



LEGISLATION TO GIVE EFFECT TO THE SPECIAL MEASURES TO ENHANCE MARITIME SECURITY AND ISSUES RELATING THERETO

SC No.11 of 2004

21-04-2004

Applicable to: Shipowners, shipmanagers, masters and officers of Singapore ships.

This circular brings to the attention of the shipping community on Singapore's legislation to give effect to the amendments to SOLAS 74 adopted by the IMO Diplomatic Conference on Maritime Security held in London in December 2002, and the relevant issues relating thereto.

1.The IMO Diplomatic Conference on Maritime Security held in London in December 2002 adopted several amendments to SOLAS 74. These amendments include the introduction of Maritime Security in Chapter XI of SOLAS 74 and incorporate the International Ship and Port Facility Security (ISPS) Code. The amendments will come into effect on 1 July 2004.

2.From 1 Jul 2004, ships will be subject to control and compliance measures to enhance maritime security. These may include the assessment of information related to ship security that a ship may be required to provide prior to entering a port (see paragraph 10) and initial inspection of the ship when in a port of another Contracting Government. When there are clear grounds for believing that a ship is not in compliance with the requirements of SOLAS Chapter XI-2 or ISPS Code, the ship may be subject to a more detailed inspection, delay or detention, restriction of operations or movement in port, or expulsion from the port. Owners therefore risk disruption to their ships' operations if their ships are not certified by the deadline or if they fail to ensure that their Ship Security Plans (SSPs) are effectively implemented on board, including ensuring that their crew members are conversant with the SSP and their security duties, and are able to perform satisfactory security drills when required to do so. In view of the imminent deadline, owners are urged to take necessary and timely action.

3.The Merchant Shipping (Safety Convention) (Amendment) Regulations 2004 and the Maritime and Port Authority of Singapore (Port) (Amendment) Regulations 2004 give effect to the SOLAS 74 Amendments and the ISPS Code. Copies of the Regulations may be obtained from SNP Corporation Ltd or alternatively you may wish to download the Regulations electronically which will be available at www.egazette.com.sg for the next 5 days.

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4.Marine Circular No 3 of 2003 dated 12 Mar 2003 highlights the essential elements of the maritime security measures specified in Chapter XI of SOLAS 74 and the ISPS Code. Marine Circular 20 of 2003 dated 26 Sep 2003 provides the list of the Recognised Security Organizations (RSO) authorised by the MPA for the approval of the ship security plans and the associated verification and certification of compliance. Shipping Circular No 3 of 2004 dated 16 Jan 2004 highlights the need for the early compliance of the maritime security measures adopted by the IMO.

You are reminded to ensure that all Singapore-registered ships under your charge, covered by the ISPS Code,

complete the maritime security verification and certification process in advance of the 1 Jul 2004 deadline.

5.All MPA Circulars and issues relating to Maritime Security are available in the MPA website at "<http://www.mpa.gov.sg>".

Penalty for non-compliance

6.In accordance with Reg. 22 of Chapter I, Part D, of the Merchant Shipping (Safety Convention) Regulations, the owner and master of a ship who does not comply with Regulations would be guilty of an offence and shall be liable on conviction to a fine not exceeding S\$10,000 and the ship may be detained.

Ships on international voyage

7.The SOLAS 74 maritime security measures and the ISPS Code are applicable to the following types of ships engaged on international voyages:

1. Passenger ships, including high-speed passenger craft;
2. Cargo ships, including high-speed craft, of 500 gross tonnage (GT) and upwards; and
3. Mobile offshore drilling units.

(The measures and the ISPS Code are also applicable to port facilities serving such ships engaged on international

8.All Singapore-registered ships of the above types operating outside the Singapore port limits or the port limits of any other States are, for the purpose of SOLAS Chapter XI-2 and the ISPS Code, treated as engaging on international voyages. Singapore-registered cargo ships of 500 GT and upwards and all passenger ships on the Special Limit Article would also be required to comply with the requirements of SOLAS Chapter XI-2 and the ISPS Code.

