

THE HIGH SPEED SMALL VESSELS LAWS OF 1992 TO 2001 ¹

LAW No. 56(I) OF 1992 AS AMENDED

A LAW TO PROVIDE FOR MATTERS RELATING
TO THE MOVEMENT OF HIGH SPEED SMALL VESSELS
AND FOR OTHER RELEVANT MATTERS

(10th July, 1992)

Short title.

1. The High Speed Small Vessels Laws of 1992 to 2001 shall be cited together as the High Speed Small Vessels Laws of 1992 to 2001.

56(I) of 1992

60(I) of 1999

73(I) of 2001.

Interpretation.

2. In this Law, unless the context otherwise requires-

“buoyancy aid” means a kind of individual equipment which can be worn and fitted easily and securely to the body of an adult or a child and which has lifting power equal to at least 10 per cent of the weight of the individual wearing it, without the need to have such equipment previously inflated, and having also a discernible colour;

“competent authority” means the Minister of Communications and Works and includes any person authorised by him in that behalf;

*2(a) of 60(I)/
1999.*

“high speed small vessel” means a mechanically propelled vessel of a length not exceeding fifteen (15) metres which can attain a speed of at least fifteen (15) knots;

*2(b) of
60(I)/1999.*

“jet ski ” means a high speed small vessel which is propelled by an outboard engine or an inboard water jet propulsion system and which is capable of carrying one or more persons, in a sitting, or standing on the vessel position.

“life-jacket” means a kind of individual equipment, which can be worn and fitted easily and securely to the body of an adult or a child, which has lifting power of at least fifteen (15) kilograms, without the need to be inflated, which bears a whistle, and a discernible colour and which is capable of keeping the head of its user who is unconscious, above the water;

¹ Consolidation Note : Includes the latest amendments introduced with **Amendment Laws No. 60(I)/1999 and No. 73(I)/2001**. All these Laws were published in the Greek language in the Official Gazette of the Republic of Cyprus. This is an “unofficial” consolidated translation into English prepared by the Department of Merchant Shipping, and does not intend to replace any translation prepared by the Law Commissioner’s Office. According to Article 3 of the Constitution of the Republic of Cyprus, the official languages of the Republic of Cyprus are Greek and Turkish and therefore the present translation into English is **not the authentic version**.

Disclaimer: Consolidation entails the integration of basic instruments of Cyprus merchant shipping legislation, their amendments and corrections in single, non-official documents. Each document is intended for use as a documentation tool and the Department of Merchant Shipping of the Republic of Cyprus does not assume any liability for its content.

“object in tow” means any object which does not have its own independent mechanical energy, but which is towed by a high speed small vessel, and for the purposes of this Law includes also any person who is in tow by the vessel;

“operator” includes any person who operates a high speed small vessel at a specific time, and also any person who has the responsibility of handling the vessel while it is anchored at any place, whereas in the case of an object in tow, means the operator of the vessel by which such object is in tow;

“owner” means the person in whose name a high speed small vessel is registered in accordance with the Emergency Powers (Control of Small Vessels) Regulations, 1955, or any other legislation which amends or substitutes same, whereas, in a case where a high speed small vessel constitutes the subject of an agreement or a hire-purchase or which is not yet registered as referred to above, means the person in whose possession the vessel is, by virtue of such agreement.

*Official
Gazette,
Third
Supplement:
1.12.1955.*

PART I – OBLIGATIONS OF AN OWNER AND OF AN OPERATOR OF A HIGH SPEED SMALL VESSEL

*Board on
high speed
small vessels.*

*First
Schedule.
3 of 60(I)/1999.*

3. The owner of a high speed small vessel shall keep aboard his vessel copies of all the documents proving the ownership of the vessel, and also a board placed in a conspicuous place of the vessel, written in both the Greek and English languages, containing the provisions of the First Schedule of this Law, whereas, in the case of a vessel which is offered for hire, and the rent payable.

