



REPUBLIC OF CYPRUS

THE MARKET SURVEILLANCE PROGRAMME 2014

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A. INTRODUCTION

This document is to apply with the obligation of the Chapter III of the Regulation (EC) № 765/2008 of the European Parliament and the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EC) № 339/33.

In Cyprus the Regulation (EC) No 765/2008 for New Approach Directives (NAD) has been implemented directly and the relevant National Laws have been modified for effective implementation.

National Laws

- **Framework Law “The Essential Requirements to be fulfilled by Specific Product Categories Law of 2002 to 2013” (Implementation of 20 NADs)**

The competent authorities shall act as the market surveillance authorities in accordance with Chapter III and Chapter IV of Regulation (EC) No 765/2008.

Where there is no competent authority for a specific product which falls within the scope of Chapters III and/or IV of Regulation (EC) No 765/2008, the Ministry of Commerce Energy, Industry and Tourism shall act as the market surveillance authority in accordance with the said Chapter for the said product.

The other Articles in Part and Part VIII shall be applied, mutatis mutandis, for the purpose of implementing Chapter III of Regulation (EC) No 765/2008.

The Director of the Customs Department shall act as the authority responsible for checking external borders in accordance with Part III of Chapter II of Regulation (EC) No 765/2008.

The Essential Requirements to be fulfilled by Specific Product Categories (amendment) Law of 2013 - Law N. 54(I)/2013.

Implementation of the Regulation (EC) No 1222/2009 establishing a framework on the labelling of tyres with respect to fuel efficiency and other essential parameters

- **The Ecodesign Directive was transfer to the national legislation through the 17(I)/2011 national law (Setting of ecodesign requirements for energy-related products)**
- **Directive 1999/5/EC (Radioequipment and Telecommunications Terminal Equipment – R&TTE Directive) is implemented by Part IV of the Radiocommunications Law of 2002 until 2012 and the associated Radio communications (Radioequipment) Regulations of 2004 until 2011, only for radioequipment, and PART 12 of the Electronic Communication and Postal Regulations Law of 2004 for the TTE**
- **Directive 99/36/EC is implemented by Law on Transportable Pressure Equipment L.17(I)2012**
- **Regulation (EU) No 305/2011 is implemented by the Construction Products Law of 2013, N130(I)/2013.**

Regarding the obligations based on the Article 17 of the Regulation (EC) 765/2008, the Cyprus Market Surveillance Authorities are mentioned in the table shown in ANNEX A.

The Cyprus Market Surveillance System is shown in ANNEX B.

MINISTRY OF ENERGY, COMMERCE, INDUSTRY AND TOURISM

TECHNOLOGY SERVICE (Coordination)

Technology Service is responsible for

- a) advising and guiding the Market Surveillance Authorities (MASs),
- b) the coordination for the effective implementation of the National Framework Law for New Approach Directives and the Regulation (EC) 765/2008.
- c) the implementation of articles 17, 18 (5)&(6) of the Regulation (EC) 765/2008.
- d) Informing the Commercial and Industrial World of the implementation of the Framework Law and the Regulation (EC) 765/2008.
- e) the coordination of the Implementation of **ICSMS** (Internet –based Information and Communication System for Europe-wide cross –border Market Surveillance) as a General information support system (article 23 of Reg. 765/2010). ICSMS is been used in Cyprus since July 2008 and have been trained for using it all MSAs and Customs Authorities.

Looking to the Future

In 2014 is planned to establish an Advisory Committee in order to ensure effective cooperation and coordination of Market Surveillance System. The Advisory Committee will consist of the representatives of all Market Surveillance Authorities, the Customs Authorities and will be chaired by a representative of Technology Service. In 2014 planned to arrange 2 meetings of the Committee.

In 2014 is also planned to organize with the cooperation of MSAs and Customs Authorities a seminar to commercial and Industrial people regarding Regulation 765/2008 and the Proposal of the new Regulation for Market Surveillance.

COMPETITION AND CONSUMER PROTECTION SERVICE

- Competent Authority for Toys Safety Directive (TOYS) 2009/48/EC (old 88/378/EEC)
- National Authority for General Products Safety Directive (GPSD) 2001/95/EC
- Monitoring RAPEX

Market Surveillance Approach

The ultimate purpose of market surveillance is to ensure the safety of products placed on the market. The main market surveillance approach is punitive in nature and is based on consumer complaints and the notifications in the RAPEX systems. Consumer complaints are mainly conveyed to the competent national authority through the 1429 Call Centre [Competition and Consumer Protection Service](#) (see below) or through the district offices of the Ministry. The call center is a small department where consumers can submit complaints via a toll free number.

Consumer complaints forwarded to the Sectoral Safety Department are carefully considered within the framework of the respective service's capacity so as to establish the validity thereof, while at the same time checking if the products in question meet all the administrative requirements.

The Cyprus market surveillance authorities approach consumer complaints uniformly and consistently. Regardless of the entry point used by the consumer (i.e telephone, mail, fax or email) market surveillance authorities forward the complaint to qualified personnel that are familiar with the procedures and processes for the handling of the complaints. Then, the information needed to start the investigation is collected (contacts with consumer, retailers, distributors or importer of the product) sampling of products for investigation is taken. Laboratory tests for market surveillance are performed in the the State General Laboratory of Cyprus or are subcontracted to private laboratories and Foreign laboratories so as to ascertain their compliance with the safety requirements imposed by Community and national legislation. If any problems or omissions are discovered, thus presenting risks to the health of consumers, the necessary administrative measures are taken, such as e.g. seizure and withdrawal of products from the market, imposition of fines, etc.

