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## **INFORMATION BULLETIN No. 70**

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### **SOLAS Chapter XI-2 and the International Code for the Security of Ships and Port Facilities (ISPS Code)**

#### **Guidance for Bahamas Recognised Organisations, Bahamas Approved Nautical Inspectors, Ship Owners, Managers, Masters, Company Security Officers (CSO) and Ship Security Officers (SSO)**

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#### **1. Purpose**

- 1.1. This Bulletin provides guidance on maritime security for Bahamian ships.
- 1.2. This Bulletin is to be read in conjunction with IMO Maritime Safety Committee Circulars MSC/Circ.1072, MSC/Circ.1074, MSC/Circ.1097, MSC/Circ.1111, MSC/Circ.1132, MSC/Circ.1156, MSC.1/Circ.1189, MSC.1/Circ.1191, MSC.1/Circ.1194, MSC.1/Circ.1217, MSC.1/Circ.1305, MSC.1/Circ.1342, MSC.1/Circ.1390 and MSC-MEPC.2/Circ.9.

#### **2. Application**

- 2.1. This Bulletin applies to the types of ships specified in SOLAS Chapter XI-2, Regulation 2.1.2, namely:
    - Passenger ships, including High Speed Passenger Craft,
    - Cargo ships of 500 GT or more, including High Speed Craft, and
    - Mobile Offshore Drilling Units (MODUs)
  - 2.2. The Bahamas Maritime Authority (BMA) requires that these ship types are continuously certificated by a Bahamas approved Recognised Security Organisation (RSO) as compliant with the ISPS Code, even if they are not engaged on "international" voyages. Registration of ships with The Bahamas is based upon them being engaged in foreign going trade, i.e. operating outside the territorial waters of The Bahamas. As such, the BMA applies international standards to such vessels irrespective of whether the affected voyages are international or solely between ports within the territorial waters of a single country outside The Bahamas.
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- 2.3. Ships to which SOLAS XI-2 and the ISPS Code do not apply but which operate in ports or interact with vessels subject to the requirements of the Convention and Code are strongly encouraged to obtain a voluntary "Certificate of Compliance" from a Bahamas approved RSO.
- 2.4. It shall be noted that SOLAS Chapter XI-2 and part A of the ISPS Code have no provision for the granting of exemptions.

### **3. Mandatory requirements**

- 3.1. The provisions of Part B of the ISPS Code, which includes specific and prescriptive requirements, are for guidance purposes only, i.e. non-mandatory. Mandatory requirements are outlined in:
  - Part A of the ISPS Code,
  - SOLAS 1974, as amended, Chapter XI-2

### **4. Communication of general security information**

- 4.1. Routine security issues, enquiries, or reports of difficulties encountered during Port State Control inspections, may be directed to the BMA Inspection and Surveys Department ([tech@bahamasmaritime.com](mailto:tech@bahamasmaritime.com)), but not through the emergency telephone number.
- 4.2. The BMA Emergency Response contact number is only to be used in the case of a genuine maritime security emergency requiring intervention from the Administration, i.e. hijack, terrorist attack, piracy, any incident involving the use of firearms, any bomb threat, any use or threat of use of force.

### **5. Recognised Security Organisations (RSOs)**

- 5.1. The Bahamas has formally approved a number of organisations to undertake the approval of Ship Security Plans (SSP) and the verification and certification of vessels for compliance with SOLAS XI-2 and the ISPS Code, as listed in BMA Information Bulletin No.3.
- 5.2. An RSO which has been involved in the preparation of an SSP is not permitted to engage in the statutory approval and certification of that plan.

## 6. Documentation and records

- 6.1. The applicable provisions of Part B of the ISPS Code should be used in the development of the SSP which, along with the Ship Security Assessment, is to be submitted to the RSO during the initial certification process.
- 6.2. A copy of the SSP is not required to be submitted to the BMA.
- 6.3. Changes and amendments to the SSP are required to be submitted to the RSO for review although such changes must be fundamental to the plan. For example, purchase of equipment that performs the same as its predecessor would not require approval; however installation of new equipment that changes/enhances the efficacy of the plan would need to be approved. Similarly, changes of crew personnel, on a like for like basis, would not need approval but changes to the crew complement, where there is an impact on the security plan, would need to be approved.
- 6.4. The SSP and the records of activities addressed in the SSP shall be in the working language(s) of the ship. If that working language is not English then a translation into English shall be provided and maintained.
- 6.5. The SSP must outline the function of the listed equipment and identify the measures to be introduced in the event of failure.
- 6.6. Records of activities provided for by the SSP, including Declarations of Security and the record of the ship Security Level, shall be maintained onboard for a period covering at least the previous 10 calls at port facilities.
- 6.7. During and after the period specified in 6.6 above, records shall be maintained ashore by the Company<sup>1</sup> in accordance with its own procedures for record keeping. The Company shall note that if any activity is referred to in the Official Log Book (OLB), that record shall be retained as an attachment to the OLB and consequentially the record is required to be maintained for a period of seven years.