*Operator's
licence
and learner's
licence of
a high speed
small vessel.*

4. -(1) No person shall be entitled to be operator of a high speed small vessel, unless he is in possession of a licence to operate a high speed small vessel (hereinafter referred to as a “operator’s licence”) or of a licence for a learner to operate a high speed small vessel (hereinafter referred to as a learner’s licence) issued by the competent authority.

(2) Foreigners and natives who are permanent residents abroad, shall not be required to be in possession of the licence referred to in the foregoing subsection, provided that they are in possession of a corresponding licence or certificate which certifies their ability to operate high speed small vessels and which have been issued by a competent foreign authority.

4 of 60(I)/1999.

Provided that persons visiting temporarily Cyprus for a period less than thirty (30) days who do not possess the above-mentioned licence or certificate, may operate a high speed small vessel of category B’, provided that they have jointly signed the specified binding declaration with the owner of this vessel stating that the owner has been assured of the knowledge of the visitor in relation to the matters specified by Regulations made by virtue of this Law.

(3) Persons who have completed their seventeen (17) years of age may be furnished with a learner's licence provided that they will always be accompanied by a person who is in possession of an operator's licence.

*Obligations
of an operator
of a high
speed small
vessel.*

5.-(1) The operator of a high speed small vessel shall, when on board the vessel, at all times carry his operator's licence and wear a life-jacket or a buoyancy aid, he must make certain that any person either carried or in tow by the vessel wears a life-jacket or buoyancy aid, and he shall also make certain that, when the vessel is in motion, none of the persons on board shall be at the gunwale or at any other part of the vessel other than on the seats which have been set by the constructor.

(2) The operator of high speed small vessel shall exercise all possible diligence and care for the safety and convenience of other persons who may be either on board the vessel or in the sea or on the coast or on board other vessels and generally not to cause any damage to property which belongs to others.

(3) In case a harm or damage is caused to any person or property, or in case of any other accident, the operator of high speed small vessel who is involved in the accident or who has taken notice of the accident, shall render all possible assistance and in consequence he must report the fact to the police authorities as soon as possible and, in any case, not later than twenty-four (24) hours.

*Prohibition
of operating
a high speed
small vessel
without the
owner's
consent.*

6. It shall be prohibited for any person to operate a high speed small vessel without the consent of its owner or, in case of hiring of the vessel, without the written consent of the owner or any other lawful authorisation.

PART II – OPERATING A HIGH SPEED SMALL VESSEL UNDER THE INFLUENCE OF ALCOHOLIC DRINKS ETC.

Interpretation.

7. In this Part, unless the context otherwise requires-

“apparatus” means any apparatus which is intended for the detection of a quantity or percentage of alcohol which is contained in the breath, in accordance with the standards prescribed by a common decision of the Minister of Communications and Works and the Minister of Interior;

“blood sample” means an adequate quantity of blood taken for a laboratory test;

“breath” means the air exhaled during the normal process of breathing;

“breath sample” means a quantity of breath which would be deemed adequate for conducting a preliminary or a final test;

“final test” means the test of a breath sample by an apparatus, for the detection of the accurate quantity or percentage of the alcohol contained therein and the supply of specific elements in connection with the existence of such a quantity or percentage of alcohol in the breath sample which is under test;

“hospital” means any public or private building wherein it is provided exclusively medical treatment;

“laboratory test” means an applied scientific method which is used for detecting alcohol in the blood;

“medical practitioner” means any person who is registered as a medical practitioner in accordance with the provisions of the medical Practitioners Registration Laws;

Cap.250
30 of 1959
30 of 1961
53 of 1961
79 of 1968
114 of 1968
14 of 1974
18 of 1979.

“offence” means any offence which is committed in contravention of the provisions of this Law, of any other law amending or substituting same, and of the regulations issued under these laws, and also in contravention of the Protection of Sea-Bathers laws, 1968 and 1986 and of any law amending or substituting same;

72 of 1968
12 of 1986.

