Convention.

(2) The rights set out in this section with respect to the sea-bed and subsoil shall be exercised in accordance with Part VI of the Convention – Provisions as to the Continental Shelf.

Rights and duties of States in the Exclusive Economic Zone. 6 of 97(I)/2014.*

5.–(1) In exercising its rights and performing its duties under this Law and the provisions of the Convention in the Exclusive Economic Zone, the Republic shall have due regard to the rights and duties of other States and shall act in a manner compatible with the provisions of the Convention.

(2) In the Exclusive Economic Zone of the Republic, all States enjoy the freedoms of navigation and overflight and of the laying of submarine cables and pipelines and other lawful uses of the sea

*See Note at the end of the text

related to these freedoms, such as those associated with the operation of ships, aircrafts and submarine cables and pipelines, and compatible with the other provisions of the Convention. In exercising their rights and performing their duties they shall have due regard to the rights and duties of the Republic and shall comply with the laws and Regulations adopted by the Republic in accordance with the provisions of this Law, the Convention and rules of international law, Including customary international law.

PART II: CONTINENTAL SHELF

7(a) of 97(I)/2014.*

Limits
of the
Continental
Shelf.

7(b) of 97(I)/2014.*

5A.-(1) The outer limit of the Continental Shelf of the Republic is defined to a distance of two hundred (200) nautical miles from the baselines from which the breadth of the territorial sea is measured in accordance with the Territorial Sea Laws, 1964 and 2014.

(2) In relation to any state whose coasts lie opposite to those of the Republic, the outer limits of the Continental Shelf shall, unless otherwise agreed between the Republic and the said state, be the same as the limits of the Exclusive Economic Zone of the Republic.

Rights
over the
Continental
Shelf.

7(b) of 97(I)/2014.*

5B.-(1) Subject to the provisions of article 78 of the Convention, the Republic exercises over the Continental Shelf sovereign rights for the purpose of exploring and exploiting its natural resources, whether living or non-living.

(2) All rights and obligations of the Republic in relation to the Continental Shelf shall be deemed to be, and always to have been, vested upon the Republic.

*See Note at the end of the text

**PART III: EXPLORATION AND EXPLOITATION OF THE
EXCLUSIVE ECONOMIC ZONE AND OF THE CONTINENTAL
SHELF**

Conservation of
the living
resources.
9 of 97(I)/2014.*

6. The Minister of Agriculture, Natural Resources and Environment, by Order published in the Official Gazette of the Republic, determines the allowable catch and species of living resources in the Exclusive Economic Zone.

Exploration and
exploitation of
the living
resources.
10(a) of
97(I)/2014.*

7.-(1) No person shall have the right to explore and/or exploit the living resources in the Exclusive Economic Zone and/or the Continental Shelf, except in cases where a licence is granted by the Minister of Agriculture, Natural Resources and Environment under this or any other Law or Regulation or by the Director of the Department of Fisheries and Marine Research, under the Fisheries Law.

Cap. 135.

44 of 1961
109 of 1968
2 of 1970
9 of 1972
19 of 1981
210 of 1987
170 of 1990
22(I) of 1994
102(I) of 2000
61(I) of 2001
106(I) of 2004
63(I) of 2005
132(I) of 2007.

(2) (a) Any person contravening the provisions of subsection (1) of this section, shall commit an offence and shall be liable on conviction to a fine not exceeding two hundred thousand euros (€200.000) or to a term of imprisonment not exceeding three years or to both such

10(b)(i) of
97(I)/2014.*

* See Note at the end of the text

10(b)(ii) of
97(I)/2014.*

penalties. In the case of a second or subsequent conviction, the said person shall be liable to a fine not exceeding five hundred thousand euros (€500.000) or to a term of imprisonment not exceeding five years or to both such penalties.

10(c) of
97(I)/2014.*

(b) The Court may, in addition to any penalty it may impose pursuant to paragraph (a) of this subsection, order the confiscation of any ship, object, equipment or material, including any catch, used or caught during the commission of such an offence.

Exploration and
exploitation of
the non-living
resources.
11(a) of
97(I)/2014.*

8.-(1) No person shall have the right to explore and/or exploit the non-living resources in the Exclusive Economic Zone and/or the Continental Shelf, except in cases where a licence is granted by the Minister of Energy, Commerce, Industry and Tourism with the concurrent opinion of the Ministers of Foreign Affairs, Defence, Agriculture, Natural Resources and Environment and Communications and Works under this Law, and any other licence provided for under another law or regulation .

