

7 August 2003

TO ALL MEMBERS

Dear Sirs

Maritime Security – SOLAS Amendments and the ISPS Code

In December 2002, a number of amendments to the 1974 Safety of Life at Sea Convention (SOLAS) were adopted by the International Maritime Organisation. Chapter V is amended and the existing SOLAS Chapter XI (Special Measures to Enhance Maritime Safety) expanded by the creation of a new Chapter XI-2 (Special Measures to Enhance Maritime Security), incorporating the International Ship and Port Facility Security Code (ISPS). The Code applies to all passenger ships and cargo ships of 500 gt and upwards engaged on international voyages, as well as to the port facilities serving such ships. The amendments and implementation of the Code will come into force on 1 July 2004 and requirements include:

1. Installation of an Automatic Identification System (AIS) designed for continuous transmission (Chapter V).
2. Vessels' identification numbers to be permanently marked on every ship, firstly externally, in a visible position, and secondly internally, with compliance to be no later than the first scheduled dry-docking after 1 July 2004 (Chapter XI).
3. The provision and maintenance on board of a Continuous Synopsis Record (CSR) providing a history of the vessel's Ownership and Management. This Record is to be issued by the Flag State.
4. Fitting of Ship Security Alert Systems.

The ISPS code sets out detailed security related Management Systems for Governments, Port Authorities and Shipping Companies. The code has been drawn up in two parts. Part A is mandatory and provides details of actions and systems required in order to comply with the code. Part B contains detailed advice on what is required to comply with Part A, and although described as "advisory", it will require to be followed in order to achieve compliance with Part A. Moreover, the United States Coast Guard have dictated that Part B will also be mandatory for ships trading in the USA. Systems, which should be tailored to the particular vessel's trading and the management's other operations, will require the appointment of a Company Security Officer (CSO) who is to oversee the security assessment, preparation of Ship Security Plans and submission of such plans in order to obtain certification from the issuing authority.

The company must also designate a Ship's Security Officer (SSO) for each vessel. The SSO will be accountable to the Master for security and should liaise with the CSO and Port Facility Security Officers, to ensure proper implementation of the Ship Security Plan.

P.T.O.

The procedure for obtaining appropriate certification by the required date of 1 July 2004 will need to be conducted in three phases:

- A. Under the supervision of the designated CSO, an assessment of the ship's security must be carried out on an individual ship-by-ship basis, the assessment providing the basis for the actual Ship Security Plan.
- B. Following the security assessment, a formalised Ship's Security Plan must be drawn up for each vessel, with the assistance of a Recognised Security Organisation (RSO). The IMO has recently issued a circular [MSC/cir.1074 dated 10 June 2003] providing interim guidelines for the authorisation of RSO's.
- C. Shipowners must then submit the completed Ship Security Plans for verification and certification to either the appropriate Flag Administration, or an RSO authorised on behalf of the Flag Administration. The RSO undertaking the certification may not also provide the assistance referred to in B above.

The final step in the verification process is issuance of the International Ship Security Certificate (ISSC) which shall be valid for 5 years, although ships security arrangements may be subject to intermediate survey.

The ISPS code also provides that port facilities must undergo similar security assessment, implementation and verification procedures. Contracting governments to SOLAS are responsible for assessing and setting appropriate port security levels.

Please note that for Members trading to the USA, Ship Security Plans and assessments required under the ISPS Code, must be in place by 29 December 2003 [as opposed to 1 July 2004 as required by the IMO]. After 29 December, if a vessel cannot provide the US Coast Guard with either an approved Ship Security Plan or a valid ISSC, then she may not be allowed to call at US Ports. Urgent action will therefore be necessary to ensure compliance and Members are advised to consult the regulations as posted on the Coastguard section of the Federal register at the following website address:

http://www.access.gpo.gov/su_docs/fedreg/a030701c.html

To assist Members, copies of the International Chamber of Shipping Guidelines on the application of the new amendments to SOLAS and incorporation of the ISPS Code are enclosed with this circular.

Yours faithfully
A BILBROUGH & CO LTD
(MANAGERS)