“preliminary test” means the test of a breath sample by an apparatus which indicates the existence or the non-existence of a quantity of alcohol therein, and which satisfies the standards prescribed by a common decision of the Minister of Communications and Works and the Minister of Interior;

“prescribed limit” means, as the case may be-
(a) 39 microgrammes of alcohol in 100 millimetres of breath; or
(b) 90 milligrammes of alcohol in 100 millilitres of blood;

“printed result” means the indication in respect of the quantity of the percentage of alcohol contained in the breath sample which has been tested, which is produced automatically from an apparatus and printed on paper or other material;

68 of 1975
6 of 1977
16 of 1983.

“standard” has the meaning given to this term by the Standards and Control of Quality Laws, 1975 to 1983.

*Operating
a high speed
small vessel,
when the
quality of
alcohol in
the breath
exceeds the
prescribed
test.*

8. Any person who operates or attempts to operate a high speed small vessel at sea, after having consumed such a quantity of alcohol in any form, so that it exceeds the prescribed limit in his breath or blood, or while being under the influence of narcotics or drugs which diminish his ability to operate a high speed small vessel, shall be guilty of an offence.

*Preliminary
breath test.*

9. – (1) In case where a police officer has a reasonable suspicion that –

- (a) In the blood of a person operating or attempting to operate a high speed small vessel at sea there is any quantity of alcohol or that such person has committed an offence while the vessel was in motion; or
- (b) a person who was operating or was attempting to operate any high speed small vessel at sea, while there was any quantity of alcohol in his blood, and that alcohol is still contained in his blood; or
- (c) a person who was operating or was attempting to operate any high speed small vessel at sea had committed an offence, while the vessel was in motion,

may, subject to compliance with the provisions of section 12, in the cases prescribed thereby, require of such person to give a breath sample for preliminary test.

(2) Irrespective of the existence of a reasonable suspicion, as in subsection (1) referred to, a police officer may, subject to compliance with the provisions of section 12, in the cases prescribed thereby, require of any person who operates or attempts to operate a high speed small vessel at sea, to give a breath sample for preliminary test.

(3) In case where an accident has occurred due to the presence of a high speed small vessel at sea, a police officer may require of any person for whom there exists a reasonable cause to believe that he was operating or was attempting to operate the vessel at the time of the accident to give a breath sample for preliminary test, subject to compliance with the provisions of section 12 in the cases prescribed thereby.

(4) A person may be required to give, by virtue of the provisions of subsections (1), (2) or (3), a breath sample, either at the place where it is so required or, if this is not possible, at the nearest police station.

(5) Any person who, without a reasonable cause refuses or avoids to go to the prescribed police station, as provided in subsection (4), or refuses or avoids in any manner to give a breath sample when so required by virtue of the provisions of this section, shall be guilty of an offence.

(6) A police officer may arrest any person without a court warrant, if such a person refuses or avoids in any manner to give breath sample required of him by virtue of the provisions of this section and so long as the police officer has a reasonable suspicion to believe that there exists alcohol in such a person's blood, but, no person shall be arrested by virtue of the provisions of this subsection, if such a person is in hospital receiving medical treatment.

*Final test
of breath
samples.*

10. – (1) Any police officer may, for the purpose of investigating whether any person, a breath sample of whom has undergone a preliminary test, has committed an offence in contravention of the provisions of section 7, subject to compliance with the provisions of this section and of section 12, in the cases prescribed thereby, require of such a person to give two breath samples for final

test, at least ten minutes after the time when the breath sample for the preliminary test was given:

Provided that, after compliance with the provisions of section we, in the cases prescribed thereby, if the person of whom a breath sample is required for final test, has suffered any injury, the breath sample may only be given with the consent of a medical practitioner:

Provided further that, if the giving if a breath sample is not recommended for medical reasons and this is certified by a medical practitioner, any police officer, acting in accordance with the provisions of subsection (1), may require subject to the provisions of section 12, in the cases prescribed thereby, a blood sample from such a person for laboratory test.

