



NOTIS PERKAPALAN MALAYSIA
MALAYSIA SHIPPING NOTICE

JABATAN LAUT MALAYSIA

MSN 03/2022

MARINE DEPARTMENT MALAYSIA

Ibu Pejabat Laut Malaysia, Peti Surat 12, 42007 Pelabuhan Klang Tel : 03-33467777, Fax : 03-31685289, E-mail : kpgr@marine.gov.my
Webpage : <http://www.marine.gov.my>

Notis kepada pemilik kapal, agen perkapalan, Nakhoda, pelaut, pengusaha pelabuhan, Badan Yang Diiktiraf dan industri maritime.

Notice to shipowners, ship agents, Masters, seafarers, port operators, Recognized Organization and the maritime industry

PINDAAN KEPADA ARAHAN ORGANISASI SEKURITI YANG DIIKTIRAF DI BAWAH SEKSYEN 249_x ORDINAN PERKAPALAN SAUDAGAR (OPS 1952) BAGI VERIFIKASI DAN PENSIJILAN KAPAL

AMENDMENT TO RECOGNIZED SECURITY ORGANIZATION (RSO) INSTRUCTION UNDER SECTION 249_x MERCHANT SHIPPING ORDINANCE (MSO 1952) FOR SHIPS VERIFICATION AND CERTIFICATION

Tujuan

1. Notis ini bertujuan untuk memaklumkan kepada komuniti perkapalan mengenai pindaan Arahan Organisasi Sekuriti Yang Diiktiraf.

Arahan ini berkuatkuasa pada 22 April 2022.

2. Notis Perkapalan Malaysia (NPM 08/2018) adalah dengan ini terbatal.

Sebarang pertanyaan berkenaan arahan ini boleh diajukan kepada:

bkim@marine.gov.my

isps@marine.gov.my

Pengarah
Bahagian Kawalan Industri Maritim
Ibu Pejabat Laut, Jabatan Laut Malaysia
Peti Surat 12, Jalan Limbungan
42007 Port Klang, Selangor,
Malaysia

Dikeluarkan oleh :

Ketua Pengarah Laut
Tarikh : 21 April 2022

Purpose

1. *This Notice is to notify the shipping community regarding the amendment to the Recognized Security Organization (RSO) Instruction.*

This instruction enters into force on 22th April 2022.

2. *Malaysia Shipping Notice (MSN 08/2018) is hereby revoked.*

Any inquiries concerning this instruction should be directed to:

bkim@marine.gov.my

isps@marine.gov.my

Director
Maritime Industrial Control Division
Marine Department of Malaysia, HQ
P.O. Box 12, Jalan Limbungan
42007 Port Klang, Selangor,
Malaysia

Issued by ;

Director General of Marine
Date : 21st April 2022



MARINE DEPARTMENT MALAYSIA

P.O. BOX 12, JALAN LIMBUNGAN
42007 PORT KLANG
SELANGOR, MALAYSIA.



RECOGNIZED SECURITY ORGANIZATION (RSO) INSTRUCTION 1/2022

Instruction to carry out review and approve security plan, verification and certification required under the Merchant Shipping Ordinance (MSO 1952) and International Convention on behalf of Malaysia Government

(Revision 1.2022)



ABBREVIATION

1. DA Designated Authority
2. EEZ Exclusive Economic Zone
3. ISPS Code The International Ship And Port Facility Security Code
4. ISSC The International Ship Security Certificate
5. MARDEPT Marine Department Malaysia
6. MSO Merchant Shipping Ordinance
7. RSO Recognized Security Organization
8. SOLAS The International Convention for the Safety of Life at Sea
9. SSA Ship Security Assessment
10. SSP Ship Security Plan
11. SSAS Ship Security Alert System



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1.0 RESPONSIBILITIES OF THE RECOGNIZED SECURITY ORGANIZATIONS (RSOs)

- 1.1 Recognized Security Organizations (RSOs) acting on behalf of Marine Department Malaysia (MARDEPT) as Designated Authority (DA), shall follow these instructions and procedures to carry out ship security related activities as authorized under Section 249x Merchant Shipping Ordinance (MSO 1952) and Act A1316 (Merchant Shipping (amendment and extension) Act 2007).
- 1.2 All Recognized Security Organizations (RSOs) acting on behalf of Marine Department Malaysia (MARDEPT) as Designated Authority (DA) should:
 - 1.2.1 Maintain a proper communication with the DA to make sure all the necessary arrangements to complete all the ISPS verification during the established windows in the ISPS Code Part A 19.1 and this instruction.
 - 1.2.2 Complied with guidelines as **Appendix I**.

