

THE MARITIME SPATIAL PLANNING AND RELATED MATERS LAWS OF 2017-2021
(LAW 144(I)/2017 AS AMENDED BY LAW 34(I)/2021)

Preamble. For the purposes of harmonisation with the Community Act of the European Union with the title –

*Official Journal of
the European
Union:*

“Certificate” means the Certificate of Compliance with the Maritime Spatial Plan or the Certificate of Compatibility with the Maritime Spatial Plan as provided for in section 22;

“coastal waters” 159(J Tf () Tj 48

13() of 2004
67() of 2009
113() of 2010
122() of 2012
159() of 2015.

18() of 2011
159() of 2014.

section 3 of *the Marine Strategy Law*;

“Environmental Impact Assessment Report” means the Environmental Impact Assessment Study prepared in accordance with the provisions of *the Environmental Impact Assessment of Certain Projects Law*;

140() of 2005
42() of 2007
47() of 2008
80() of 2009
137() of 2012
51() of 2014
169() of 2014.

“good environmental status” has the meaning assigned to this term by section 2 of *the Marine Strategy Law*;

3(a) of 34(I)/2021.

“Interministerial Committee” means the eight-member Interministerial

objectives;

“Maritime Spatial Planning Committee” means the Committee established and operating under section 7;

“Member State” means the Member State of the European Union;

“National Strategy for Integrated Maritime Policy” means the Cyprus's national strategy for an integrated maritime policy, as approved from time to time by the Council of Ministers;

“Natura 2000 network sites” means sites of community importance, special areas of conservation and special protection areas;

3(c) of 34(I)/2021.

“Permanent Secretary” means the Permanent Secretary of the Shipping Deputy Ministry and includes the person who acts as acting Permanent Secretary of the Shipping Deputy Ministry and the officers of the Shipping Deputy Ministry who are authorised by the Permanent Secretary;

“Policy Statement” means the Policy Statement on National Maritime Spatial Planning, as adopted from time to time by the Council of Ministers, in accordance with the provisions of section 8;

“Republic” means the Republic of Cyprus;

“site of community importance” has the meaning assigned to this term by section 2 of *the Nature and Wildlife Protection and Management Law*, as further amended by the *Amendment of the Schedules of the Nature and Wildlife Protection and Management Laws, Order of 2007* and by *the Amendment of Schedules I, II and IV of the Nature and Wildlife Protection and Management Laws of 2003 to 2012 Order of 2014*;

of the Sea (Ratification) Law.

Purpose.

3.-(1) The present Law establishes a framework for the maritime spatial planning aimed at promoting the sustainable growth of the Republic's maritime economy, the sustainable growth in its marine waters and the sustainable use of its marine resources.

(2) (a) For the purposes of the present subsection, "integrated maritime policy of the European Union" means the European Union's policy whose aim is to foster coordinated and coherent decision-making to maximize the sustainable development, economic growth and social cohesion of Member States, and notably the coastal, insular and outermost regions in the Union, as well as its maritime sectors, through coherent and maritime-related policies and through international cooperation.

(b) Within the integrated maritime policy of the European Union, this framework provides for the establishment and implementation of maritime spatial planning, contributing to the achievement of the objectives pursuant to the provisions of section 14, taking into account land-sea interactions and enhanced cross-border cooperation, in accordance with the provisions of the UNCLOS Convention.

Scope of application.

4.-(1)(a) The provisions of this Law shall apply to the marine waters of the Republic, without prejudice to other Union legislation, other harmonising legislation and/or the UNCLOS Convention.

(b) The provisions of this Law, apply to maritime spatial planning in relation to uses or activities that take place:

2(b) of 34 (I)/2021. (2) The Shipping Deputy Minister shall be responsible for coordinating the necessary actions for maritime spatial planning, without prejudice to the powers exercised by other Ministers, the Council of Ministers or other bodies in the Republic, in accordance with the applicable legislation.

2(b) of 34(I)/2021. (3) The Shipping Deputy Minister shall be responsible for providing the Maritime Spatial Planning Committee with the necessary means and with sufficient and adequate resources to enable it to effectively exercise its responsibilities as referred to in the provisions of section 7.

