



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

*(English text prevails)*

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## NOTE FOR THE READER

The publication is a consolidated translation of the English text of the Laws of the Continental State.

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64(l) of 2004

**A LAW TO PROVIDE FOR THE ESTABLISHMENT**

97(I) of 2014

**THE EXCLUSIVE ECONOMIC ZONE AND THE**

**CONTINENTAL SHELF OF THE REPUBLIC OF CHAD**

The House of Representatives

Short title.

1. This Law may be cited as the Exclusive Economic Zone and the

2 of 97(I) of 2014 \*

Continental Shelf Law, 2014 and 2014

Interpretation.

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

3(c) of 97(I) of 2014 \*

"Continental Shelf" means the sea bed and the subsoil of the

territorial sea of the Republic, the outer limit of which is defined in section 5A;

3(e) of 97(I) of 2014 \*

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

203 of 1988.

"Court" means the Constitutional Court;

3(b) of 97(I) of 2014 \*

"Director" Deleted;

3(d) of 97(I) of 2014 \*

"Exclusive Economic Zone" means the zone adjacent to the territorial sea of the Republic, the limits of which are defined in section 5;

3(c) of 97(I) of 2014 \*

"living resources" include fish and any other living resources;

3(f) of 97(I) of 2014 \*

Minister Deleted;

3(g) of 97(I) of 2014 \*

"natural resources" means

\* See Note at the end of the text

"nautical mile" means the distance of one thousand eight hundred and fifty two metres;

3(d) of 97(l)/2014.

"Republic" means the Republic of Cyprus;

"Republic" means the Republic of Cyprus;

3(g) of 97(l)/2014.

"safety zone" means the area around installations situated on or near artificial islands which were intended to be placed in or on the continental Shelf, the breadth and status of which shall be determined by Order of the Minister of Communications and Works;

3(g) of 97(l)/2014.

"ship" means a vessel of any type not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or other floating craft;

3(g) of 97(l)/2014.

45 of 469 of 1994 and 95(l) of 2014.

"territorial sea" means the maritime zone as defined in Section 2 of the Territorial Sea Laws, 1964 and 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 provisions of the Convention shall prevail.

\* See Note at the end of 97(l) of 2014.

Proclamation and 5(a) of 97(I)/2014. \* (1) By this law, there shall be proclaimed an Exclusive Economic Zone, the outer limit of which shall be determined to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured in accordance with the provisions of the Convention on the Law of the Sea of 1982.

5(b) of 97(I)/2014. \* (2) In case where any part of the Exclusive Economic Zone of the Republic overlaps with part of the Exclusive Economic Zone of any other State with opposite or adjacent coasts to those of the Republic, the delimitation of the Exclusive Economic Zone of the Republic shall be determined in accordance with the provisions of the Convention on the Law of the Sea of 1982. In the absence of an agreement between them, the limit of the zone shall be the median line or the equidistance line drawn from the respective baselines from which the breadth of the territorial sea is measured.

5(b) of 97(I)/2014. \* (3) The limit of the Exclusive Economic Zone of the Republic, in the absence of an agreement with any other State, shall be determined in accordance with the provisions of subsections (1) and (2) and shall be made public by a notification of the Ministry of Foreign Affairs in the Official Gazette of the Republic.

Rights and jurisdiction in the Exclusive Economic Zone. 4.-(1) In the Exclusive Economic Zone the Republic shall have the rights and jurisdiction...

\*See...

(a) Sovereign rights for the purpose of exploring, exploiting, conserving and protecting the resources of the seabed and of the sea-bed and its subsoil and with regard to other activities of the seabed and its subsoil and with regard to exploration of the zone from the water column;

(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 seabed and subsoil shall be exercised in accordance with Part VI of the Convention – Provisions relating 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 the provisions of the Convention in the Exclusive Economic Zone, the Republic shall have due regard to the interests of other States and shall act in a manner compatible with the provisions of the Convention.

(2) in exercising its rights and the provisions of the Convention in the Exclusive Economic Zone, the Republic shall have due regard to the interests of other States and shall act in a manner compatible with the provisions of the Convention.

\* See Note at the end of the text

related to 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 under the rights and duties of the Republic and States with the Convention and Regulations adopted by the Republic in accordance with the provisions of this Law, the Convention and the Regulations. Including customary international laws.

**PART II. CONTINENTAL SHELF**

7(a) of 97(1)/2014.\*

Limits of the Continental Shelf.

**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 base of the continental shelf, in accordance with the provisions of the Convention, 1982.

7(b) of 97(1)/2014.\*

(2) In relation to any other State, 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 Continental Shelf of the Republic.

Rights over the Continental Shelf.

7(b) of 97(1)/2014.\*

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

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

\*See Note at the end of the text



PART III. EXPLORATION AND EXPLOITATION OF MINERAL RESOURCES IN 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, shall determine the allowable catch and species in the Exclusive Economic Zone and the Continental Shelf.

Exploitation of the living resources.  
10(a) of 97(I)/2014.\*

7. (1) No person shall have the right to 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, in accordance with this or any other Law.

- 44 of 1961
- 109 of 1968
- 2 of 1971
- 9 of 1972
- 19 of 1981
- 210 of 1987
- 176 of 1990
- 22(I) of 1995
- 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 this section shall be liable to a fine not exceeding 100,000 or to a term of imprisonment not exceeding 12 months.

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

\* See Note at the end of the Bill text.

penalties. In the case of a second or subsequent conviction, the 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(b)(ii) 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, vessel, equipment or machinery, including any catch, used or caught during the commission of such an offence.