11(b)(i) of
97(I)/2014.*

(2) (a) Any person contravening the provisions of subsection (1), shall commit an offence and shall be liable on conviction to a fine not exceeding one million euros (€ 1.000.000) or to a term of imprisonment not exceeding five years or to both such penalties. In the case of a second or subsequent conviction, the said person shall be liable to a fine not exceeding two million euros (€2.000.000) or to a

11(b)(ii) of

*See Note at the end of the text

97(l)/2014.* term of imprisonment not exceeding ten years or to both such penalties.

11(c) of
97(l)/2014.* (b) The Court may, in addition to any penalty it may impose pursuant to paragraph (a) of this subsection, order the confiscation of any ship, object, equipment or material, including the actual non-living resources, used or caught during the commission of such an offence.

Laying
and
maintenance
of submarine
cables or
pipelines.
12 of 97(l)/2014.* **8A.-(1)** No person shall have the right to lay and/or maintain any submarine cables or pipelines and/or construct and/or maintain other related installations in the Exclusive Economic Zone and/or the Continental Shelf , except in cases where a licence is granted by the Minister of Communications and Works with the concurrent opinion of the Minister of Foreign Affairs, Defence, Energy, Commerce, Industry and Tourism and Agriculture, Natural Resources and Environment, under this Law and any other licence provided for under another law or regulation.

(2)(a) Any person contravening the provisions of subsection (1) shall commit an offence and shall be liable on conviction to a fine not exceeding one million euros (€1.000.000) or to a term of imprisonment not exceeding two years or to both such penalties.

(b) In the case of a second or subsequent conviction the said person shall be liable to a fine not exceeding two million euros (€2.000.000) or to a term of imprisonment not exceeding four years or to both such penalties.

*See Note at the end of the text

(c) The Court may, in addition to any penalty it may impose, by virtue of paragraphs (a) and (b), order that the submarine cables and/or the pipelines and/or other related installations in relation to which the offence has been committed, shall be removed within such time as may be fixed in the Order.

13(a) of
97(I)/2014.*

PART IV: GENERAL PROVISIONS

Application of
Laws of
the Republic
to Exclusive
Economic Zone
and Continental
Shelf.
13(b) of
97(I)/2014.*

8B.-(1) Without prejudice to the provisions of this Law-

(a) any installation, structure or artificial island, in the Exclusive Economic Zone and /or the Continental Shelf of the Republic, shall, for purposes of civil or criminal jurisdiction, be deemed to be situated in the district of Nicosia,

(b) any installation, structure, or artificial island and any materials used in the construction thereof, which are brought into the Exclusive Economic Zone and/or the Continental Shelf of the Republic, from the high seas, and placed in the Exclusive Economic Zone and/or the Continental Shelf shall be deemed to have been imported in the Republic, and, likewise, the removal of the installation, structure, artificial island or materials from the Exclusive Economic Zone and/or the Continental Shelf and not brought into the Republic shall be deemed to have been exported from the Republic.

(2) In the exercise of the sovereign rights and jurisdiction of the Republic in the Exclusive Economic Zone and the Continental Shelf, in accordance with this Law and international law, the provisions of any law in force in the Republic shall apply, unless the application

* See Note at the end of the text

thereof shall be exempt, in whole or in part, under the relevant Law.

(3) Subject to the provisions of subsection (2), within the safety zones established in the Exclusive Economic Zone and/or the Continental Shelf, only the laws of the Republic, concerning the protection of navigation, the safety of installations, structures and artificial islands, whether permanent or temporary, constructed and/or placed in and/or existing in the Exclusive Economic Zone and/or the Continental Shelf, shall apply.

(4) In this section, the term "structure" includes every machinery, ship, platform, or aircraft used in connection with any installation and/or artificial island.

Criminal liability
of officers of the
body corporate.

9. When an offence is committed by a body corporate in contravention of the provisions of this Law and it is proved that this offence has been committed with the consent or tolerance or due to the negligence of any managing director, director, secretary or any other officer of the body corporate, the said person as well as the body corporate shall be guilty of such an offence.

