

**A LAW TO PROVIDE FOR THE PROCLAMATION OF THE
EXCLUSIVE ECONOMIC ZONE BY THE REPUBLIC OF CYPRUS
(2nd April 2004)**

The House of Representatives enacts as follows:

Short Title. 1. This Law may be cited as the Exclusive Economic Zone Law of 2004.

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

"Exclusive Economic Zone" means the zone beyond and adjacent to the territorial sea of the Republic, the limits of which are determined by Article 3;

"Republic" means the Republic of Cyprus;

"Director" means the Director of the Department of Fisheries and Marine Research of the Ministry of Agriculture, Natural Resources and Environment;

"Court" means the Court as provided for in Article 10;

"Living resources" include fishes and any other living organisms, except for the sedentary species, as determined by Article 77 of the Convention";

"Non-living resources" means the mineral and other non-living resources normally lying on the sea-bed and its subsoil;

"Nautical mile" means a distance of one thousand eight hundred and fifty two meters;

203 of 1988.

"Convention" means the United Nations Convention on the Law of the Sea, which was ratified by the United Nations Convention on the Law of the Sea (Ratification) Law of 1988;

"Minister" means the Minister of Agriculture, Natural Resources and Environment and any other person generally or specifically authorized in this regard.

(2) Definitions, unless otherwise interpreted in this Article, shall have the meaning given to them by the Convention and in case of conflict between this Law and the Convention, the interpretation of the Convention prevails.

Proclamation
and
Delimitation
of the
Exclusive
Economic
Zone.

3. (1) By this Law, the Exclusive Economic Zone is proclaimed, the outer limit of which shall not extend beyond the 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.
- (2) In cases where 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 between the Exclusive Economic Zone of the Republic and the Exclusive Economic Zone of the other State, shall be effected by agreement; in the absence of an agreement, the delimitation of this zone shall not extend beyond the median line or the equidistance line measured from the respective baselines from which the breadth of the territorial sea is measured.
- (3) The exact limits of the Exclusive Economic Zone at any given time, shall be made public by Notification issued by the Minister of Foreign Affairs, to be published in the official Gazette of the Republic, as these limits will be shaped according to the specific areas and the possible delimitation agreements to be reached in accordance with the provisions of subsections (1) and (2).

Rights and
Jurisdiction
in the
Exclusive
Economic
Zone.

4. (1) In the Exclusive Economic Zone the Republic has:
- (a) sovereign rights for the purposes of exploring and 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;
- (2) The rights set out in this article with respect to the sea-bed and subsoil shall be exercised in accordance with Part VI of the Convention-Provisions on the Continental Shelf.

- Rights and Duties of other States in the Exclusive Economic Zone.
5. (1) In exercising its rights and performing its duties under this Law 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, the other States enjoy the rights and perform the duties provided under the Convention. In exercising their rights and performing their duties, States 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 the Convention and other rules of international law in so far as they are not incompatible with the relevant Part of the Convention.
- Conservation of the living resources.
6. The Minister may by order published in the official Gazette of the Republic, to determine the allowable catch and the species of the living resources which may be caught in the Exclusive Economic Zone.
- Exploration and exploitation of the living resources
Cap. 135
44 of 1961
109 of 1968
2 of 1970
9 of 1972
19 of 1981
210 of 1987
170 of 1990
22(1) of 1994
102(1) of 2000
61(1) of 2001.
7. (1) Nobody is allowed to undertake in the Exclusive Economic Zone any exploration or exploitation of the living resources, except in the cases where a permission is given by the Minister, in accordance with this Law or any other Law or Regulations, or by the Director in accordance with the Law on Fisheries.
- (2)(a) Any person violating the provisions of sub-section (1) of this Article, commits an offence and, in case of conviction, he is subject to pecuniary penalty not exceeding one hundred thousand Cyprus Pounds (£Cyp.100.00) or imprisonment for a period not exceeding three years or to both of these penalties. In case of a second or subsequent conviction, this person is subject to pecuniary penalty not exceeding two hundred thousand Cyprus Pounds (£Cyp.200.00) or imprisonment for a period not exceeding five years or to both of these penalties.
- (b) In addition to any penalty imposed under the provisions of paragraph (a) of this sub-section, the Court may order the confiscation of any vessel, object, equipment or material, including catch, which was used or caught during the commitment of the offence.
- Exploration and exploitation of the non-living resources.
8. (1) Nobody is allowed to undertake in the Exclusive Economic Zone, any exploration or exploitation of the non-living resources, except for in the cases where a permission is given by the Council of Ministers, in accordance with this Law or any other Law, or by any other competent authority under any other Law or Regulations.

(2)(a) Any person violating the provisions of sub-section (1) of this Article, commits an offence and, in case of conviction, he is subject to pecuniary penalty not exceeding two hundred fifty thousand Cyprus Pounds (£Cyp.250.000) or imprisonment for a period not exceeding five years or to both of these penalties. In case of a second or subsequent conviction, this person is subject to pecuniary penalty not exceeding five hundred thousand Cyprus Pounds (£Cyp.500.00) or imprisonment for a period not exceeding ten years or to both of these penalties.

(b) In addition to any penalty imposed under the provisions of paragraph (a) of this sub-section, the Court may order the confiscation of any vessel, object, equipment, or material, including the non-living resources catch, which was used or caught during the commitment of the offence.

Liability of legal person.

9. When an offence is committed by a legal person in violation of the provisions of this Law and it is proven that this offence is committed with the assent or consent or it is attributed to any negligence of any managing counselor, director, secretary or other officer of the legal entity, this person as well as the legal entity is guilty for the commitment of such an offence.

Exclusive 10 jurisdiction of Court.

10. The District Court of Nicosia or the Criminal Court, according to the seriousness of the offence, holding its sessions in Nicosia, shall have exclusive jurisdiction to try all offences under this Law and shall have power to impose any penalty provided under this Law or any regulations made thereunder.

Regulations.

11.(1)The Council of Ministers may make regulations for the better carrying out of the provisions of this Law.

(2) Without prejudice to the generality of sub-section (1), these regulations may serve all or some of the following purposes, that is:

- (a) the preservation of the living resources of the Exclusive Economic Zone;
- (b) the protection of the environment in this zone;
- (c) with reference to foreign vessels, the regulation of fishing areas, the types, sizes and amount of gear, and the types, sizes and number of fishing vessels that may be used;
- (d) the regulation of matters pertaining to marine scientific research;
- (e) the authority of boarding on foreign vessels, inspecting, arresting and confiscating, as may be necessary to ensure compliance with the laws and regulations adopted in order to safeguard the relevant sovereign rights of the Republic; and

(f) licensing procedures for rights to be enjoyed in the Exclusive Economic Zone.

Entry into
force of
this Law.

12. This Law enters into force on the 21.3.2003.