



**ΕΠΙΣΗΜΗ ΕΦΗΜΕΡΙΔΑ
ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΝΟΜΟΘΕΣΙΑ – ΜΕΡΟΣ ΙΙΙ**

Αριθμός 4126	Παρασκευή, 5 Μαρτίου 2010	1
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Ο περί της Συμφωνίας Συνεργασίας μεταξύ της Κυπριακής Δημοκρατίας και του Ευρωπαϊκού Οργανισμού Διαστήματος για Σκοπούς Ειρηνικής Χρήσης του Διαστήματος (Κυρωτικός) Νόμος του 2010 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 1(III) του 2010

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΦΩΝΙΑ ΣΥΝΕΡΓΑΣΙΑΣ ΜΕΤΑΞΥ ΤΗΣ
ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ ΚΑΙ ΤΟΥ ΕΥΡΩΠΑΪΚΟΥ ΟΡΓΑΝΙΣΜΟΥ
ΔΙΑΣΤΗΜΑΤΟΣ ΓΙΑ ΣΚΟΠΟΥΣ ΕΙΡΗΝΙΚΗΣ ΧΡΗΣΗΣ ΤΟΥ ΔΙΑΣΤΗΜΑΤΟΣ**

Προοίμιο.

Έχοντας υπόψη ότι ο σκοπός του Ευρωπαϊκού Οργανισμού Διαστήματος είναι η παροχή και προώθηση, για αποκλειστικά ειρηνικούς σκοπούς, της συνεργασίας μεταξύ Ευρωπαϊκών Κρατών για διαστημική έρευνα και τεχνολογία, και των διαστημικών εφαρμογών τους· και

Έχοντας υπόψη τη Συμφωνία Πλαίσιο μεταξύ της Ευρωπαϊκής Κοινότητας και του Ευρωπαϊκού Οργανισμού Διαστήματος, που υπεγράφη στις 25 Νοεμβρίου 2003, με την οποία εγκαθιδρύεται «πλαίσιο που παρέχει κοινή βάση και κατάλληλες λειτουργικές διευθετήσεις για μια επαρκή και αμοιβαία αποτελεσματική συνεργασία μεταξύ των Μερών αναφορικά με διαστημικές δραστηριότητες, σύμφωνα με τα αντίστοιχα καθήκοντα και τις ευθύνες τους και με πλήρη σεβασμό προς τις θεσμικές ρυθμίσεις τους και τα λειτουργικά πλαίσια», και

Έχοντας υπόψη ότι η Κυπριακή Δημοκρατία είναι από την 1 Μαΐου 2004, κράτος μέλος της Ευρωπαϊκής Ένωσης και συνεπώς σχετίζεται με τον καθορισμό μιας γενικής Ευρωπαϊκής Πολιτικής του Διαστήματος· και

Επειδή η Κυπριακή Δημοκρατία, επιθυμώντας την εγκαθίδρυση μηχανισμών για διευκόλυνση και ενίσχυση της συνεργασίας μεταξύ αυτής και του Ευρωπαϊκού Οργανισμού Διαστήματος για αμοιβαία επωφελείς δραστηριότητες που σχετίζονται με την ειρηνική χρήση του απώτερου διαστήματος, υπέγραψε τη Συμφωνία Συνεργασίας μεταξύ της Κυπριακής Δημοκρατίας και του Ευρωπαϊκού Οργανισμού Διαστήματος για σκοπούς ειρηνικής χρήσης του διαστήματος, στη Λευκωσία την 27^η Αυγούστου 2009· και

Επειδή καθίσταται αναγκαίο όπως η Κυπριακή Δημοκρατία, για την εκπλήρωση των συναφών συμβατικών υποχρεώσεων της, επικυρώσει την προαναφερθείσα Συμφωνία κατά τα προβλεπόμενα στο άρθρο 169 (2) του Συντάγματος,

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

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| Συνοπτικός τίτλος. | 1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Συμφωνίας Συνεργασίας μεταξύ της Κυπριακής Δημοκρατίας και του Ευρωπαϊκού Οργανισμού Διαστήματος για Σκοπούς Ειρηνικής Χρήσης του Διαστήματος (Κυρωτικός) Νόμος του 2010. |
| Ερμηνεία. | 2. Στον παρόντα Νόμο –

«Συμφωνία» σημαίνει τη Συμφωνία Συνεργασίας για σκοπούς ειρηνικής χρήσης του διαστήματος που συνομολογήθηκε στη Λευκωσία την 27 ^η Αυγούστου 2009, μεταξύ της Κυπριακής Δημοκρατίας, αφενός, και του Ευρωπαϊκού Οργανισμού Διαστήματος, αφετέρου και