2.0 APPLICABILITY OF THE INTERNATIONAL SHIP AND PORT FACILITY SECURITY CODE (ISPS CODE)

- 2.1 The ISPS Code is implemented through Part V, MSO 1952 and Chapter XI-2 of the International Convention for the Safety of Life at Sea (SOLAS) 1974. The Code applies to the following types of ships engaged on international voyages:
 - 2.1.1 Passenger ships, including high-speed passenger craft;
 - 2.1.2 Cargo ships, including high-speed craft, of 500 gross tonnage and upwards;
and
 - 2.1.3 Mobile offshore drilling units / Mobile offshore units
- 2.2 For those Malaysian flag vessels operating in international jurisdictional waters or international coastal voyage they must follow the national regulations of the country where it is operating, in order to comply with the ISPS Code.

3.0 THE GENERAL INSTRUCTION

- 3.1 RSO are advised to ensure Malaysian Flag ships complied with security related as required by the International Convention and Codes including Section 249x Merchant Shipping Ordinance (MSO 1952) and Act A1316 (Merchant Shipping (amendment and extension) Act 2007).
- 3.2 RSO may also advise or provide an assistance to ship and/or company as

defined in Reg IX/1 of SOLAS 74 on security matters, including the conduct of Ship Security Assessment (SSA) and preparation of the Ship Security Plan (SSP) without any additional authorization by the DA. However, if the RSO has been provided such services to a specific ship, that RSO is not permitted to approve of the ship security plan, or of the amendments and issue the International Ship Security Certificate (ISSC) to said ship.

4.0 VERIFICATION AND CERTIFICATION

- 4.1 RSO is authorized to review and approve ship security plans, conduct ship security verifications and issue International Ship Security Certificate (ISSC) to Malaysian flagged ship in accordance with the ISPS Code and MSO 1952 its on behalf of the DA;
- 4.2 SSP shall be reviewed and approved as defined in Part A of the ISPS Code;
- 4.3 SSA shall be reviewed as defined in Part A of the ISPS Code and be documented, accepted and retained by the Company;
- 4.4 An Interim ISSC shall only be issued when the RSO has verified that the ship complies with section 19.4 of the ISPS Code;
- 4.5 An Interim ISSC shall be valid for six (6) months, or until the full-term certificate is issued, whichever comes first. RO may be issued an extension interim certificate without prior approval from the DA subject to the following conditions:
 - 4.5.1 Ship operates exclusively within Malaysia Waters only, including Exclusive Economic Zone (EEZ) or Joint Development Area;
 - 4.5.2 Extension valid for maximum three (3) months only;
 - 4.5.3 The application for an extension shall be made by the company's authorized officer or RSO's auditor in Malaysia only.
- 4.6 An ISSC shall be issued after the initial or renewal verification by the RSO in accordance with the provisions of section 19.1 of the ISPS Code subject to intermediate verification.
- 4.7 A certificate shall be drawn up in a form corresponding to the model given in the appendix to the ISPS Code.
- 4.8 RSO shall be verified that the Ship Security Alert System (SSAS) is working properly, and shall performing a real test by sending it to Malaysia Maritime Communication Centre (mmcc@marine.gov.my) and DA via ISPS Unit (isps@marine.gov.my) will confirms the reception of the test and from that date onwards, before the Interim Certificate is issued.
- 4.9 Under section 249L of the MSO 1952, the DA may at any time revoke the

certificate or interim certificate issued by the RSO.

5.0 RSO PERSONNEL

- 5.1 RSO personnel performing, and responsible for, reviewing, approving including statutory work shall have as a minimum the formal education requirement as defined in part 2, section 4.2.5 of the Code for Recognized Organizations.
- 5.2 RSO personnel undertaking the review and approval of a ship security plan, or its amendments, carry out verification and issue a certificate for a specific ship shall be independent and not have been involved in either the preparation of the ship security assessment or of the ship security plan, or of the amendments, under review.
- 5.3 Appropriate knowledge of ship operations including the requirements Chapter XI-2, Part A of the ISPS Code and relevant National and International legislation of the security matters.
- 5.4 Knowledge of security and surveillance equipment, systems and their operational limitations including recognition and detection of weapons, dangerous substances and devices

6.0 EQUIVALENT SECURITY ARRANGEMENTS

- 5.5 Regulation 12.1, Chapter XI-2 of the Convention shall not apply to any ship engaged on International voyage and/or short International voyages on fixed routes between designated marine facilities and/or marine facilities outside Malaysia.