Declaration of Security (DoS)

9.Under the ISPS Code the ship can request for the completion of the Declaration of Security (DoS) when the ship is interfacing with a port facility or with another ship. Singapore-registered ships are advised to request for completion of a DoS when interfacing with a port facility or with another ship when:

1. Your ship is operating at a higher security level than the port facility or the other ship;
2. There has been a security threat or security incident involving the port facility or the other ship;
3. Your ship is at a port that is not required to have and implement an approved port facility security plan;
4. Your ship is at a port where the port facility is in violation of SOLAS Chapter XI-2 or the ISPS Code;
5. The other ship is not required to have and implement an approved ship security plan; and
6. The other ship is in violation of SOLAS Chapter XI-2 or the ISPS Code.

Records

10.Ships intending to enter a port may be required to provide the following information to the port:

1. That the ship possesses a valid International Ship Security Certificate and the name of the issuing authority;
2. The security level at which the ship is currently operating;
3. The security levels at which the ship operated in any of the previous ports where it had conducted a ship/port interface;
4. Any special or additional security measures that were taken by the ship in any previous ports where it had conducted a ship/port interface;
5. That the appropriate ship security procedures were maintained during any ship to ship activity; and
6. Other practical security related information, excluding the details of the ship security plan, taking into account the ISPS Code.

11.The ship shall keep record of the information in paragraph 10.3 - 10.5 above for the last 10 calls at port facilities.

12.In addition, records of the following activities addressed in the ship security plan shall be in English, and shall be kept on board for at least 2 years:

1. Training, drills and exercises;
2. Security threats and security incidents;
3. Breaches of security;
4. Changes in security level;
5. Communications relating to the direct security of the ship such as specified threats to the ship or to port facilities the ship is visiting;
6. Internal audits and reviews of security activities;
7. Periodic reviews of the ship security assessment;
8. Periodic review of the ship security plan.

9. Implementation of any amendments to the plan; and
10. Maintenance, calibration and testing of any security equipment provided on board including testing of the ship security

Ship Security Alert System

13. Ships constructed on or after 1 July 2004 are required to be provided with a ship security alert system. With respect to ships constructed before 1 July 2004, the ship security alert system is required to be provided by the following deadlines:

1. Passenger ships, including high-speed passenger craft, not later than the first survey of the radio installation after 1 July 2004; and
2. Oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high-speed craft, of 500 gross tonnage and upwards, not later than the first survey of the radio installation after 1 July 2004; and
3. Other cargo ships of 500 gross tonnage and upwards and mobile offshore drilling units (MODU), not later than the first survey of the radio installation after 1 July 2006.

14. Marine Circular No 23 of 2003 dated 17 Oct 2003 highlights the revised performance standards and guidance on provision of ship security alert systems.

15. The requirements of the ship security alert system are specified in Regulation 6 of Chapter XI-2 of SOLAS 74. In regard to Regulation 6.2.1, the ship security alert system, when activated by the Singapore-registered ship, shall initiate and transmit the ship-to-shore security alert to the **Maritime and Port Authority of Singapore (MPA)**, identifying the ship, its location and indicating that the security of the ship is under threat or it has been compromised. The contact modes are as follows:

Fax number: +65 - 63252439

Email address: shipalert@mpa.gov.sg

Security Levels

16. All applicable Singapore registered ships would be on Security Level 1 unless otherwise advised by the competent coastal state designated authority or the Port Facility Security Officer of the port that the ships are visiting. The Singapore Registry of Ships could also change the security level of Singapore registered ships visiting a particular port facility or port or worldwide. Such an information would be communicated to the relevant Company Security Officers or publicised as a Shipping Circular.

General Arrangement (GA) Plans

17. All Singapore-registered ships to which the ISPS Code applies are required to submit the ships' General Arrangement (GA) plans to The Singapore Registry of Ships (SRS), Shipping Division, Maritime and Port Authority of Singapore. The GA plans are to be received by the SRS in either hard copy or electronic format, not later than 30 Jun 2004.

18. Any queries relating to this circular should be directed to Mr Mark Lim at 63252410, or Mr Chandru at 63756217.

LEE SENG KONG

DIRECTOR OF MARINE

MARITIME AND PORT AUTHORITY OF SINGAPORE

1. The first list of RSOs is provided in Marine Circular 17 of 2003 dated 25 Aug 2003.

2. Marine Circular No 8 of 2003 dated 23 May 2003 highlights the need for early implementation