(2) The giving of a breath sample, in accordance with the provisions of subsection (2), shall be effected at the nearest place where there is the necessary technical equipment.

(3) If at the final test of the two samples of breath given in accordance with the provisions of this section, the indications as regards the quantity of alcohol therein differ, the lowest indication shall be taken into consideration for the purposes of this Law.

(4) Any person who, without a reasonable cause, refuses or avoids to go to the place where the technical equipment necessary for carrying out the final test exists, or refuses or avoids by any manner to give a breath sample when so required by virtue of this section, shall be guilty of an offence.

(5) In case where a police officer requires of any person to give a breath sample by virtue of this section, he shall be obliged to draw the attention of such person that his refusal or avoidance to give the sample required from hi, may constitute a criminal offence.

*Reasonable
cause for
refusing to
give a
breath
sample.*

11.-(1) For the purposes of subsection (5) of section 9 and of subsection (4) of section 10, a reasonable cause for which any person may refuse to give a breath sample shall be considered the reason which relates to medical reasons, and it is certified by a signed confirmation from a medical practitioner. Such a confirmation shall be produced to the police officer at the time when a breath sample is required from such a person or, at the latest, within three days from that date, at the police station which is nearest to the residence of such person.

(2) If the person who has refused or avoided to give a breath sample, in accordance with the provisions of subsection (1), is not able to produce the medical certification provided for in the same subsection within the prescribed time limit, it shall be presumed that such person has refused or avoided to give the breath sample required without a reasonable cause.

*Protection
of persons
being in
hospital
for treatment.*

12. – (1) It shall not be permitted to require of a person who is in hospital for treatment, the giving of a breath or blood sample for the purpose of this Law, unless the medical practitioner in whose direct medical care is such person, permits, subject to compliance of the provisions of subsection (2), the giving of the required sample, and on condition that the giving of the sample shall be effected in the hospital premises where such person is for treatment.

(2) A medical practitioner, in whose direct medical care is the person required to give a breath or blood sample for the purposes of this Law, may refuse to allow the giving of the sample required, only if he considers that such a giving may affect adversely the therapeutic treatment or the condition of the health of such person.

(3) Blood sample required by virtue of the provisions of the second proviso to subsection (1) of section 9, shall be given only with the consent of the person of whom it is required:

Provided that, in case where the person of whom a blood sample is required refuses or is unable, due to the condition of his health, to give his consent for such giving, may be used for laboratory test a blood sample taken from a quantity of blood which was taken from such person for the needs of his medical observation, as long as this is certified by the medical practitioner in whose direct care is such person.

*Proof
of the
quantity
of alcohol
contained
in the
breath or
blood of
an accused
person.*

13.-(1) For purposes of proving the quantity of alcohol contained in the breath or blood of a person accused of having contravened the provisions of section 8 of this Law, it shall be taken into consideration the quantity of alcohol contained in the breath or blood sample which has been given by such person in accordance with the provisions of this Law and for the purposes of the application of this Law, it shall be deemed that the quantity of alcohol contained in the breath or blood of the accused at the time when he was operating or was attempting to operate a high speed small vessel was not less than the quantity of alcohol contained in the breath or blood sample given by him.

(2) The provisions of subsection (1) of this section shall not apply, if the accused proves-

(a) That he had consumed an alcoholic drink at a time subsequent to the time when he was operating or was attempting to operate a high speed small vessel at sea and prior to giving the breath or blood sample, and

(b) that if he had not done so, the percentage of alcohol in his breath or blood would not have exceeded the prescribed limit.