7.0 RSO AUTHORIZATION

- 7.1 The DA may in writing, subject to any conditions as he deems fit, appoint any RSO which has appropriate expertise in security matters and appropriate knowledge of ships operations as a security organization.
- 7.2 DA may carry out an Unscheduled Security Verification (USV) to examine and verify the RSO performance in order to ensure the compliance to this instruction and any other related instructions as and when deemed necessary by the DA as mentioned under Section 249x (3) MSO 1952.
- 7.3 RSO and DA may conduct a jointly ship security verification during interim, initial, intermediate, additional or renewal as a sampling when deemed necessary.

7.4 Under the Section 249_x (3) MSO 1952, Designated Authority may revoke the appointment of a security organization under subsection 249_x(1) if he is satisfied that the security organization fails to meet the conditions as imposed by him.

8.0 List of Recognized Security Organization as **Appendix II**

Any queries relating to this Instruction should be directed to :

DIRECTOR
Maritime Industrial Control Division
Marine Department Malaysia

OR

email to:

isps@marine.gov.my

APPENDIX I


The security organization recognized by the Designated Authority to perform statutory work on its behalf subject to compliance with the following guidelines for which the Recognized Security Organization (RSO) should submit complete information and substantiation.


GENERAL

1. The relative size, structure, experience and capability of the RSO commensurate with the type and degree of authority intended to be delegated thereto should be demonstrated.
2. The RSO should be able to document capability and experience in performing security assessments, developing risk assessments, conducting maritime verification, approval and certification activities for ships and/or for port facilities and their ancillary equipment, as appropriate.

SPECIFIC PROVISIONS

3. The following should apply for the purpose of delegating authority to perform ship verification, and certification services of a statutory nature in accordance with regulatory instruments which require the ability to integrate ship and port interface operational considerations with maritime security threats, and to develop, verify and audit specific requirements:
 - a. RSO should provide publication and systematic maintenance of procedures in the English language for the conduct of activities to ensure compliance with delegated authorities pursuant to Part V, MSO 1952 and Chapter XI2, SOLAS 1974 and amendment. Updating of these procedures should be done on a periodic basis at intervals acceptable to the Administration.
 - b. RSO should allow participation in the development of its procedures by representatives of the Administration and/or Designated Authority and other parties concerned.

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4. RSO should be established;
 - a. an adequate technical, managerial and support staff capable of developing and maintaining its procedures; and
 - b. a qualified professional staff to provide the required service representing an adequate geographical coverage as required by the Administration and/or Designated Authority.
 5. RSO should be governed by the principles of ethical behaviour, which should be contained in a Code of Ethics and as such recognize the inherent responsibility associated with a delegation of authority to include assurance as to the adequate performance of services as well as the confidentiality of related information as appropriate.
 6. RSO should demonstrate the technical, administrative and managerial competence and capacity to ensure the provision of quality services in a timely fashion.
 7. RSO should be prepared to provide relevant information to the Designated Authority, as necessary.
 8. RSO's management should define and document its policy and objectives for, and commitment to, quality and ensure that this policy is understood, implemented and maintained at all levels in the RSO.
 9. RSO should be subject to certification of its quality system by an independent body of auditors recognized by the Administration and Designated Authority.
 10. RSO should develop, implement and maintain effectively the Quality Management System based on appropriate parts of internationally recognized quality standards no less effective than the ISO 9000-2015, and which, inter alia, ensures that:
 - a. RSO's procedures are established and maintained in a systematic manner;

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- b. RSO's procedures are complied with;
 - c. The requirements of the statutory work for which the RSO is authorized, are satisfied;
 - d. The responsibilities, authorities and interrelation of personnel whose work affects the quality of the RSO's services, are defined and documented;
 - e. A supervisory system is in place that monitors the actions and work carried out by the RSO;
 - f. A system for qualification of auditors and continuous updating of their knowledge is implemented;
 - g. Records are maintained, demonstrating achievement of the standards in the items covered by the services performed, as well as the effective operation of the quality system;
 - h. A comprehensive system of planned and documented internal audits of the quality related activities in all locations is implemented;
 - i. RSO has established a process and procedures to assess and monitor at periodic intervals the trustworthiness of its personnel;
 - j. RSO has established processes and procedures to ensure that appropriate measures are in place to avoid unauthorized disclosure of, or access to, security sensitive materials relating to ship security assessments, ship security plans, port facility security assessments and port facility security plans, and to individual assessments or plans; and
 - k. A procedure for providing feedback and information, as appropriate, to its customers.

