

Subject

Amendments to the SOLAS Convention relating to the Maritime Security Measures (Part 4)
(Summary of the decisions taken at IMO's Maritime Safety Committee at 77th Session)

ClassNK

Technical Information

No. TEC-0536
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To whom it may concern

Previous amendments to the SOLAS Convention regarding maritime security measures have been advised in earlier ClassNK Technical Information Nos. TEC-0497, 0504 and 0505. The latest developments, agreed during the seventy-seventh session of the IMO's Maritime Safety Committee are introduced hereunder.

1. Format of the Continuous Synopsis Record (CSR)

With regard to how to update information recorded by the CSR, two methods were considered. The first was to revise the CSR totally, and the second was to issue supplementary notes. Forms for CSR covering both methods were prepared however, due to the shortage of time, the forms will be considered further by a correspondence group for adoption by the 23rd Assembly scheduled November 2003. The format may be further modified by the Maritime Safety Committee if necessary.

However, for those Administrations which have already initiated work setting up a format for the CSR, they are encouraged to continue their work rather than waiting for the development of the CSR format by the IMO.

2. Training of personnel involved in maritime security matters and other relevant matters concerning seafarers

(1) The outcome of the STW Sub-Committee

The decisions taken by the STW Sub-Committee held in February 2003 were noted as follows:

- (i) The course framework for the training courses for SSO(Ship Security Officer), CSO(Company Security Officer), FPSO(Port Facility Security Officer)
- (ii) Terms of reference for course developers
- (iii) The United States and India volunteered as course developers
- (iv) Establishment of a validation panel
- (v) The IMO Secretariat would monitor relevant developments

It was also noted that validation by the ILO was also necessary.

(2) In house training of SSO

Noting very limited time available before the coming into force of the Convention, it was agreed that any decision on SSO training would not prevent the company from conducting in-house training of SSO.

(To be continued)

NOTES:

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- (3) Certification and training of security officers
 - (i) It was agreed that as an interim measure, the ISSC (International Ship Security Certificate) would be accepted as prima facie evidence that training has been conducted in accordance with the ISPS Code.
 - (ii) The MSC agreed that development of a mandatory training/certification scheme would be a future task after July 2004 and the relevant task was given to the STW Sub-Committee.
 - (iii) The task of Training/Certification for FPSO and CSO was also given to the STW Sub-Committee. As for the implementation before 1 July 2004, it was decided to leave it to the discretion of the each Contracting Government.
 - (4) Revision of resolution A.890(21) - Principles of safe manning

A draft amendment to the resolution was agreed for adoption by the Assembly scheduled November 2003. According to the draft amendment, it would be necessary to consider security aspects in addition to safety in deciding the manning.
3. Matters relevant to the COMSAR Sub-Committee
- (1) The following decision taken by the COMSAR Sub-Committee was agreed.
 - (i) Amendments to the performance standard for the Ship Security Alert System (MSC.136(76))
 - (ii) MSC Circular on provision of the Ship Security Alert System
 - (2) With this decision the following three options were allowed in choosing the Ship Security Alert System.
 - (i) Tracking equipment provided by a traffic service company
 - (ii) Modifications of the GMDSS equipment
 - (iii) Exchanging messages containing key words between the ship and the company
 - (a) - by cellular phones in coastal areas
 - (b) - by satellite services when away from coastal areas
 - (c) - by GMDSS VHF/MF/HF
4. Interoperation of SOLAS Chapter XI-2 and the ISPS Code
- (1) Application to FSU(Floating Storage Units), FPSO (Floating Production, Storage And Offloading Units)
 - (i) It was confirmed that FSU and FPSO are not subject to ISPS Code application, however, some sort of security measures must be implemented to guarantee the security of the ships interfacing with them.
 - (ii) Single Buoy Mooring facility- application of ISPS Code may depend upon its location. However, if they are connected to port facilities, they would be considered as part of the port facilities.

(To be continued)

(2) Status of the ISPS Code Part B - Draft amendments to the International Ship Security Certificate

The United State proposed amendments to the form of the International Ship Security Certificate with a view to clarifying application of the ISPS Code Part B. After the discussion, the following decision was taken.

- (i) ISPS Code Part A Section 9.4 gives mandate to "take into account" the relevant paragraphs of the ISPS code, therefore, it is not necessary to clarify compliance with Part B on the certificate.
- (ii) Naturally the certificate would not be issued unless ISPS Code Part B Paragraphs 8.1 - 13.8 were "take into account".
- (iii) The Chairman of the working group on the maritime security and the IMO Secretariat would prepare an MSC Circular right after the MSC 77 meeting.

(3) Minor non compliance - At issue of the International Ship Security Certificate

Even in cases of "minor" non-compliance, which do not compromise the ship's performance in terms of maritime security, the issuance of certificates was opposed by the majority. (i.e., all ships must always fully comply with the security measures given in the ship security plan)

(4) Subsequent failure or suspensions

- (i) After issuance of the certificate, if there is a non-compliance which compromises the ship's ability operate at security levels 1 to 3, immediately, if such non-compliance does not compromise the ship's ability operate at security levels 1 to 3, without delay, such a non-compliance is to be reported to flag Administration or Recognized Security Organization which issued the certificate.
- (ii) For the period during which action for rectification is being prepared, alternative security measures may be approved, however, if such an alternative security measure is not in place, the certificate will be withdrawn.
- (iii) In this case, issuance of a conditional certificate or short term certificate was considered by the Committee however, the Committee did not consider it appropriate to recommend the use of either conditional certificates or certificates of short duration.
- (iv) For these matters, an MSC Circular on guidance relating to the implementation of the new SOLAS chapter XI-2 and the ISPS Code will be prepared by the Chairman of the Maritime Security Working Group and the IMO Secretariat. If there is any review of the IACS (International Association of Classification Societies) Procedural Requirement following this decision, such information will be forward at the appropriate opportunities.

(5) Verification

At verification of compliance with the ISPS Code and SOLAS Chapter XI-2, on board ship, it was confirmed that 100% verification must be undertaken for the equipment, but sampling audits may be performed for the operational aspects.

(To be continued)

5. Matters relevant to actual implementation

(1) MSC/Circ.967 - Directives for Maritime Rescue Co-ordination Centres

Amendments to the circular were approved based upon the understanding that the important point is not to indicate whether an attack is piracy or terrorism but to give discretion to the master on whether to initiate an overt signal or covert signal. (For example, in the case of overt signal, the attacker may cancel the message by, for example, declaring that it was sent by mistake) Further the relevant circular MSC/Circ 623/Rev.3 would be reviewed by the COMSAR Sub-Committee at the (next) 8th Session.

(2) PSC Matters - Definition of "Clear Ground"

It was agreed that a search of the ship may be conducted when there is information from an intelligence source.

(3) Declaration of Security (DOS) - Practical problem

It was confirmed that there would be a contact point at the port facility or on ships which are not subject to the ISPS Code application for conducting DOS.

6. Others

(1) Ship Identification number - IMO number

It was confirmed that the IMO number does include the prefix "IMO" (Despite, the industry groups, namely, ICS, BIMCO, INTERCARGO, ICCL, INTERTANKO, IPTA making strong statements claiming the expense emanating from this requirement, including "additional" cost for the letters "IMO" will be unjustifiable and seeking re-consideration by the IMO. Amendments to NK Class Rules are being made regarding this point.

For any questions about the above, please contact:

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