The preventive market surveillance approach is taken on a secondary basis. It is implemented in instances of participation in European market surveillance programmes organised at the initiative of the relevant ADCO committees. Moreover, the authority participates in different Joint Actions programs,

organized by Prosafe. Additional controls are conducted at points of sale during the year (with the exception of certain products which cannot be subjected to such controls in which case the product categories to be controlled are selected shortly before the performance of the controls on the basis of the inherent risks of the products and recent statistics on complaints. At the initial stage the controls are visual, and also involve checks on the compliance of the products in question with all essential safety requirements. In cases where the risks are deemed to be high, samples are taken and sent to the laboratory for testing.

In cases of products that do not conform to the requirements of the New Approach Directives, the rapid alert procedure for alerting the competent European authorities via the RAPEX system. In parallel, there is a widespread dissemination of information to consumers on taking precautions via press releases, announcements on the Ministry's website, notification of consumer organisations and other bodies, etc.

Risk Assessment

Risk assessment results from considering the degree of risk together with the likelihood that the risk may occur and the vulnerability of the product target group. Risk assessment is based on the guidelines on the operation of the RAPEX system, which include criteria for assessing the risk presented by consumer products.

Cooperation with other Services / Coordination of market surveillance authorities

The [Competition and Consumer Protection Service](#) cooperates with the Customs and Excise Department by sending instructions and recommendations and providing answers to questions raised during the customs clearance of products on the comprehensiveness of the technical files and necessary markings. The [Competition and Consumer Protection Service](#) also participate in the European Administrative Cooperation Network of the Member States operating in the framework of the individual Directives, and in the implementation of joint market surveillance programmes financed by the European Commission or by national resources. Market surveillance officers meet regularly to share experiences, both at a national and international level.

Looking to the Future

2014 Controls Programme

Apart from the complaint-based controls, controls on the following products have been scheduled for 2014:

- Toys
- Cords & Drawstrings on children clothing
- Child Care Articles (Highchairs)
- Ladders
- Adaptors

Airsoft GunsThe product groups that will be subject to official surveillance during the programming period 2014 are listed below:

Toys

Toys covered by Directive 2009/48/EC on the safety of toys are included in the audit and sampling plan and are subject to the legal framework provided by "The Essential Requirements (Toys) Regulations of 2011 and 2012".

Product groups for which surveillance is planned

Projectile toys, cheap toys, toys for children under three years.

Surveillance points

Retailers, wholesalers, importers and distributors.

Means of surveillance

Surveillance measures are performed by the Competition and Consumer Protection Service, chiefly through visual inspections and examination of the documentation relating to placement on the market of the products (declaration of conformity, EC-Type, EC mark i.e). The authority surveillance tasks also include taking samples.

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WEIGHTS AND MEASURES SERVICE

The [Weights and Measures Service](#) is the competent authority for the implementation of the following directives:

- 2009/23/EC (ex 90/384/EEC) Non-automatic weighing instruments
- 2004/22/EC Measuring instruments

General data

The [Weights and Measures Service \(WMS\)](#), is the National Metrology Service of Cyprus and is the Competent Authority for the enforcement of the Weights and Measures Legislation. It operates under the auspices of the Ministry of Energy, Commerce, Industry and Tourism of Cyprus and its principal aim is to ensure that accuracy of measurements, both at trade level as well as at higher levels, is maintained.

The WMS represents Cyprus at Committees and Working Groups of the European Commission, the International Organization of Legal Metrology (OIML), the European Legal Metrology Cooperation (WELMEC) and the European Collaboration in Measurement Standards (EURAMET), as well as at all other International Organizations and events concerned with Metrology and pre-packaged products.

The construction of a new Metrology Laboratory (operating under the supervision of WMS), that will utilise technologically advanced and high accuracy equipment, was completed in 2013; it will respond to the needs related to Industrial and Scientific Metrology. In the near future, it will become an accredited laboratory and will be designated as a reference laboratory. Its principal aim will be to provide high quality services in Metrology; initially, in the field of mass, volume, density, length, temperature and humidity.

Market Surveillance Approach

The market surveillance approach is based both on the provisions of the National Legislation as well as on the relevant EU Legislation. Most of the checks are carried out on the basis of national programs but we also respond to consumer complaints.

According to the Weights and Measures Law and Regulations, inspections and controls must be performed periodically for the Non-automatic Weighing Instruments and the Measuring Instruments. Inspections take place on-site and involve checks in order to ensure compliance of the Instruments to the requirements of the Legislation.

Consumer complaints related to the accuracy and the operation of Instruments in the market are mainly addressed to WMS through the 1429 Call Centre. In all cases, WMS Inspectors visit the premises at which the Instrument is installed and subject it to tests and controls in order to ascertain its compliance to the requirements of the Legislation. Pro-actively, industry and importers are advised on the requirements of specific Legislation.

Risk Assessment

Cooperation with other Services

WMS cooperates with the competent Customs Authorities providing guidance and advice during the customs clearance concerning the placing on the market and putting into use of various categories of Measuring Instruments.