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<sup>1</sup> "Company" is the entity responsible for the management of the ship in accordance with the ISM Code. For ships which the ISM Code is not applicable, Company is the Managing Owner in accordance with Section 52 of the Bahamas Merchant Shipping Act.

**7. Company Security Officer (CSO), Ship Security Officer (SSO) and seafarers with designated security duties and security related training and instructions**

- 7.1. The Company is responsible for notifying the BMA of the designated CSO for every Bahamian registered vessel under its control. For all newly registered vessels, the CSO's full contact details shall be included on the form R104. The same applies if the Company changes or the identity of the vessel changes. Changes to the CSO contact details only may be provided to the BMA on form T03.
- 7.2. The BMA will acknowledge the appointment of the CSO by a formal reply to the notification by email.
- 7.3. Certification for Ship Security Officers (SSO) and relevant security training and instruction for seafarers is dealt with in BMA Information Bulletin No. 118.
- 7.4. The BMA does not specify any required rank for the SSO. It is however expected that this role will be filled by the Master or a senior officer, having received training as an SSO.
- 7.5. Security training requirements are outlined in BMA Information Bulletin No.118.

**8. BMA security communications including Ship Security Alert System (SSAS)**

- 8.1. The BMA will use the existing Bulletin system to inform interested parties of the security level applicable to Bahamian registered vessels. The current security level is available on the home page of the BMA website ([www.bahamasmaritime.com](http://www.bahamasmaritime.com)) or by contacting the BMA Inspections and Surveys Department. The BMA does not require that the CSO acknowledges receipt of a change of security level by The Bahamas but the CSO must maintain a log of the current security level, and any changes, on board the vessel.
- 8.2. Where the security level is changed by The Bahamas, or the contracting Government of the port in which a Bahamas registered vessel is operating, the SSO is required to send an acknowledgement to the Company and not to the BMA. Any further communications will be between the CSO and the BMA.

8.3. The BMA requires notification of a major security threat or incident without delay<sup>2</sup>. This includes any Ship Security Alert (SSA), **once verified as authentic by the CSO**. This notification is to be made to the Emergency Response Officer on the BMA emergency telephone number **+44 7977 471 220**. The notifying party must have available at least the following information:

- Ships details: Name, Official number, IMO number;
- Geographical location of ship;
- Cargo, if any;
- Number of persons on board.

## 9. Programming of Ship Security Alert System (SSAS)

9.1. The BMA is **not** to be designated as the receiving authority for SSAS alerts. The SSAS must be programmed to ensure that the security alert is sent to the Competent Authority, i.e. the Company or other recipient designated by the Company, and not to any other party, in accordance with SOLAS 1974 Regulation XI-2/6.

9.2. Company Security Officers (CSO) are required to verify that the SSAS onboard their Bahamian registered vessels have been correctly programmed, identifying the ship, its location and indicating that the security of the ship is under threat or it has been compromised.

## 10. Bahamas procedure for drills and testing of ship's security measures

10.1. The BMA accepts that a safety drill, which has a security component within it, can be credited as a security drill. The interval between security drills shall not exceed three (3) months. The Bahamas does not require notification of security drills.

10.2. In addition, and in cases where more than 25 % of the ship's personnel have been changed with personnel that have not previously participated in any security drill on that ship within the last three (3) months, a security drill shall be conducted within one week of such a change.

10.3. The Company shall conduct an annual security exercise with one or more vessels within its fleet, which may include participation of the CSO, Port

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<sup>2</sup> A major security incident or threat is defined as a hijack, terrorist attack, piracy, any incident involving the use of firearms, any bomb threat, any use or threat of use of force.

Facility Security Officers (PFSO), relevant authorities of contracting Governments as well as SSOs, if available. These exercises may be full scale or live; table top simulation or seminar or combined with other exercises held, such as search and rescue or emergency response.

- 10.4. The results of the exercise and any lessons learnt should be formulated in to a report and circulated to the Company's fleet.
- 10.5. If, during a company security exercise, a CSO wishes to verify the emergency communication route between the Company and BMA, the CSO shall notify the BMA by email at least one working day in advance of the exercise commencing. The BMA may issue specific instructions on receipt of such a notification.
- 10.6. The Bahamas does not require notification of testing of the SSAS. However, in accordance with the provisions of the Code, The Bahamas may test the preparedness of Bahamian ships by the use of a test simulation or communication. In such cases the word "TEST" will be clearly noted in any transmissions.
- 10.7 All visitors to the ship shall be challenged by the person on gangway duty watch to provide identification and to state their business. They shall remain accompanied on board at all times. BMA Approved Nautical Inspectors are issued with photograph identity cards which must be presented on entry to the vessel. In case of doubt a CSO or SSO may contact the BMA Inspection and Surveys Department for verification of the inspector's identity.