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

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

non-living resources in the Continental Shelf, except in cases where a licence is granted by the Minister of Energy, Communication and Information Technology, in accordance with the concurrent opinion of the Ministers of Foreign Affairs, Defence, Agriculture, Natural Resources and Environment and Communication and works 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, if convicted, shall be liable 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 person shall be liable to a fine not exceeding two million euros (€2,000,000) or to a term of imprisonment not exceeding five years or to both such penalties.

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

11(b)(ii) of

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\* See Note at the end of this text.

penalties.

11(c) of  
97(I)/2014.

(b) The Court may, in addition to any penalty it may impose pursuant to paragraph (a), order the offender to pay compensation for any snip, or damage to, or destruction of, or loss of, or depletion of, living resources, incurred by the offender.

Laying and maintenance of submarine cables and pipelines.  
12 of 97(I)/2014.\*

**8A.-(1)** No person shall have the right to lay and/or maintain any submarine pipeline and/or any other construction or installation 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 and the Minister of Foreign Affairs and Tourism and a licence granted under this Law and any other licence provided for under any other law or regulation.

(2)(a) Any person contravening the provisions of sub-section (1) shall commit an offence and shall be liable on conviction to a fine not exceeding one million euros (€1,000,000) or to imprisonment not exceeding two years or to both such penalties.

(b) In the case of a second offence, a person shall be liable 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.

\*See Note at the end of the text.

(c) The Court may, in addition to any penalty imposed by paragraphs (a) and (b), order that the submarine cables and pipelines and/or other related installations in the Exclusive Economic Zone and/or the Continental Shelf of the Republic in respect of which an offence has been committed, may be fixed in the Order.

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

**TRANSIT GENERAL PROVISIONS**

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

85. Without prejudice to the provisions of paragraph (a), any installation, structure, or artificial island, or any installation, structure, or artificial island and any material used in the construction thereof, which are brought into the Exclusive Economic Zone and/or the Continental Shelf of the Republic for purposes of carrying out any activity in the district of Nicosia,

(b) any installation, structure, or artificial island and any material 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 into the Republic, and, likewise, the removal of the installation, structure, or artificial island or materials from the Exclusive Economic Zone and/or the Continental Shelf and outside the district of Nicosia shall be deemed to have been exported from the Republic.

(2) In the exercise of its powers under this Law, the Republic in the Exclusive Economic Zone and the Continental Shelf in accordance with this Law and in conformity with any law in force in the Republic, may regulate the activities of any person in the Exclusive Economic Zone and the Continental Shelf.

\* See Note at the end of the document.

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

(3) Subject to the provisions of subsection (2), the laws of the Republic, whether permanent or temporary, and/or existing in the Exclusive Economic Zone and/or the Continental Shelf, shall apply.

(4) In this section, the ship, platform, or aircraft used in connection and/or at

Criminal liability of officers of the body corporate

at the provisions of this Law and in an offence has been committed by the negligence of any managing director, director, secretary or any other officer of the body corporate shall be guilty of such an offence.

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

serious offence, the jurisdiction of the Court shall be (a) all offences committed under this Law and to impose any penalty provided for by this Law or a Regulation.

\* See Note at the end of the text

(b) all offences provided for by other laws on Regulation Requirements of the Republic and committed on the 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 the foregoing Regulations may relate to any or all of the following:—

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

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

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

(b) the regulation 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, the size and amount of fishing vessels;

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

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

(e) the authorisation, arrest and confiscation of fishing vessels and laws relating to fishing vessels in the Exclusive Economic Zone and/or the Continental Shelf 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 communities provided for by

\* See Note at the end of the text

Ministers and/or their representatives;

15(a)(v) of  
97(I)/2014.\* (g) the establishment and regulation of the boundaries of safety zones and artificial islands, permanent structures, constructed and/or placed in the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(v) of  
97(I)/2014.\* (h) the laying and/or maintenance of cables and/or pipelines and/or the construction and/or maintenance of other related structures in the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(v) of  
97(I)/2014.\* (i) the regulation of any installations in the Exclusive Economic Zone and/or the Continental Shelf;

15(a)(v) of  
97(I)/2014.\* (j) the prohibition of the institution of exploration and exploitation of the Exclusive Economic Zone and/or the Continental Shelf which is prejudicial to the interests of the State, or which is likely to cause undue interference with navigation, fishing or the conservation of the living resources or which may intervene with national defence or security or with other legitimate interests of the State;

15(a)(v) of  
97(I)/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;

15(a)(v) of  
97(I)/2014.\*

\* See Note at the end of the text.

and/or serious for control, surveillance and/or safety of  
the maritime and  
Zone and/or the Continental Shelf.

15(b) of  
97(I)/2014.

(3) Any Regulations made under this section may make offences and  
provide for pecuniary penalties exceeding the amount of one  
hundred thousand euros (€100.000) for each  
offence and/or imprisonment  
not exceeding five years or both.

Entry into force  
of this Law.\*\*

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\* See...

\*\*The principal Law, 64(I)/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, Supplement (I/V), No. 3831, dated  
5.4.2004].



## NOTE

The following law contains provisions which do not appear in the consolidated text of the Law, as a part thereof. However, in view of the nature of the Law, they affect the application of the Law, and are, therefore, set out in this Note:

1. Section 16 of the Continental Shelf (Amendment) Law, No. 11 of 1974, published in the Gazette of the Republic of Mauritius (I), dated 11.7.1974, contains the following provision:

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

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

(2) Notwithstanding the above repeal, any Regulations 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.