(3) Proof of the quantity of alcohol contained in a breath or a blood sample, in a criminal procedure for any offence committed in contravention of this law, shall be-

(a) The printed result which is automatically produced by an apparatus by which it is carried out the final test of a sample, which is accompanied by a

certification made either on the printed result itself or otherwise and signed by a police officer, verifying that the printed result concerns the breath sample given by the accused on the date and time written thereon; or

(b) a certificate signed by a chemist who is employed at the General Chemical Laboratory, in connection with the percentage of alcohol which was found during the Laboratory test of a blood sample specified in the certificate.

(4) Every document which constitutes the printed result or the certificate or both, namely the result and the certificate, which are referred to in paragraph (a) of subsection (3), shall be accepted in Court as evidential element for the prosecuting authority, without the personal attendance in Court of the person who tested the breath sample and of the police officer who signed such documents being necessary, unless the Court orders otherwise:

Provided that the Court may refuse to accept as evidential element any certificate or any other document produced as a certificate, so long as the accused serves on the Court and the prosecuting authority a notice, at least three days before the date of the hearing of the case or within the time limit which the court in special cases may prescribe, requiring the personal attendance in Court of the person who signed or is purported to have signed the certificate or other document.

*Offences
and
penalties.*

14. Any person who commits an offence by virtue of the provisions of subsection (1) of section 8, of subsection (5) of section 9 or of subsection (4) of section 10, shall, on conviction, be liable to imprisonment for a term not exceeding two years or to the payment of a fine not exceeding three thousand four hundred and seventeen euro (€3.417) ² or to both such imprisonment and fine.

PART III – SAFETY AND MOVEMENT OF HIGH SPEED SMALL VESSELS – REGULATIONS

*Permanent
navigability
and system
of automatic
interruption
of operation.*

15.-(1) Any high speed small vessel being of a total length up to six (6) metres, shall be so constructed or adapted that it shall be practically unsinkable.

(2) Any high speed small vessel shall be equipped with a system causing automatic interruption of the operation of the engine, which, when the vessel is in motion, must be connected with the operator, so that in case the operator moves away, the operation of the engine shall be automatically interrupted.

*Movement
of high
speed small
vessels.
72 of 1968
12 of 1986*

16. Without prejudice to the provisions of the Protection of Sea-Bathers Laws of 1968 to 1986 or of any other law amending or substituting these laws, in a case where a high speed small vessel is in an area which is not prescribed for sea-bathers but it is usually used by sea-bathers, the operator shall enter and depart from the area with an extreme caution and at the lowest possible speed.

² Consolidation Note: Amount originally provided in Cyprus Pounds and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007) issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).

*Special provision .
2 of 73(I)/ 2001.*

16A. Notwithstanding the provisions of this Law or of the Regulations issued under this Law , the prohibition of circulation of jet skis between 13:00h and 16:00h in force for the period as from the 1st of May until the 30th of September, does not apply when jet skis circulate at a distance greater than 500 metres from the nearest point of the coast .

Prohibition of boarding or interference with a high speed small vessel.

17. It shall be prohibited to go on board a high speed small vessel or on any object towed by it or to interfere with the functioning of any of the parts of its mechanism by any person without lawful authorisation or reasonable cause.

Regulations.

18.-(1) The Council of Ministers shall have the power to make Regulations for the better application of the provisions of this Law.

(2) Without prejudice to the generality of subsection (1), the Regulations may regulate all or some of the following matters:

5(a) of 60(I)/ 1999.

(a)-(i) The classification into categories, the marking, the construction, the dimensions, the weight and the designs of high speed small vessels, the accessories, the apparatus and other constituents or annexes thereof as well as the objects in tow, the life saving and fire extinguishing appliances, the first aid material and generally the conditions of their maintenance and usage.

5(b) of 60(I)/ 1999.

(ii) the issuing of a circulation licence of a high speed small vessel, the conditions for its grant, renewal, replacement and revocation as well as the relevant fees.