Delegation of powers by the Shipping Deputy Minister.

4 of 34(I)/2021.

6.-(1)(a) The Shipping Deputy Minister may delegate, in writing, the exercise of any power, to any of the following, except for the power to issue decisions and to submit proposals or reports to the Council of Ministers or to the Interministerial Committee or to the House of Representatives, and to carry out any duty, this Law or the Regulations issued there under shall grant

2(b) of 34 (I)/2021. (3) The Shipping Deputy Minister has the power to amend and withdraw a

34(l)/2021.
5(a)(v) of
34

that the abovementioned environmental approval or its terms are rejected;

(e) conducts hearings on the content of

present in any meeting of the Committee in which the matter is discussed.

*Policy
Statement.
2(b) of 34(I)/2021.*

8.-(1) The Policy Statement is adopted by the Council of Ministers upon the Shipping Deputy Minister's proposal, after examination and preliminary approval by the Interministerial Committee, upon the recommendation of the Maritime Spatial Planning Committee, taking into account the National Strategy for Integrated Maritime Policy.

(2) The Policy Statement identifies the main priorities, goals and strategic guidelines for the marine waters aiming to sustainable growth.

6 of 34 (I)/2021.

(3) The Competent Authority shall ensure, through the Committee, the conduct of public consultation with the interested parties, the authorities and the public during the preparation of the Policy Statement and the interested parties, the authorities, as well as the public, have access to the Policy Statement, once it has been finalised.

(4) (a) The Policy Statement may be revised following a relevant recommendation of the

2(b) of 34(I)/2021.

2(b) of 34(I)/2021.

(2) Following implementation of the provisions of subsection (1), the Shipping Deputy Minister shall ensure that the Maritime Spatial Plan is submitted to the Council of Ministers for final approval.

(3) The provisions of section 7 (5)(h) and of sections 12 to 19 shall be taken into account when the draft of the Maritime Spatial Plan is preliminary approved by the Interministerial Committee and is thereafter finally approved by the Council of Ministers.

2(b) of 34(I)/2021.

(4) Upon the approval of the Maritime Spatial Plan by the Council of Ministers, the Minister shall publish a Notification in the Official Gazette of the Republic, announcing that the Maritime Spatial Plan has been approved, taking effect from the date of publication of the Notification and that is available for inspection in such a manner as the Shipping Deputy Minister may determine in the Notification.

2(b) of 34 (I)/2021.

(5) Upon the publication of the Notification in the Official Gazette of the

shall have due regard to the particularities of the marine r

Minimum requirements for the maritime spatial planning.

15.-(1) The Competent Institutions establish procedural steps to contribute to the objectives listed in section 14, taking into account relevant activities and uses in

account the land-sea interactions, pursuant to the provisions of section 12(2).

Provided that the outcome of these procedures shall be taken into account in the Maritime Spatial Plan by the Competent Institutions.

(2) Without prejudice to the provisions of section 4(2)(a), maritime spatial planning, promotes the coherence of

(2) The Competent Authority ensures also that the said interested parties and the authorities, as well as the public, have access to the Maritime Spatial Plan, once it is finalised.

*Data use
and
sharing.*

19.-(1) The Maritime Spatial Planning Committee organises the use of the best available data, and decides how to organise the sharing of the information necessary for the setting-up of the Maritime Spatial Plan.

(2) The data referred to in subsection (1) may include, inter alia,

(a) Environmental, social and economic data

regional sea conventions, including the mechanisms and structures provided by the Barcelona Convention, and/or

- (b) networks or structures of the Member States' competent authorities, and/or
- (c) any other method that meets the requirements of subsection (1), including the context of the Mediterranean sea-basin strategies.

Regional cooperation with third countries.

21.

such use or activity is not foreseen in the Maritime Spatial Plan, requires the obtainment of a relevant Certificate of Compatibility with the Maritime Spatial Plan issued by the

relationships established, in order to ensure coordination,

(e) Regional coordination - a summary of the mechanisms established,