## **11. Bahamian ships entering ports operating at a higher security level than that set by The Bahamas**

- 11.1. The ISPS Code places the responsibility for setting security levels for ships with the relevant Flag State, but a Port State may also require a ship to raise its security level for the duration of its stay within a port or at a particular port facility.
- 11.2. Bahamian ships must operate at a security level the same as, or higher than, that advised by the port facility whilst at that facility.
- 11.3. If a Bahamian ship is operating at a higher level, as set by the Bahamas, than that set by the port's Contracting Government, arrangements are to be agreed with the Port Facility Security Officer (PFSO) to allow the ship to continue to operate at the security level set by The Bahamas.

- 11.4. Coastal States may advise ships that the security situation in their territorial waters requires heightened security and it is for the ship to determine what measures to take in response to such information.
- 11.5. Ships are permitted to implement additional security measures for the duration of the stay at a particular port facility in cases where heightened security is believed to be necessary. This may also apply to port facilities which are not ISPS compliant.
- 11.6. Any change of security level to one that is higher than that set by the Bahamas, or implementation of security measures equivalent to a higher security level than that set by the Bahamas, is to be advised by email to [tech@bahamasmaritime.com](mailto:tech@bahamasmaritime.com). The BMA will acknowledge these communications and advise the Bahamas Security Coordinator accordingly.
- 11.7. Any change of security level to Level 3, or implementation of security measures equivalent to Level 3, is to be notified to the BMA Emergency Response Officer at the first available opportunity on the emergency telephone number **+44 7977 471 220**.

## **12. Bahamian ships entering ports which are not compliant with the ISPS Code**

- 12.1. The SSO or Master shall request that a Declaration of Security be completed by the Port Facility Security Officer (PFSO) or port facility management. If this request is refused then the ship shall use the Declaration of Security to record the security measures and the Declaration of Security shall be completed and signed by the Master, or the SSO if the ship has a designated SSO who is not the Master. The completed Declaration of Security shall be retained as per paragraph 6.6 above.
- 12.2. The ship shall implement additional security measures to the extent that the CSO and/or SSO and/or Master deem necessary. It may be noted that this does not necessarily mean that all the measures specified in the SSP for the next security level must be implemented.
- 12.3. Any change of security level to one that is higher than that set by the Bahamas, or implementation of security measures equivalent to a higher security level than that set by the Bahamas, is to be advised by email to

[tech@bahamasmaritime.com](mailto:tech@bahamasmaritime.com). The BMA will acknowledge these communications and advise the Bahamas Security Coordinator accordingly.

- 12.4. Any change of security level to Level 3, or implementation of security measures equivalent to Level 3, is to be notified to the BMA Emergency Response Officer at the first available opportunity on the emergency telephone number **+44 7977 471220**.

### **13. Self-propelled & non-self-propelled offshore floating units**

- 13.1. In accordance with MSC-MEPC.2/Circ.9, FPSO/FSO/FSU and similar units should, in order to facilitate interaction with other ships, comply with SOLAS XI-2 and the ISPS Code as applicable.
- 13.2. All offshore floating units including Single Buoy Moorings (SBMs) which interface with ships and port facilities covered by the ISPS Code shall contact the Designated Authority of the coastal State, in whose sea they operate, and ascertain their status with respect to their local designation under the ISPS Code and the security arrangement required by that designation. The Bahamas is aware that self-propelled and non-self-propelled offshore floating units may be considered as port facilities by the coastal State in whose sea they are operating.
- 13.3. The BMA recommends that Companies operating affected units carry out a ship security assessment, taking into consideration the guidance contained in Part B of the ISPS Code, and develop a ship security plan. The plan shall be submitted to a Bahamas RSO to approve the plan. After a visit to the unit to verify the effectiveness of the plan and its implementation, the RSO will issue a Statement of Compliance attesting to the effectiveness of the plan in seeking the detection and deterrence of acts which threaten maritime security. The unit is to be subjected to re-verification to confirm the satisfactory condition of the security system between the second and third anniversary date of the Statement of Compliance.
- 13.4. Self-propelled and non-self-propelled offshore floating units may undertake interim voyages from their operational area but the Company should note that the commercial operation of such units may be affected by the lack of certified onboard security procedures.



#### **14. Revision History**

Rev.5 (20 May 2014) – General revision – changed Para. 5.1 & new para. 7.5

Rev.4 (10 January 2013) – New format and general revision