(b) The number and age of the persons who may be on any high speed small vessel, as well as their behaviour and duties.

5(c) of 60(I)/ 1999.

(c)-(i) The granting and the form of an operator's or a learner's licence, the relevant fees payable, the minimum age allowed and the necessary requirements for acquiring an operator's or learner's licence, as well as all which is relevant to the production and marking of the operator's and learner's licences.

5 (c) of 60(I)/1999.

(ii) The conduct of the examinations for obtaining a user's licence and the setting of the subjects thereof, the assignment by the competent authority of the conduct of such examinations to natural persons or public or private entities and the criteria for such assignment, as well as the appointment and qualification of the examiners, the participation in such examinations and other matters related to the examinations.

(d) The inspection of high speed small vessel and towed objects, the time and place of inspection and the fees payable therefore, as well as the appointment, the qualifications, the powers and duties of those persons who shall be competent to carry out inspections.

(e) The prohibition or the restriction of excessive noise caused by high speed small vessels.

(f) The removal of any high speed small vessel which may be either anchored or abandoned unlawfully and dangerously or in a manner which hinders the movement of other vessels.

5 (d) of
60(I)/1999.

(g) –(i)The prescribing of the maximum distance from the coasts and the maximum speed regarding the movement of any class of high speed small vessels.

5 (e) of
60(I)/1999.

(ii) the notification of the departure of high speed small vessels of category A` ;

(h) All the matters requiring or being capable of regulation under this Law.

5 (f) of
60(I)/1999.

(i) The prescribing of penalties of imprisonment for a period not exceeding two (2) years or of fines not exceeding five thousand one hundred twenty five euro (€5.125) ³ or of both such penalties of imprisonment and fines for the contravention of any of the Regulations issued by virtue of this Law.

5 (g) of
60(I)/1999.

(j) the keeping of a diary (logbook) by the owners of high speed small vessels of category B` in relation to particulars relating to the hire of the vessels and the keeping of copies of operators` licences of such vessels.

5 (g) of
60(I)/1999.

(k) the determination of periods of time during which the use of any kind or category of high speed small vessels is forbidden. ⁴

PART IV – OFFENCES AND PENALTIES

Offences.

19. Any person who contravenes or fails to comply with any provision of this Law where no specific penalty is provided in this Law, shall be guilty of an offence and on conviction he shall be liable to a term of imprisonment not exceeding a period of two (2) years or to a fine not exceeding five thousand one hundred twenty five euro (€5.125) ⁵ or to both such penalties.

³ Consolidation Note: Amount originally provided in Cyprus Pounds and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007) issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).

⁴ Consolidation Note: It is recalled that the Regulations presently in force, issued under this section are the following : - *The High Speed Small Vessels Regulations of 1999* (Gazette No. 3332, Supplement III (I), dated 11.6.1999 ,P.I.121/1999).

⁵ Consolidation Note: Amount originally provided in Cyprus Pounds and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007)

Concurring responsibility of owner of a high speed small vessel.

20. Where a high speed small vessel is being used or operated on the approval, express or implied of the owner, in such a manner so that its use or operation constitutes an offence under the provisions of this Law or the Regulations issued thereunder or any Law amending or substituting same, the owner of the vessel shall be deemed to be an accessory to the offence committed, and may be prosecuted as natural perpetrator and to be punished accordingly, unless he proves in Court that he was ignorant of the commitment of the offence and that the said offence was not due to any act or omission by him.

Supply of information.

21. In case where it is alleged that an offence, in relation to the use of a high speed small vessel has been committed or that the manner in which the vessel is being used is detrimental to the public order or in any other case where the identification of the operator's identity is considered necessary-

(a) The owner of the high speed small vessel shall be obliged to furnish any information required to this effect by any police officer or the competent authority, in relation to the identity of the operator and of any other person using the high speed small vessel, and if he fails to do so, he shall be guilty of an offence, unless he can prove in Court that he has no knowledge and was unable to find out, in spite of reasonable efforts who has been using or has operating the high speed small vessel; and

(b) any other person who may possibly be called upon as aforesaid to furnish any information he can give and which may possibly lead to the discovery of the identity of the operator or of any person who has been using a high speed small vessel, shall be obliged to furnish such information and if he fails to do so, he shall be guilty of an offence.