«Υπουργός» σημαίνει τον Υπουργό Συγκοινωνιών και Έργων της Δημοκρατίας . |
| Κύρωση της Συμφωνίας. Πίνακας, Μέρος Ι Μέρος ΙΙ. | 3. Με τον παρόντα Νόμο κυρώνεται η Συμφωνία, της οποίας το κείμενο, στο αγγλικό πρωτότυπο, εκτίθεται στο Μέρος Ι του Πίνακα και, στην ελληνική μετάφραση, στο Μέρος ΙΙ αυτού:

Νοείται ότι, σε περίπτωση διαφοράς μεταξύ του κειμένου του Μέρους Ι και εκείνου του Μέρους ΙΙ του Πίνακα, θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού. |
| Αρμόδια Αρχή. | 4. Αρμόδια Αρχή για την εφαρμογή στη Δημοκρατία του παρόντος Νόμου και των δυνάμει αυτού εκδιδόμενων Κανονισμών είναι ο Υπουργός και οποιοδήποτε πρόσωπο δεόντως εξουσιοδοτημένο απ' αυτόν. |

ΠΙΝΑΚΑΣ
(άρθρο 3)

ΜΕΡΟΣ Ι

AGREEMENT
BETWEEN THE REPUBLIC OF CYPRUS
AND THE EUROPEAN SPACE AGENCY
CONCERNING SPACE COOPERATION FOR PEACEFUL PURPOSES

The European Space Agency, established by the Convention, which was opened for signature in Paris on 30 May 1975 and entered into force on 30 October 1980 (hereinafter referred to as "the Agency"),

and

the Republic of Cyprus (hereinafter referred to as "Cyprus")

(hereinafter together referred to as "the Parties").

RECALLING that the purpose of the Agency is to provide for and to promote, for exclusively peaceful purposes, cooperation among European States in space research and technology and their space applications,

NOTING that space has become a factor in technological, economic and cultural development,

CONSIDERING the wish expressed by Cyprus to cooperate with the Agency,

CONSIDERING that Cyprus is, since 1st May 2004, a Member of the European Union and is thereby associated to the definition of an overall European Space Policy,

HAVING REGARD to Resolution on the Role of Space in Delivering Europe's Global objectives adopted by the ESA Council meeting at Ministerial level on 26 November 2008 (ESA/C-M/CCVI/Res.1 (Final)),

HAVING REGARD to Resolution Taking Forward the European Space Policy adopted by the ESA Council meeting at Ministerial level on 26 September 2008 (ESA/C-M/CCII/Res.1 (Final)),

HAVING REGARD to Resolution on the European Space Policy adopted by the ESA Council meeting on 22 May 2007 (ESA/C/CXCIV/Res.1 (Final)),

HAVING REGARD to Framework Agreement between the European Community and the European Space Agency signed on 25 November 2003 establishing a *"framework providing a common basis and appropriate operational arrangements for an efficient and mutually efficient cooperation between the Parties with regard to space activities in accordance with their respective tasks and responsibilities and fully respective of their institutional settings and operational frameworks"* and which constitutes the basis for the joint ESA and European Community initiatives ,

HAVING REGARD to Resolution on the evolution of the Agency adopted by the ESA Council meeting at Ministerial level on 6 December 2005 (ESA/C-M/CLXXXV/Res.5 (Final)), and in particular its Chapter IV paragraph 17 whereby the Council *"NOTES the growing interest of several new Member States of the European Union in participating progressively in the Agency's programmes and to foster public interest in space exploration, and RECALLS the joint initiatives between ESA and the European Community such as Galileo and GMES which involve all these new Member States."*

TAKING INTO CONSIDERATION the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, done on 27 January 1967, and other multilateral agreements on the exploration and use of outer space to which Member States of the Agency are parties and which the Agency has accepted,

HAVING REGARD to the Convention establishing the Agency and in particular Article XIV.1 thereof, on international cooperation, which states that *"The Agency may, upon decisions of the Council taken by unanimous votes of all Member States, cooperate with other international organisations and institutions and with Governments, organisations and institutions of non-member States, and conclude agreements with them to this effect"*,

DESIRING to establish mechanisms to facilitate and intensify cooperation between the Parties on mutually advantageous activities connected with the peaceful use of outer space,

CONVINCED of the benefits that such cooperation can bring to each Party,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Purpose

The purpose of this Agreement is to establish a legal framework for cooperation between the Parties in the field of research and peaceful use of outer space and the conditions for implementing projects of mutual interest.

