

MARINE DEPARTMENT NOTICE NO. 89 OF 2004

(Miscellaneous Information)

Port Operation Procedures for the Implementation of the ISPS Code

The new regulations of the International Convention for the Safety of Life at Sea and the associated International Ship and Port Facility Security (ISPS) Code will come into force internationally on 1 July 2004. These regulations and the ISPS Code will be applicable to ships engaged on international voyages and port facilities directly interfacing with such ships. This Notice explains the procedures to be followed by ships, to which the ISPS Code applies, entering or staying in Hong Kong on and after 1 July 2004.

Pre-arrival Procedures

2. A ship referred to above calling at a port facility in Hong Kong or intending to transit Hong Kong waters for ports in the Pearl River Delta should provide the following additional security related information at the same time of tendering the Pre-arrival Notification (PAN). The additional security related information listed below should be sent on a separate page following the PAN to the Hong Kong Vessel Traffic Centre (VTC) by facsimile at number (852) 2858 6646 :-

- a. Name of ship;
- b. Call sign;
- c. IMO number;
- d. Buoy and / or Anchorage(s) (by stating whether these facilities “will be used” / “will not be used” during the stay in port);
- e. Availability of International Ship Security Certificate (ISSC) or Interim ISSC (by stating “Yes” / “No”);
- f. Expiry date of ISSC or Interim ISSC (in the form of “YYYY/MM/DD”);
- g. Issuing authority of ISSC or Interim ISSC (by stating the name of the issuing authority);
- h. Security level the ship is currently operating at (by stating “Level 1”, “Level 2” or “Level 3, with reason(s) if known”);
- i. Last port of call (by stating the name of the port);
- j. Name of the last port facility (by stating the name of the last port facility that the ship had interfaced with before departure);
- k. Whether the last port facility interfaced with is ISPS compliant (by stating “Yes” / “No”);
- l. Security level of last port facility (by stating Level 1, 2, or 3);
- m. For the last 10 calls at port facilities since 1st July 2004, has the ship interfaced with a port facility that was non-ISPS compliant (by stating “Yes” / “No”); and
- n. Within the period of the last 10 calls at port facilities, has the ship engaged in ship-to-ship activities with a non-compliant ship to which the ISPS Code applies (by stating “Yes” / “No”).

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3. Ships deemed to pose a security threat to the port of Hong Kong may be directed to anchor at an outer anchorage for inspection by the Police before being allowed to proceed to the intended berths or transit Hong Kong waters. Masters should follow the instructions given by VTC and facilitate boarding by the inspection team.

Procedures to be Followed by Ships While Staying in Port

4. While staying in the port of Hong Kong, masters, ship owners or agents should observe the maritime security level of the port and put in place necessary security measures as prescribed in the ship's security plan. The maritime security levels for the port of Hong Kong and Hong Kong registered ships are published via the internet at :-

<http://marsec.mardep.gov.hk/marseclevels.html>

5. Under certain circumstances, the port facility security officer of a port facility at which a ship is berthed, may request the master or the ship security officer to sign a Declaration of Security (DoS) in accordance with the port facility security plan.

Additional Procedures for Ships Mooring at Buoys and Anchorages

6. Government mooring buoys and anchorages are managed by the Marine Department (MD). These port facilities are subject to the requirements of the ISPS Code. Ships intending to moor at these facilities under the following status are required to sign a DoS with MD :-

- a. The ship does not have a valid ISSC or Interim ISSC;
- b. The ship is operating at security level 3 or at a security level higher than that prevailing in Hong Kong;
- c. The ship has come from a non-ISPS compliant port facility; and
- d. It is so required by the Designated Authority.

7. The master or the ship security officer concerned should complete and sign a copy of DoS detailing the additional security measures in accordance with the ship's security plan. No cargo work should commence prior to the submission of the DoS. The signed copy should be sent to the Central Marine Office by hand or by facsimile at number (852) 2805 2584 during normal working hours. Outside normal working hours, the DoS should be sent to VTC by facsimile at number (852) 2858 6646.

8. A MD officer in charge will sign the DoS and return a copy to the ship via her local agent.

Port State Control Procedures

9. All ships in Hong Kong are subject to Port State Control (PSC) inspections to verify that

there are onboard valid ISSC or Interim ISSC. If there are clear grounds that a ship is not in compliance with the ISPS Code, the ship may be subject to control measures such as detailed inspection or detention.

10. In accordance with the guidelines of the International Maritime Organization and Tokyo Memorandum of Understanding, a PSC Officer has the right to go on board a ship to verify that ISSC or interim ISSC is in proper order. Such PSC officers will be carrying identity documents and will present them on request. Masters are not entitled to deny access to a duly authorized PSC Officer to carry out an inspection.

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Marine Department

Government of the HKSAR

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