

CAP. 292.

CYPRUS

**MERCHANT SHIPPING (SAFETY AND
SEAMEN)**

CHAPTER 292 OF THE LAWS

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1959

CHAPTER 292.

MERCHANT SHIPPING (SAFETY AND SEAMEN).

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A LAW TO CONSOLIDATE AND AMEND THE SHIPPING (REGULATIONS AS TO SAFETY) LAWS AND TO MAKE PROVISION FOR THE CERTIFICATION AND WELFARE OF SEAMEN.

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[15th January, 1952.]

PART I.

PRELIMINARY.

- Short title. 1. This Law may be cited as the Merchant Shipping (Safety Regulation and Seamen) Law, and shall be construed as one with the Merchant Shipping Acts, so far as the same are or shall be made applicable to the Colony.
- Interpretation. 2. In this Law unless the context otherwise requires—
 “ Merchant Shipping Acts ” means the Acts of Parliament cited as the Merchant Shipping Acts, 1894 to 1950, and any other Act amending or substituted for the same;
 “ seaman ” includes every person, employed or engaged in any capacity on board ship except masters, pilots and apprentices duly indentured and registered.

PART II.

SAFETY AT SEA.

3. (1) The Governor in Council may, in relation to any ships to which this section applies, make Regulations with respect to the maximum number of passengers to be carried on board and with respect to all or any of the following matters (in this Law called "Regulations for life-saving appliances"), namely:—

Power to the Governor in Council to make Regulations as to safety.

- (a) the arranging of ships into classes, having regard to the services in which they are employed, to the nature and duration of the voyage, and to the number of persons carried;
- (b) the number, description, and mode of construction of the boats, life rafts, line-throwing appliances, life-jackets, and lifebuoys to be carried by ships, according to the classes in which the ships are arranged;
- (c) the equipment to be carried by any such boats and rafts and the methods to be provided to get the boats and other life-saving appliances into the water, including oil for use in stormy weather;
- (d) the provision in ships of a proper supply of lights inextinguishable in water, and fitted for attachment to lifebuoys;
- (e) the quantity, quality and description of buoyant apparatus to be carried on board ships carrying passengers, either in addition to or in substitution for boats, life rafts, life-jackets and life-buoys;
- (f) the position and means of securing the boats, life rafts, life-jackets, lifebuoys and boyant apparatus;
- (g) the marking of the boats, life rafts and buoyant apparatus so as to show their dimensions and the number of persons authorised to be carried on them;
- (h) the manning of the lifeboats and the qualifications and certificates of lifeboat men;
- (i) the provision to be made for mustering the persons on board, and for embarking them in the boats, including provision for the lighting of, and the means of ingress to and egress from, different parts of the ship;

- (j) the provision of suitable means situated outside the engine-room whereby any discharge of water into the boats can be prevented;
- (k) the assignment of specific duties to each member of the crew in the event of emergency;
- (l) the methods to be adopted and the appliances to be carried in ships for the prevention, detection and extinction of fire;
- (m) the practice in ships of boat-drills and fire-drills;
- (n) the provision in ships of means of making effective distress-signals by day and by night;
- (o) the provision, in ships engaged on voyages in which pilots are likely to be embarked, of suitable pilot-ladders, and of ropes, lights and other appliances designed to make the use of such ladders safe; and
- (p) the examination at intervals to be prescribed by the regulations of any appliances or equipment required by the regulations to be carried.

(2) This section applies to—

- (a) British ships registered in Cyprus;
- (b) other ships while they are within any port in Cyprus:

Provided that this paragraph shall not apply to a ship by reason of her being within a port in Cyprus if she would not have been in any such port but for stress of weather or any other circumstance that neither the master nor the owner nor the charterer, if any, of the ship could have prevented or forestalled.

Penalties.

4. (1) In the case of any ship—

- (a) if the ship is required by the regulations for life-saving appliances to be provided with such appliances and proceeds on any voyage or excursion without being so provided in accordance with the regulations applicable to the ship; or
- (b) if any of the appliances with which the ship is so provided are lost or rendered unfit for service in the course of the voyage or excursion through the wilful fault or negligence of the owner or master; or

- (c) if the owner or master wilfully neglects to replace or repair on the first opportunity any such appliances lost or injured in the course of the voyage or excursion; or
- (d) if such appliances are not kept so as to be at all times fit and ready for use,

then and in every such case the owner of the ship, if in fault, and the master of the ship, if in fault, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds.

(2) If the owner or master of any ship wilfully carries or attempts to carry passengers in excess of the number allowed under the provisions of the regulations, he shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds, together with an additional penalty not exceeding double the amount of the fares of all passengers above the number allowed reckoned at the highest rate of fare payable by any passenger on board.

5. (1) Where a British ship, being in Cyprus, is an unsafe ship, that is to say, is by reason of the defective condition of her hull, equipments or machinery, or by reason of undermanning, or by reason of overloading or improper loading, unfit to proceed to sea without serious danger to human life, having regard to the nature of the service for which she is intended, such ship may be provisionally detained for the purpose of being surveyed or for ascertaining the sufficiency of her crew, and either finally detained or released as follows:—

Power to detain unsafe ships, and procedure for detention.

- (a) the Governor, if he has reason to believe, on complaint or otherwise, that a British ship is unsafe, may order the ship to be provisionally detained as an unsafe ship for the purpose of being surveyed;
- (b) when a ship has been provisionally detained there shall be forthwith served on the master of the ship a written statement of the grounds of her detention, and the Governor may, if he thinks fit, appoint some competent person or persons to survey the ship and report thereon to the Governor;
- (c) the Governor on receiving the report may either order the ship to be released or, if in his opinion the ship is unsafe, may order her to be finally detained, either absolutely, or until the perfor-