APPENDIX II



LIST OF RECOGNISED SECURITY ORGANISATIONS APPOINTED BY THE MARINE DEPARTMENT MALAYSIA IN ACCORDANCE TO SECTION 249x MERCHANT SHIPPING ORDINANCE (MSO 1952) AND ACT A1316 (MERCHANT SHIPPING (AMENDMENT AND EXTENSION) ACT 2007



SHIPS CLASSIFICATION MALAYSIA
Wisma SCM, No.2&3, Block 2
Presint Alami, Persiaran Akuatik
Section 13, 406575 Shah Alam
Selangor, MALAYSIA
www.myscm.com.my

Captain M. Prathaban
(General Manager)
mprathaban@myscm.com.my
infohq@myscm.com.my
Phone : (+603) - 5513 8170



Shaping a World of Trust

BUREAU VERITAS (M) SDN BHD
Level 11, Menara Dayabumi,
Jalan Sultan Hishamuddin,
50550 Kuala Lumpur,
MALAYSIA
www.bureauveritas.com

Mr. Sabarudin Bin Md Jan
(Senior Surveyor)
sabarudin.md.jan@bureauveritas.com
Phone : (+603) - 2267 2888



**DNV INTERNATIONAL
SDN.BHD.**
Level 18, Menara Prestige 1,
Jalan Pinang,
50450 Kuala Lumpur,
MALAYSIA
<https://www.dnv.com/>

Mr. Khairul Azhar Bunyamin
(Principal Surveyor & Business
Development Manager)
khairul.azhar.bunyamin@dnvgl.com
Phone : (+603) - 2787 2855



**ABS CLASSIFICATION MALAYSIA
SDN BHD**
27.01 Level 27,
Menara Multi-Purpose No: 8,
Jalan Munshi Abdullah,
50100 Kuala Lumpur,
MALAYSIA
www.eagle.org

Mr. Mohamad Razali bin Mokhtar
(Country Manager)
bmohamadrazali@eagle.org
ABSKualaLumpur@eagle.org
Phone : (+603) - 2691 2885

ClassNK

**NIPPON KAIJI KYOKAI CLASSNK
(M) SDN BHD**
Suite 25.5,
25th Floor, Menara IMC, No. 8,
Jalan Sultan Ismail,
50250 Kuala Lumpur,
MALAYSIA
www.classnk.or.jp

Mr. Omar Bin Ahmad
(Deputy General Manager)
omar@classnk.or.jp
kl@classnk.or.jp
Phone : (+603) - 20317833
(+603) - 20317826
(+603) - 20313933



**LLOYD'S REGISTER OF SHIPPING
(M) BERHAD**
Level 28,
Naza Tower, Platinum Park,
No 10 Persiaran KLCC,
50088 Kuala Lumpur,
MALAYSIA
www.lr.org

Mr. Sanjiv Kumar
(Operations Manager)
southasiaeast.marine@lr.org
Phone : (+603) - 9212 2300



RINA MALAYSIA SDN BHD
SO-32-01, Menara 1,
No. 3, Jalan Bangsar,
KL Eco City, 59200 Kuala
Lumpur,
MALAYSIA.
<http://www.rina.org>

Mr. Yoong Teck Chow
(Senior Business Development
Manager)
teck.yoong@rina.org /
malaysia.marine@rina.org
Phone : (+603) - 22013080



**CHINA CLASSIFICATION SOCIETY
(M) SDN. BHD**
16-A, Jalan Tun Mohd Fuad,
Taman Tun Dr. Ismail,
60000 Kuala Lumpur,
MALAYSIA
www.ccs.org.cn

Mr. Yang Shizhi
(Managing Director)
szyang@ccs.org.cn
Phone : (+65) - 91546370



**KR MALAYSIA CLASSIFICATION
AND CERTIFICATION SDN. BHD**
Suite 10-01A, Level 10, Menara
Trend, Intan Millenium Square,
Selangor Darul Ehsan, Klang,
MALAYSIA
www.krs.co.kr

Mr. Charles William Lo
(Surveyor)
cwl@krs.co.kr
Phone : (+603) - 3002 5495



IRCLASS (MALAYSIA) SDN BHD
Level 30,
The Gardens North Tower,
Lingkar Syed Putra,
Mid Valley City,
59200 Kuala Lumpur
www.irclass.org

Mr. Mahendra Singh Rawat
(Senior Surveyor and Auditor)
mahendra.rawad@irclass.org
kualalumpur@irclass.org
Phone : (+603) - 2035 9625