Issuing a licence or certificate under false particulars etc.

22. Any person who, with a fraudulent intent, makes a declaration, written or oral, which is false or misleading, or conceals material particulars in order to succeed in the issue of a licence under this Law and the Regulations issued by virtue of this Law or under any law amending or substituting same, shall be guilty of an offence and, in case of conviction, shall be liable to imprisonment for a period not exceeding one (1) year or to a fine not exceeding one thousand seven hundred and eight euro (€1.708)⁶ or to both such penalties.

issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).

⁶ Consolidation Note: Amount originally provided in Cyprus Pounds and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007) issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).

Forging of documents etc.

23. Any person who, fraudulently –

- (a) Forges, distorts or alters any licence or any other document issued under the provisions of this Law or the Regulations issued by virtue of this Law; or
- (b) uses or allows any other person to use a licence or other document which has been forged, distorted or altered; or
- (c) grants to another person or receives from another person a licence or other document which has been forged or distorted or altered; or
- (d) makes or has in his possession any document which resembles, to such an extent, a licence or a document issued under the provisions of this Law or the Regulations made by virtue of this law, that such document may deceive as regards its true nature; or
- (e) issues any licence, or other document, the issue of which is provided by the provisions of this Law and the Regulations made by virtue of this Law,

shall be guilty of an offence and, in case of conviction, shall be liable to imprisonment for a period not exceeding two (2) years or to a fine not exceeding three thousand four hundred and seventeen euro (€3.417) ⁷ or to both such penalties.

Additional powers of the Court.

24.-(1) The Court which imposes a sentence for any offence committed in contravention of the provisions of this Law or the Regulations made by virtue of this Law or of the provisions of any other law relevant to the operation of a high speed small vessel, shall have the right to deprive the convicted person of the ability to possess or acquire an operator's or a learner's licence for any period of time it may decide.

(2) Any person who, by a Court order issued under subsection (1), has been deprived of the ability to possess or acquire an operator's or learner's licence, may appeal against such order, in the manner in which an appeal is made against any sentence and during the period in which the appeal shall remain pending, the Court shall have the right to stay the enforcement of such an order.

(3) If the person who has been deprived of the ability to possess or acquire an operator's or learner's licence by a conviction or order issued under the provisions of this section possesses a licence, such a licence shall be suspended and shall have no effect during the period for which the inability has been imposed.

(4) Together with the conviction of a person for an offence committed in contravention of the provisions of this Law or the Regulations made by virtue of this Law, the Court issuing such a conviction sentence shall have the right in every case as well as the obligation, in case where it issues an order depriving a person of the inability to possess or acquire an operator's or learner's licence, to order that the details relating to the conviction or inability imposed be recorded

⁷ Consolidation Note: Amount originally provided in Cyprus Pounds and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007) issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).

on the licence possessed by such person.

*Obtaining
an operator's
or learner's
licence
while the
inability to
possess
such a
licence
continues.*

25.-(1) Any person who, having been deprived of the ability to possess or acquire an operator's licence under this Law or under any other law amending or substituting same, applies for an operator's or learner's licence or obtains an operator's or learner's licence or operates a high speed small vessel while the inability imposed on him continues, shall be guilty of an offence and, on conviction, shall be liable to imprisonment for a period not exceeding six (6) months or if the Court deems that under special circumstances the imposition of only a fine is sufficient, to a fine not exceeding eight hundred fifty four euro (€854)⁸ or to both such penalties.