Moreover, WMS as the competent authority for the implementation of the Directive 2004/22/EC (Measuring Instruments Directive) cooperates with other authorities, that perform controls of certain categories of Measuring Instruments which are included in this Directive, such as the Electricity Authority of Cyprus (controlling Active Electrical Energy Meters) and the Road Transport Department (controlling Taximeters).

Looking to the Future

2014 Controls Programme

Apart from the inspections carried out upon receipt of complaints, on-site inspections on the following Non-automatic Weighing Instruments and Measuring Instruments are expected to be performed:

- Measuring systems for the continuous and dynamic measurement of quantities of liquids other than water (i.e. fuel dispensers, etc).

- Automatic weighing instruments
- Trade scales
- Weighbridges

ENERGY SERVICE

Directive 2009/125/EC

The Energy Service of the Ministry of Energy, Commerce, Industry and Tourism is the competent authority responsible for the implementation of the directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products.

EU legislation	Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products
	<ul style="list-style-type: none"> • Standby and off mode losses of electrical and electronic equipment Regulation (EU) No 1275/2008 • Simple set top boxes Regulation (EU) No 107/2009 • Domestic lighting Regulation (EU) No 244/2009 • Tertiary sector lighting (office and street) Regulation (EU) No 245/2009 • External power supplies Regulation (EU) No 278/2009 • Televisions Regulation (EU) No 642/2009 • Electric motors Regulation (EU) No 640/2009 • Glandless Circulators Regulation (EU) No 641/2009 • Domestic refrigeration Regulation (EU) No 642/2009 • Domestic dishwashers Regulation (EU) No 1015/2010 • Domestic washing machines Regulation (EU) No 1016/2010 • Fans (driven by motors with an electric input power 125W-500kW) Regulation (EU) No 327/2011 • Air Conditioners and Comfort Fans Regulation (EU) No 206/2012 • Water pumps Regulation (EU) No 547/2012 • Household Tumble Driers Regulation (EU) No 932/2012 • Heaters and water heaters Regulation (EU) No 813/2013 • Vacuum cleaners Regulation (EU) No 666/2013 • Computers and computer servers Regulation (EU) No 617/2013
Transposition in Cyprus	The Ecodesign Directive was transfer to the national legislation through the 17(I)/2011 national law (Setting of ecodesign requirements for energy-related products)
Competent Authority at national level	The Energy Service of the Ministry of Energy, Commerce, Industry and Tourism Andrea Araouzou 13-15, 1421 Nicosia, Cyprus Tel: +35722409303 Email: energyservice@mcit.gov.cy
Market Surveillance Authority	The Energy Service of the Ministry of Energy, Commerce, Industry and Tourism

Basic strategy

The measures planned at national level primarily aim to satisfy all possible complaints received by the public. If all the complaints are checked then we follow a "random based" market surveillance schedule in order to evaluate the implementation of the Regulations to the market.

The selection of product categories to be included in the yearly market surveillance program is made after considering the probability of violation of legal requirements and the overall consequences of non-compliances.

Criteria for the selection of products

The selection is either being based on complaints filed by competitors or the public or by random selection.

Procedures to be followed in the event of non-compliance

The procedures to be followed in the event of non-compliance are described in the articles 10, 14-17, 19-23, 25, 36, and 37 of the [17\(I\)/2011 law](#)¹.

Cooperation with other authorities

According to article 10, point 5 and article 27 of 17(I) /2011 law the Customs and Excise Department is the competent authority in charge of the control of products entering the community market. Therefore, the Energy Service is cooperating with the Customs and Excise Department by sharing information about all Regulations that are into force in order to conduct all the necessary checks before a product is entered into the market.

Surveillance points

Surveillance is performed by authorized inspectors at several distribution sites. Inspections are also performed at several online selling points.

Means of surveillance

Surveillance primarily takes the form of visual inspections. In cases that are judged suspicious for non-compliance, laboratory measurements may be carried out however at the time being there is budget limitation for such action to take place.

Product groups for which surveillance is planned

Market Surveillance for Eco design, plans to cover all product groups entailed in the relevant enforced EU Regulations.

2014 Control Program

The 2014 market surveillance plan includes amongst others:

- Tertiary sector lighting
- Electric motors
- Glandless Circulators
- Fans (driven by motors with an electric input power 125W-500kW)
- Air Conditioners and Comfort Fans
- Water pumps
- Vacuum cleaners

Regulation (EC) No 1222/2009

The Energy Service of the Ministry of Energy, Commerce Industry and Tourism is the competent authority responsible for the implementation of the regulation (EC) No 1222/2009 establishing a framework on the labelling of tyres with respect to fuel efficiency and other essential parameters.

EU legislation	Regulation (EC) No 1222/2009 establishing a framework on the labeling on tyres with respect to fuel efficiency and other essential parameters
	<ul style="list-style-type: none"> • Responsibilities of tyre suppliers Article 4
	<ul style="list-style-type: none"> • Responsibilities of tyre distributors Article 5
	<ul style="list-style-type: none"> • Responsibilities of vehicle suppliers and vehicle distributors Article 6

¹ <http://www.mcit.gov.cy>

Transposition in Cyprus	The regulation was transfer to the national legislation through the 54(I)/2013 national law.
Competent Authority at national level	The Energy Service of the Ministry of Energy, Commerce, Industry and Tourism Andrea Araouzou 13-15, 1421 Nicosia, Cyprus Tel: +35722409303 Email: cxichilos@mcit.gov.cy
Market Surveillance Authority	The Energy Service of the Ministry of Energy, Commerce, Industry and Tourism

Basic strategy

The measures planned at national level primarily aim to satisfy all possible complaints received from the public. Furthermore, “random based” inspections are planned at the selling points.