ARTICLE 2

Areas of cooperation

1. The Parties shall keep each other informed on all their respective activities and programmes and on their progress and shall consult regularly, according to the procedures set out in Article 3 below, on areas offering potential for cooperation.
2. The areas considered by the Parties as offering potential for cooperation under the Agreement may include, but are not limited to:
 - (a) Space science, in particular space astronomy and astrophysics, solar system exploration and solar-terrestrial physics;
 - (b) Earth observation research and applications, in particular monitoring for environment and security, meteorology, aeronomy and geoinformatics, disaster management;
 - (c) Electronic Communications, including service demonstrations as well as satellite navigation and search and rescue activities;
 - (d) Microgravity research, in particular space biology and medicine, and materials processing;
 - (e) Technology development including software and hardware;
 - (f) Ground segment engineering and utilization.

Upon signature of this Agreement, Cyprus shall notify the Agency of the areas that are of particular interest to it. Upon identifying a programme of mutual interest, the Parties shall conclude specific implementing arrangements defining their rights and obligations in accordance with the provisions of Article 3.1 below.

3. The Parties agree, with a view of realising cooperative projects in the areas identified pursuant to paragraph 2 above, to facilitate the exchange of scientists and engineers, the exchange of information as well as the contacts between the industries concerned.
4. The cooperation shall also extend to:
 - (a) the award of fellowships to enable the nominees of either Party to undertake training or other scientific or technical activities at institutions proposed by the awarding Party;
 - (b) the exchange of experts to participate in studies;
 - (c) the holding of joint conferences and symposia;
 - (d) joint promotion of the use of products and services developed under the Agency's programmes;
 - (e) the promotion of educational activities in space science and technology;
 - (f) the provision of expert opinions and assistance in space project management.
5. The Parties shall consult as appropriate on matters of common interest on the exploration and use of outer space on the agenda of the meetings of international bodies.
6. The Parties shall encourage international cooperation in the study of legal questions of mutual interest, which may arise in the exploration and use of outer space.

ARTICLE 3
Modalities of Implementation

1. In order to pursue cooperation in programmes of common interest as referred to in Article 2 above, the Parties shall on each occasion negotiate and agree upon specific implementing arrangements.
2. Cyprus designates the Ministry of Communications and Works (Department of Electronic Communications) for the implementation of this Agreement.
3. Each Party shall designate a "point of contact" who shall be responsible for monitoring the implementation of this Agreement and for taking measures to assist in the further development of cooperative activities. Such points of contact shall be the ordinary channel for the Parties' communication of proposals for cooperation.
4. Joint working groups may be established to examine in detail proposals in areas assigned to them by the Parties and to make recommendations to the Parties.
5. Special meetings between the points of contact designated under paragraph 3 of this Article shall be held, as often as necessary, to examine the progress in the implementing of this Agreement.
6. For the execution of its obligations under this Agreement, each Party shall in principle meet its own costs.
7. Cyprus agrees to provide administrative assistance in the implementation of the present Agreement, in particular as regards facilitating the entry and exit of persons and the importation and exportation of goods and materials relating to projects agreed upon by the Parties within the frame of the present Agreement, including exemption from charges that are normally applicable upon importation and exportation referred to in Article 6 below. Cyprus will issue certification for import and export of goods and materials relating to projects agreed upon by the Parties for customs authorities. This certification guarantees that the imported or exported goods and materials are employed in the course of the projects agreed upon by the Parties.

ARTICLE 4
Observer status

Cyprus shall be invited to attend meetings of the Agency's Council held at Ministerial level as an observer through one representative who may be accompanied by advisers. Cyprus shall receive the draft agenda and relevant documents available to Member States to enable it to participate in such meetings.

ARTICLE 5
Information and data

1. The Parties shall exchange scientific and technical information of mutual interest concerning space science, technology and applications through the transmission of technical and scientific reports and notes, consistent with their respective rules on the dissemination of information and data.
2. Scientific and technical information obtained by one Party in the course of joint experiments or projects shall be made available to the other, subject to the observance of such rules as may be mutually agreed concerning the dissemination of information and data.
3. Where goods, data or information are furnished by one Party to the other, the receiving Party shall accord a degree of protection to the intellectual property rights therein at least equivalent to that enjoyed in the legal system applicable to the furnishing Party. Special measures that need, in the view of the furnishing Party, to be taken in order to achieve this level of protection shall be the subject of mutual agreement.

ARTICLE 6
Privileges and immunities

1. For any of the activities undertaken in Cyprus within the frame of the present Agreement, the Agency shall have legal personality on the territory of Cyprus. For that purpose, Cyprus shall grant the Agency the privileges and immunities contained in the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations on 21 November 1947 and entered into force for Cyprus on 6 May 1964. It is understood that the tax