(2) A licence issued as described in subsection (1) to any person who has been deprived of the ability to operate a high speed small vessel shall be of no effect.

PART V – COMMENCEMENT

*Commencement
of operation.*

26. This Law shall commence in its entirety or in relation to a part or parts thereof as from the date when the Council of Ministers, by a notification published in the Official Gazette of the Republic shall prescribe.⁹

*Transitional
provision.*

27.-(1) Notwithstanding the provisions of section 4 of this Law, until such time as the Regulations made under this law regulating the process for granting an operator's or learner's licence, are put in force, persons being in possession of a motor vehicle driver's licence may operate a high speed small vessel, which persons shall comply with the provisions contained in the Second Schedule.

*Second
Schedule.*

(2) In case where a high speed small vessel is offered for hire, its owner shall be obliged to be made certain that the operator has adequate knowledge of the contents of the Second Schedule.

*Second
Schedule.*

⁸ Consolidation Note: Amount originally provided in Cyprus Pounds and converted in EURO in accordance with *Notification P.I. 312/2007* (Gazette No. 4210, Supplement III(I), dated 20.07.2007) issued by the Minister of Finance under *the Adoption of the Euro Law of 2007* (Law 33(I) of 2007, as amended).

⁹ Consolidation Note: Law 56(I)/1992 entered into force on the 1st April 1993 by virtue of *Notification P.I. 37/1993* published in the Official Gazette No. 2781, Supplement III(I), dated 12.3.1993.

FIRST SCHEDULE
(Section 3)
ATTENTION

This attention of the operator's is hereby be drawn to the provisions of the High Speed Small Vessels Law, 1992, and in particular to the following:

1. The operation of a high speed small vessel without an operator's licence is prohibited
2. The persons on board a high speed small vessel shall be equipped with a life jacket or buoyancy aid and shall occupy only the prescribed seats.
3. The automatic switch off scring of the engine shall always be tied with the operator.
4. The operation of a high speed small vessel in a manner which may endanger the life or the bodily integrity or the property of any person or in a manner which may cause nuisance is prohibited.
5. The driving under the influence of alcoholic drinks or narcotics and psychotropic substances is prohibited.
6. The driving in areas for sea-bathers is prohibited.

SECOND SCHEDULE
(Section 27)
OBLIGATIONS OF A HIGH SPEED SMALL VESSEL OPERATOR

1. He shall not smoke near the fuel tank.
2. He shall make sure that the fuel tank is well fitted and contains adequate fuel.
3. He shall make sure that the exhaust valve of the fuel tank is open.
4. He shall make sure that the rubber tube supplying fuel is free from any hindrance and supplies freely the engine with fuel.
5. He shall be familiar with the electric system of the engine.
6. He shall know how to re-start the engine by using both the electric and the manual-operated system.
7. He shall know how the engine is elevated or lowered, namely how to place such engine at sailing point and at the point of land or of avoiding obstacles.
8. He shall have a very good knowledge of the use of the levers or lever for alternate sailing forward-avast –astern.
9. He shall have a very good knowledge of how to operate the system for fluctuating the revolutions of the engine or the velocity of the vessel.
10. He shall have knowledge of how to pick-up a swimmer safely.
11. He shall have knowledge of the correct way in which a life-jacket is worn.
12. He shall have knowledge of the fact that in canals, corridors, entrances as well as when the course of the vessel is in the opposite direction of the course followed by another vessel, he shall always sail on the right hand side as it concerns him of the corridor.
13. He shall have knowledge that under any circumstances, he must take all possible measures, for avoiding collision with another vessel or for causing personal or other injury to swimmers, divers or to a person at sea in general.
14. He shall have knowledge of that the flag “A” of the international alphabetical code of flags, and also the red square flag with the white diagonal strip, indicate that there is a driver in the area and that the vessels must keep a safe distance and to coast along at low speed.
15. He shall have very good knowledge of the steering system of the vessel.