Criteria for the selection of products

Selection of products is done based on complaints or randomly.

Procedures to be followed in the event of non-compliance

Are described in articles 53 and 54 of the Law N. 54(I)/2013.

Cooperation with other authorities

In executing its power, the competent authority may cooperate with Customs and Excise Department by sharing information and conducting all necessary checks before a product is allowed to enter the market.

Surveillance points

Surveillance is performed by authorized inspectors at the selling points.

Means of surveillance

Surveillance primarily takes the form of visual inspections. If necessary, laboratory measurements may be carried out.

Product groups for which surveillance is planned

All product groups entailed in the relevant enforced EU Regulation.

MINISTRY OF COMMUNICATION AND WORKS

DEPARTMENT OF ELECTRICAL AND MECHANICAL SERVICES

General Data

The [Department of Electrical and Mechanical Services](#) is the competent authority responsible for the implementation of the following six directives:

- Gas Appliances (2009/142/EC)
- Transportable Pressure Equipment (2010/35/EU)
- Cableway Installations (2000/9/EC)
- Low Voltage (2006/95/EC)
- Electromagnetic Compatibility (2004/108/EC)
- Aerosol dispensers (75/324/EEC)

Market Surveillance Approach

Market surveillance is mainly proactive and comes under three categories:

- The authority's yearly plan that forms the core of its market surveillance activity, which defines the specific product categories and the number of different products to be sampled on a pre-planned basis,
- European market surveillance programmes (Joint Actions) organised at the initiative of the relevant ADCO committees or Stichting Prosafe, and
- Notifications from Customs on products which are either not CE marked or give cause to believe that they present a serious risk.

Reactive market surveillance is based on consumer complaints and RAPEX and CIRCA notifications.

Products are checked for compliance with either only the administrative or both the administrative and technical requirements of the Directives. Administrative compliance assessments include checks of markings, EC declarations of conformity and technical reports, whereas technical compliance is checked by partial testing against the requirements of harmonized standards appearing on the EC declarations of conformity.

In cases of non-compliance administrative measures are taken, according to the severity of the non-compliance, ranging from simple warnings to imposition of fines, withdrawal of products from the market and prosecution of economic operators to court.

Consumers are informed of non-compliant products via press releases and the Department's website. RAPEX notifications are issued for products presenting a risk under Articles 11 and 12 of Directive 2001/95/EC. The authorities of other Member States are informed through CIRCA.

Risk Assessment

The selection of product categories to be included in the yearly market surveillance program is made after broadly considering the probability of violation of legal requirements and the overall consequences of non-compliances.

Risk assessment for RAPEX notifications is based on the guidelines on risk assessment of consumer products (Commission Decision 2010/15/EU).

Cooperation with other Services:

At national level the Department is in close cooperation with mainly the Competition and Consumer Protection Service and the Customs and Excise Department, and other market surveillance authorities as necessary.

At European level the Department participates in ADCO and Commission meetings, and is in close cooperation with Member States market surveillance authorities. It actively participates in market surveillance joint actions and in discussions aiming at the exchange of information and expertise.

Looking Into the Future:

The future goals of the Department include:

- the enhancement of product inspection and control at the external borders through better cooperation Customs
- the increase of the number of yearly checked products
- the increase of the number of laboratory tests on checked products
- increase the awareness of consumers regarding product compliance and safety
- intensification of cooperation with importers and manufacturers on a product category basis

2014 Control Programme:

The 2014 market surveillance plan includes amongst others:

- LED and CFL light sources
- Christmas lighting chains
- Solar panel inverters
- Personal care appliances
- Portable kitchen appliances
- Room heating appliances

DEPARTMENT OF ELECTRONIC COMMUNICATIONS

The Department of Electronic Communications (DEC) is the competent authority for implementing Directive 1999/5/EC (Radioequipment and Telecommunications Terminal Equipment – R&TTE Directive) as far as radioequipment is concerned. OCECPR (Office of the Commissioner of Electronic Communications and Postal Regulations) is the competent authority for implementing the Directive 1999/5/EC (Radioequipment and Telecommunications Terminal Equipment – R&TTE Directive) as far as Telecommunication Terminal Equipment is concerned.

Market Surveillance Approach

DEC market surveillance approach is based on consumer and other complaints, pan European market surveillance campaigns organised by R&TTE ADCO, information from the Customs and Excise Department, CIRCA notifications through article 9 of R&TTE Directive and RAPEX notifications. DEC performs mostly administrative checks and basic technical tests.

Cooperation with other Services

DEC cooperates with the Office of the Commissionaire of Electronic Communications and Postal Regulations (the competent authority for the market surveillance of Telecommunication Terminal Equipment), the Department of Electromechanical Services (the competent authority for EMCD and LVD), the Ministry of Industry, Energy, Commerce and Tourism (the competent authority for Toys and for the monitoring of RAPEX) and the Customs and Excise Department.

Risk Assessment

The type of radioequipment to be included in the yearly market surveillance program depends on the probability the radioequipment has on causing harmful interferences and the consequences on health.