Exclusive
jurisdiction
of the Court.
14 of 97(I)/2014.*

10. The District Court of Nicosia or the Assize Court, according to the seriousness of the offence, sitting in Nicosia, shall have exclusive jurisdiction to try:

(a) all offences committed in contravention of the provisions of this Law and to impose any penalty provided for by this Law or any Regulations made thereunder, and

*See Note at the end of the text

(b) all offences provided for by other Laws or Regulations of the Republic and committed on installations, structures or artificial islands or within the safety zones.

Regulations. **11.-(1)** The Council of Ministers may make Regulations for the better carrying into effect of the provisions of this Law.

(2) Without prejudice to the generality of subsection (1), the said Regulations may relate to any or all of the following purposes, that is—

15(a)(i) of
97(I)/2014.*

(a) the conservation of the living resources in the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(ii) of
97(I)/2014.*

(b) the protection of the environment in the Exclusive Economic Zone and/or the Continental Shelf;

(c) concerning foreign vessels, the regulation of fishing areas, the types, size and amount of gear, and the types, size and amount of fishing vessels that may be used;

(d) the regulation of matters pertaining to marine scientific research;

15(a)(iii) of
97(I)/2014.*

(e) the authority of boarding on foreign vessels, inspecting, arrest and confiscation for securing compliance with the laws relating to the exercise of the sovereign rights of the Republic;

15(a)(iv) of
97(I)/2014.*

(f) the licensing procedure applicable to the Exclusive Economic Zone and/or the Continental Shelf, including the establishment of special committees constituted by

* See Note at the end of the text

Ministers and/or their representatives;

15(a)(v) of
97(l)/2014.*

(g) the establishment and regulation of the operation of safety zones around the installations, structures and artificial islands, permanently or temporarily, which are constructed and/or placed in and/or exist within the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(v) of
97(l)/2014.*

(h) the laying and/or maintenance of submarine cables and/or pipelines and/or the construction and/or maintenance of other related installations in the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(v) of
97(l)/2014.*

(i) the regulation of construction, assemblage, or use of any installation, structure, artificial island or machinery in the Exclusive Economic Zone and/or the Continental Shelf and/or the removal thereof from the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(v) of
97(l)/2014.*

(j) the prohibition or the restriction of exploration and exploitation of the Exclusive Economic Zone and/or the Continental Shelf or any part thereof, which may cause unjustifiable interference with navigation, fishing or the conservation of the living resources or which may intervene with national defence or security or with oceanographic or other scientific research;

15(a)(v) of
97(l)/2014.*

(k) the assignment of powers and duties for the application of Regulations made in accordance with this Law, to any Minister and/or Ministers; and

15(a)(v) of
97(l)/2014.*

(l) the creation and/or regulation of operation of a body

* See Note at the end of the text.

and/or service for control, co-ordination and/or safety of the maritime activities within the Exclusive Economic Zone and/or the Continental Shelf.

15(b)of
97(l)/2014.*

(3) Any Regulations made under this section may make offences and provide for pecuniary penalties not exceeding the amount of one hundred thousand euros (€100.000) for each day on which any offence occurs or continues, as well as sentences of imprisonment not exceeding five years or both such penalties.

Entry into force
of this Law.**

12. This Law shall come into force on the 21.3.2003.

* See Note at the end of the text.

**The principal Law, 64(l)/2004, was published in the Official Gazette of the Republic, in 5.4.2004 and entered into force as from 21.3.2003[Official Gazette, Suppl.(l)(l), No. 3831, dated 5.4.2004].

NOTE

The following law contains provisions which do not form part of the principal Law and cannot be included in the consolidated text of the Law, as a part thereof. However, in view of the fact that they affect the application of this Law, it was considered expedient to include them in this Note:

1. Section 16 of the Exclusive Economic Zone and the Continental Shelf (Amendment) Law, 2014 (L.97(I)/2014), published in the Official Gazette of the Republic, Supplement I(I), dated 11.7.2014, contains the following provision:

"Repeal
and
saving.
8 of 1974
69(I) of 2013.

16.-(1) Upon the date of the coming into force of this Law, the Continental Shelf Law shall be repealed.

(2) Notwithstanding the above repeal, any Regulations and Orders made under the repealed Law shall, in so far as they are not in conflict with the provisions of this Law, continue in force and be deemed to have been made under this Law."