Looking into the future

Our aim is to become more proactive and efficient by reinforcing the cooperation with the Customs and Excise Department as well as other competent authorities and to improve desktop market surveillance. In addition our aim is to maintain good cooperation with other European administrations through R&TTE ADCO and to participate in all European market surveillance campaigns organised by R&TTE ADCO.

2014 Controls Programme

In 2014 DEC will focus on Radio Control Toys, GSM Repeaters and GSM Jammers. .

In 2014 OCECPR will focus on tablet Devices and smartphones.

DEPARTMENT OF MERCHANT SHIPPING

Covered Products	Coordination and Cooperation	Customs Cooperation	Priority	Type of control
Recreational Craft , PWC , Marine engines for recreational Craft	Cooperation With MSA, Notified Bodies Coordination ADCO / RSG (At National level coordination with Marine Industry and Commerce, manufacturers/ dealers /importers)	Cooperation with Customs in checking CE marking/ documentation (DoC)	High	-Proactive Document Inspection/ examination prior Registration (compulsory for all boats) / random and suspect cases visual (basic) inspection including component Inspection -Reactive following CIRCA and RAPEX notifications

General Data:

Department of Merchant Shipping - the Competent Authority for Market Surveillance for Recreational Craft

Legal Instrument: Essential Requirements (Recreational Craft) (P.I.307/2003) as amended [P.I. 537/2004, P.I. 302/2006, P.I. 303/2006]

Market Surveillance Approach:

Proactive control: Document check/ examination prior Registration (compulsory for all boats) which includes the EU Declaration of Conformity for craft and engine (in connection with exhaust and noise emissions), the owner's manual, certification by the Notified Body.

In addition visual basic inspection, including component inspection, is carried out for random and suspect cases. Component inspection covers fuel tanks and fuel hoses, steering wheels and steering mechanisms.

Further clarification with economic operators and Notified Body involved can be carried out as required.

Reactive control following CIRCA and RAPEX notifications.

[Due to the complexity of recreational craft Directive 94/25/EC (32 Essential Requirements and even more applicable standards) market surveillance is primarily on documentation check and inspections which are focused on certain issues / key aspects].

Cooperation with other Services:

Close cooperation with Customs/ Coordination with Ministry of Commerce, Industry and Tourism /Marine Industry and Commerce Association (CYMCIA) and Economic Operators.

At European Level Cooperation with MSA, Notified Bodies, Coordination ADCO/ RSG (Recreational Sectoral Group)

Looking Into the Future:

Close cooperation with other Market Surveillance Authorities can be further improved with the use of the general information support electronic system among Member States, which would enable more systematic and thorough inspections.

2014 Control Programme:

(As described in Market Surveillance Approach)

This year's plan is to include visits/ checks to Cyprus manufacturers which will involve inspection of craft, documentation check including technical files and procedures followed.

It is also planned to increase overall the number of visual inspections and the number of items checked.

The closer cooperation with Customs will also be a target for 2014.

MINISTRY OF LABOUR AND SOCIAL INCURANCE

DEPARTMENT OF LABOUR INSPECTION

General Data

The Department of Labour Inspection is responsible for the enforcement of 6 New Approach Directives. Namely:

- Machinery 2006/42/EC
- Lifts 95/16/EC
- Pressure Equipment 97/23/EC
- Simple Pressure Vessels 2009/105/EC
- Personal Protective Equipment 89/686/EEC

- Equipment and Protective Systems intended for use in Explosive Atmospheres 94/9/EC
Market surveillance activities are carried out by Inspectors that have been duly authorised for that purpose by the Minister of Labour and Social Insurance.

The said Inspectors are based at the four District Labour Inspection Offices and are supported by Labour Inspection Officers located at the Head Office of the Department.

Market Surveillance Approach

Market surveillance is carried out on both proactive and reactive basis. Proactively, the Inspectors visit premises where products falling into the scope of the above Directives are placed on the Cyprus market. The selection of products is made after a risk analysis, or the popularity of use, e.g. lawnmowers, or following a European campaign organized by the member states through the relevant AdCo Working Groups.

Reactive market surveillance activities are made usually after a consumer complaint, a tip off from the Customs Office, or after an accident involving a product falling into the scope of any of the above Directives.

The measures taken to enforce compliance with the above Directives are proportional to the severity of the problem or non-conformity and could include drafting a warning letter, issuing a Notice of Compliance or a Notice of Withdrawal, or even taking legal action against the stakeholder.

In case of serious non-conformities of products that could harm the safety and health of users, an alert is uploaded on RAPEX, the local press and posted at the website of the Department.

Risk Assessment

Risk assessment is the responsibility of the manufacturer to carry out in order to ensure that risks have been identified and taken into consideration at the design, manufacture or installation phase of the product.

Be that as it may, enforcing authorities carry out an ad hoc “risk assessment” to determine which product would be more worthy to include in the market surveillance activity so that to protect and safeguard the safety of the users.

Cooperation with other Services

The Department of Labour Inspection closely cooperates with other market surveillance authorities at national level and in particular the Customs Offices where non compliant products are prevented from entering the Cyprus market.

The Department also cooperates with market surveillance authorities of other European member states both in terms of launching a market surveillance campaign, following a complaint for a product which is manufactured in another member state, or exchanging technical information and opinions regarding specific products.

Looking into the future

The compliance of the market has been improved over the past years. The close cooperation of the Department of Labour Inspection with the Department of Customs and Excise has paid off and the numbers of non-compliant products entering the Cyprus market is reduced. The Department of Labour Inspection will continue to carry out market surveillance in a more structured way, focusing on specific types of equipment. It is expected that the interaction of the Department with relevant Market Surveillance European networks of information exchange, such as the ICSMS and RAPEX will increase. The Department also aims on specific informative actions/campaigns with local manufacturers.

2014 Control Program

During 2014 the Department of Labour Inspection will focus on the inspection of lifts, machinery, personal protective equipment, LPG pressure vessels and relevant accessories.

CONSTRUCTION PRODUCTS SECTOR, TECHNICAL SERVICES

General data

EU Regulation no. 305/2011 (CPR), which repeals the Construction Products Directive (CPD 89/106/EEC), became fully operational as of 1 July 2013. Based on Article 2(1) of the National Legislation Construction Products Law of 2013, the Ministry of Interior (Construction Products Sector) is designated as the Market Surveillance Authority (MSA).

Market Surveillance Approach

The Ministry of Interior has prepared the system of market surveillance for construction products in cooperation with foreign experts under an EU Twinning Program in order to set up the correct mechanisms for monitoring and enforcement of the Regulations. This program was designed to create a system of market surveillance of construction products, and includes among other things, assessment of the legal framework, assessment of the capacity of Cypriot laboratories, development of the market surveillance system and protocols, staff training, preparing a risk assessment for construction products that should be monitored, preparation of a computer program for recording actions etc.

Market surveillance is being done by an "active" and "passive" system. For the "active" system, campaigns (i.e. controlling a particular product placed in the market) are decided to be performed at a certain time. The campaign may include performing checks for the necessary documents and/or laboratory testing of products. For the "passive" system, the MSA takes action after receiving a complaint or other information.

Generally, the usual practice of the MSA is first to perform document checks, i.e. CE Marking and Declaration of Performance. After the document checks and depending on the nature of the campaign or the information/complaint received, the MSA performs also physical tests to specimens of the products.

Moreover, the MSA gives special attention to the information of key partners, in order to better inform those involved and affected. The MSA organizes seminars and training programs, releases information material, and also created a special area on the website of the Ministry of Interior which provides information and explanations regarding the Regulation, legislation, education programs etc.

Risk Assessment

The risk assessment prepared for construction products in Cyprus assumed that risk can be seen as a product of consequences and probability. For this end input factors and weighting values were used for the estimation of the risk assessment.

Input factors were based on consequences (personal injury, cost of repair or replacement, environmental damage) or probability (volume used, conditions of manufacture, non-importance of design, non-importance of installation).

For the analysis information (data) was received from the Statistical Governmental Office, in order to decide the weighting factors, taken into account the importance of structural elements, ease of replacement, CE marked or not, AVCP system, importance of design, importance of installation etc.

It must be noted that the impact of design and installation, as well as of the building control performed by building authorities was not taken into account, since market surveillance targets the product before it is being used.

Cooperation with other Services

The Ministry of Interior has the overall responsibility for implementing the Construction Products Regulations. Being the MSA, it is the contact point in Cyprus for construction products and responsible for market surveillance. It is also the declared body in all the EU Institutions for the field of construction products, representing Cyprus and participating in the EU and responsible for directing all information to and from the EU.

The MSA cooperates with other Services and Authorities for the coordination of actions and measures taken in the field. It has regular cooperation with the Customs Dept., the Geological Survey Dept., the Cyprus Organization for Standardization, the District Offices etc.

Looking to the Future

The MSA goal is to enrich every year the experience of the Authority by adding new products to the surveillance program, providing in this way a much larger surveillance in the field of construction products.

2014 Controls Programme

The MSA plans the campaigns the last quarter for next year, based on the risk analysis and the existing results of market surveillance performed. The program for the year is notified to the EU before January 1, pursuant to Article 18 of Regulation (EC) 765/2008.

MINISTRY OF HEALTH

MEDICAL AND PUBLIC HEALTH SERVICES

Medical Devices Competent Authority

The Cyprus Medical Devices Competent Authority (CyMDA) is the responsible Authority for the Market Surveillance for:

- a) Active Implantable Medical Devices (Directive 90/385/EEC)
- b) Medical Devices (Directive 93/42/EEC), and
- c) In-vitro Diagnostic Medical Devices (Directive 98/79/EC)

Market Surveillance Approach

The market surveillance activities are programmed to be in weekly based inspections. Additionally , extraordinary inspections may be done, after complaints from consumers (patients, local device distributors and health professionals) and from notifications from other Member States for devices that are known to be on the Cypriot market.

Risk Assessment

The risk is assessed for the cases mentioned in the paragraph above and the appropriate action is taken according to the level of risk to the patient and the health professionals using the device under investigation.

Cooperation with other Services

The CyMDA collaborates closely with the Department of Pharmaceutical Services of the Ministry of Health and the Cyprus Customs Authority.

The collaboration with the Pharmaceutical Services concerns borderline devices as well as devices containing pharmaceuticals.

The collaboration with the Customs Authority is a two-way collaboration. The one way is for the CyMDA to request from the Customs to confiscate devices that are entering the Cypriot market and are known not to meet the essential requirements.

The second way is for the Customs Authority to request assistance to identify devices that are entering the Cyprus market and are not CE marked and may be Medical Devices. If such devices are not CE marked medical devices these are confiscated by the Customs Authority.

Looking to the future

We are looking for cooperation with chemist labs for more effective market surveillance.

2014 Controls Programme

This will be by programmed and extraordinary inspections.

MINISTRY OF AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENT

INSPECTORATE OF EXPLOSIVE SUBSTANCES

General data

The [Inspectorate of Explosive Substances](#) is the competent authority for the following directives:

- 1993/15/EEC on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses, and

- 2007/23/EC on the placing on the market of pyrotechnic articles.

Market Surveillance Approach

In the text below, explosive substances means explosives, ammunition and pyrotechnic articles.

(a) Relevant legislation

- The Essential Requirements to be fulfilled by Specific Product Categories Law
- The Essential Requirements (Explosives for Civil Uses) Regulations and relevant Orders,
- The Essential Requirements (Pyrotechnic Articles) Regulations,
- The Explosive Substances Law and
- The Explosive Substances Regulations and relevant Notifications.

(b) Importation of explosive substances

In the territory of the Republic of Cyprus there is no manufacture of explosive substances, except of the manufacture of cartridges for hunting and trapshooting. Consequently grade importance is given to the control of what is entered in the Republic from other countries. Before the importation of the explosive substances, the applicant is asked to submit the data of the product that he is intended to import (technical characteristics, United Nation No, CE marking and Notified Body number, marking according to CIP, etc) as well as the Safety Data Sheet. If the aforesaid data are according to the Essential Requirements legislation when the product comes from an EU member state, the approval or the consent of an intra-community transfer is issued. When the product comes from a third country, an importation license is issued. In both cases the products destination is a store, licensed under the Explosive Substances legislation.

Upon the products entry in the country the Customs check the transportation documents. Specifically they check whether the types and the quantities on the transportation documents match with the approvals, as well as the existence of the proper labeling. In the case of blasting explosives and gun powder they also do physical checks of the products. In the case of products coming from a third country the Customs may withhold them for a 72 hour period. In the event that the Customs observe anything incompatible with the aforesaid, notify the incident to the Inspector of Explosive Substances, in order to take the appropriate measures. In the case where the Inspector confirms that the products do not have the suitable labeling then he does not allow their availability to the market and he asks from the importer/ transporter to take care for their conformity within a specific time. In the case where such conformity is not possible he proceeds with their destruction after having the consent of their owner or after a relative order of the Court. In any case the provisions of the article 29 of the Regulation (EC) No 765/2008 are applied, especially if the owner of the explosive substances wants their removal from the Republic.

(c) Storage of explosive substances

The holder of an explosive substances store license has to keep a book showing the receipts and the issues for each type of explosive substances. At the end of each month he informs the Inspector of Explosive Substances about the receipts and the stocks of the explosive substances. The holder of the license also notifies the Inspector of each new receipt of explosive substances. The Inspector inspects the types, the quantities and the labeling of the new products.

(d) Use of explosive substances

The same checks also carried out by the Inspector of Explosive Substances at the places of use of the explosive substances. Information about any problems concerning the safe use or the expected performance of the explosive substances is also collected from the operators.

(e) Sampling and testing

According to the existing legislation, where the Inspector of Explosive Substances has sufficient reasons to believe that explosive substances which bare the appropriate markings do not conform to the essential requirements, he has the power to suspend their use and proceed for sampling and testing of the specific product. Because there are no special laboratories for the explosive substances testing in the country, the Inspector has the adequate resources to send the samples abroad. The Inspector has also the power to destruct the explosive substances that do not conform, after having the consent of their owner or after a relative order of the Court.

Cooperation with other Services

The [Inspectorate of Explosive Substances](#) cooperates with the competent customs authorities by sending instructions and recommendations and providing answers to questions raised during the customs clearance of products on the comprehensiveness of the technical files and necessary markings. Also cooperates with the police authorities for the seizure and the destruction of the products that do not conform to the essential requirements.

Looking to the Future

The [Inspectorate of Explosive Substances](#) is looking forward to establish stronger cooperation bonds with the customs authorities.

2014 Controls Programme

The [Inspectorate of Explosive Substances](#) will continue to conduct the market surveillance activities concerning explosive substances as it is described in the chapter "**Market Surveillance Approach**".

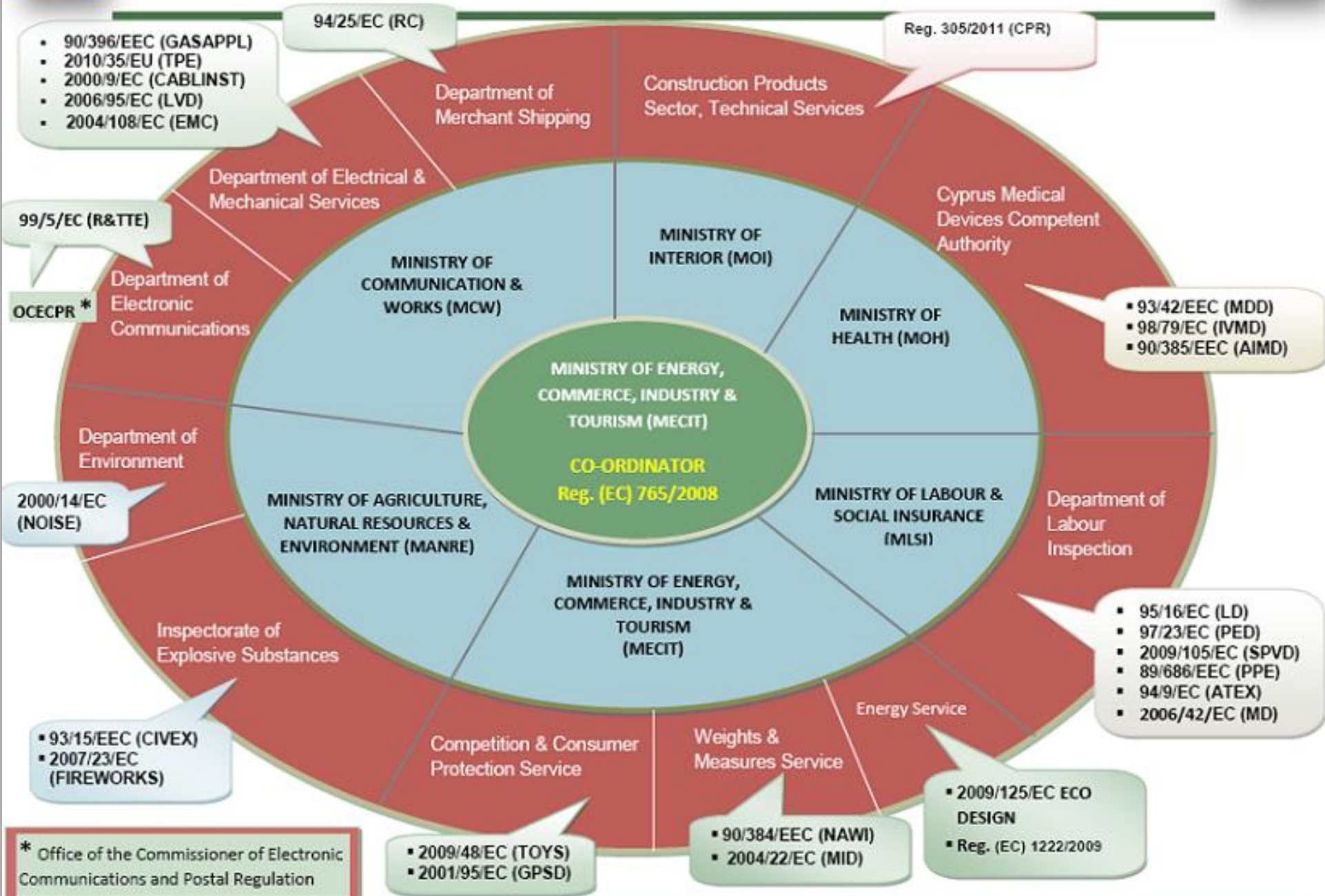
Annex A

No of EU legislation	Market Surveillance Authority	Contact Person	Email
MINISTRY OF ENERGY, COMMERCE, INDUSTRY AND TOURISM			
2009/48/EC 2001/95/EC	Competition and Consumer Protection Service	Petroula Pantziara Savvas Savva	ppantziara@mcit.gov.cy ssavva@mcit.gov.cy
90/384/EEC 2004/22/EC	Weights and Measures Service	Loizos Loizides	lloizides@mcit.gov.cy
2009/125/EC Reg(EC) 1222/2009	Energy Service	Savvas Ioannou Katerina Piripitsi Marios Kakouris	sid.cie@cytanet.com.cy kpiripitsi@mcit.gov.cy , mkk.cie@cytanet.com.cy
MINISTRY OF COMMUNICATIONS AND WORKS			
90/396/EEC 99/36/EC 2000/9/EC 75/324/EEC 2006/95/EC 2004/108/EC	Department of Electrical and Mechanical Services	Andreas Louca Charalambos Charalambous	alouka@ems.mcw.gov.cy ccharalambous@ems.mcw.gov.cy
99/5/EC	Department of Electronic Communications	Polycarpos Argyrou	pargyrou@mcw.gov.cy
94/25/EC	Department of Merchant Shipping	Violeta Kyriakidou	vkyriakidou@dms.mcw.gov.cy
MINISTRY OF AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENT			
2000/14/EC	Until the revision of this law, that is due to be done in 2014, the competent authority is the Department of Environment	Charalambos Hajipakkos Joanna Constantinidou	chajipakkos@environment.moa.gov.cy jconstantinidou@environment.moa.gov.cy
93/15/EEC 2007/23/EC	Inspectorate of Explosive Substances	Erotokritos Anastasiades	mineshead@mines.moa.gov.cy
Ministry of Interior			
Reg. 305/2011	Construction Products Sector, Technical Services	Kyriacos I. Kouros	kkouros@moi.gov.cy
MINISTRY OF LABOUR AND SOCIAL INSURANCE			
95/16/EC 97/23/EC 2009/105/EC 89/686/EEC 94/9/EC 2006/42/EC	Department of Labour Inspection	Marios Kourtellis	mkoutellis@di.mlsi.gov.cy
MINISTRY OF HEALTH			
93/42/EEC 98/79/EC 90/385/EEC	Cyprus Medical Devices Competent Authority		cymda@mphs.mph.gov.cy

No of EU legislation	Surveillance Authority	Contact Person	Email
99/5/EC	Office of the Commissioner of Electronic Communications and Postal Regulation	Antonis Antoniadis	antonis.antoniades@ocecpr.org.cy



Cyprus Market Surveillance System -Annex B



* Office of the Commissioner of Electronic Communications and Postal Regulation