

RESOLUTION NO. (1) FOR YEAR 2004

Regulations for the implementation of maritime security provisions on ships pursuant to the International Convention on Safety of life at Sea (SOLAS) and the International Ship and Port Facilities Security Code (ISPS)

The Board of Directors of Jordan Maritime Authority in The Hashemite Kingdom of Jordan, (The Board) ,

- On the basis of the powers vested in The Board by virtue of Maritime Law No. (47) for year 2002, and
- And by virtue of the Cabinet resolution No. (23/9/71/1690) of 24/02/1985 approval of The Hashemite Kingdom of Jordan Government's joining of the International Convention on Safety of life at Sea (SOLAS) and the International Ship and Port Facilities Security Code (ISPS) and the issuance of the Royal Decree approving this resolution,
- And by virtue of paragraphs (H) and (T) of Article (5) of Jordan Maritime Authority Law No. (47) for the year 2002,
- And upon the recommendations of the Director,

Has decided as follows:

CHAPTER 1 **GENERAL PROVISIONS**

Article 1 :

These Regulations shall be named (Regulations for the implementation of maritime security provisions on ships pursuant to the International Convention on Safety of life at Sea (SOLAS) and the International Ship and Port Facilities Security Code (ISPS) and shall come into force on the date of publication in the Official Gazette.

Article 2:

The following words and terms wherever mentioned in these Regulations shall have the meanings assigned thereto hereunder unless the context expressly provides otherwise:

The Ministry	The Ministry of Transport of The Hashemite Kingdom of Jordan
The Minister	The Minister of Transport/ The Chairman of Board Directors of Jordan Maritime Authority.
The Director	The Director General of Jordan Maritime Authority
The Organization	The International Maritime Organization .
The Convention	International Convention on Safety of life at Sea (SOLAS) 1974, and amendments .
The Code	The International Ship and Port Facilities Security Code (ISPS)
A Member State in the Convention	A state which has ratified the Convention and become party to it.
The Maritime Administration	The designated official Authority to pursue the Implementation of the Convention. In Jordan, it is Jordan Maritime Muthority, where it is responsible to guarantee the execution of the Code Provisions related to the security of port facilities and the interface of port activities with ships.
The Authority	Jordan Maritime Authority.
The Port	The Port of Aqaba.
The Company	The party who assumes the responsibility of the management, crewing and supplying the ship. This party can be the owner or the bare boat character or any other organization which agrees to take this responsibility and comply with the provisions of the Convention, the Code and these regulations.
The Ship	The navigable maritime vessel .
The International Certificate for Ship Security	A certificate issued by the Authority or by a classification society authorised by the Authority to the ship which hoist Jordan Flag after making sure that the ship has complied with all maritime requirements provided for in the Convention and the Code.
The Passengers	The persons onboard the ship other than the shipmaster, the crew members or the employed people in any capacity or children who are less than one year old .
Passenger Ship	Any ship which carries more than 12 passengers.

International Trip	The ship trip from the port of a state on which the Convention applies to a port located beyond the territorial waters of that state.
Sailor ID Card	A personal document issued by the Authority which proves the eligibility of its holder to get onboard Jordanian ships for work or to perform any official tasks on the ship.
Port State Control Officer	The person designated and authorized by the Authority to carry out the inspections of maritime security requirements on board foreign ships calling at Jordanian Ports .
Ship Security Officer	The person on board the ship, accountable to the master, designated by the Company as responsible for the security of the ship, implementation and maintenance of the ship security plan, and for liaison with the company security officer and port facility security officers.
Port Facility Security Officer	The person designated as responsible for the development, implementation, revision and maintenance of the port facility security plan and for liaison with the ship security officers and company security officers.
Company Security Officer	The person designated by the the Company for ensuring that the ship security assessment is carried out; that the ship security plan is developed, submitted for approval, and thereafter implemented and maintained, and for liaison with port facility security officers and the ship security officer.
Ship security plan	A plan developed to ensure the application of measures on board the ship designed to protect persons on board, cargo, cargo transport units, ship's stores or the ship from the risks of a security incident.
Port facility security plan	A plan developed to insure the application of measures designed to protect the port facility and ships, persons, cargo, cargo transport units and ship's stores within the port facility from the risks of a security incident.

Maritime security incident	An incident committed against the security of ships or port facilities or the fixed maritime platforms, in a misappropriation or stealing manner or smuggling illegal drugs or utilizing ships for illegal immigration, piracy and armed plundering or damaging acts or terrorism .
Security level 1	The level for which minimum appropriate protective security measures shall be maintained at all times.
Security level 2	The level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident.
Security level 3	The level for which further specific protective security measures shall be maintained for a limited period of time when a security incident is probable or imminent, although it may not be possible to identify the specific target.
Coastal navigation	The movement of navigable ships within the territories where port regulations are implemented or within the limits of the territorial waters .

Article 3:

A committee called (The committee of implementing the provisions of maritime security requirements in The Hashemite Kingdom of Jordan) shall be set up and headed by the Director and the Membership of:

- 1) The director of International Relations and Planning Department at the Authority.
- 2) The director of the Technical Affairs and Maritime Safety Department at the Authority.
- 3) A representative from the Ports Corporation.
- 4) A representative from the security departments.
- 5) A representative from the Royal Navy.
- 6) Deputy Director of Aqaba Development Company for Port, Transport and Logistics Affairs.
- 7) Director of Aqaba Customs Department.
- 8) Chief of Staff of Southern Military District.

to perform the following tasks:

- 1- Approving the Security plans for Jordanian Port facilities, and revision of the documents submitted to the Authority for ratification and approval. The Committee is entitled to request any documents it sees necessary for approval and ratification.
- 2- Setting of the applicable security level in Jordanian Ports and territorial waters.
- 3- Responding to ship security alerts, giving guidance and instructions, and activating emergency plans .
- 4- Supervising the implementation of maritime security measures mentioned in these regulations, the Convention and the Code for ships and port facilities, in addition to other relevant National and International Legislations.

Article 4:

These Regulations apply to:

First) Ships engaged on international voyages as follows:

- 1- Passenger ships and high-speed passenger craft .
- 2- Cargo ships and high-speed cargo craft of 500 gross tonnage and upwards .
- 3- Mobile offshore drilling units .

Second) Port facilities serving such ships engaged on international voyages.

Third) These Regulations do not apply to warships, naval aids and auxiliaries or ships owned by the Government and used on Government non-commercial service.

Article 5:

- A- The Authority shall set the applicable security level on Jordanian ships, or foreign ships upon entering Jordanian territorial waters in cooperation with the concerned authorities. Foreign ships have to act according to security levels set for Jordanian Ships.
- B- Jordanian ships must carry a certified security plan on board. The company or the ship master must notify the Authority of any changes on the security plan or the ship crew.

CHAPTER TWO

Verification of ships for the purpose of issuing the International Ship Security Certificate

Article 6:

Each Jordanian ship to which these regulations apply shall be subject to the verifications and inspections specified below when issuing the International Ship Security Certificate:

- 1- An initial verification before the ship is put in service and prior to the issuance of the International Ship Security Certificate which shall include a complete verification of its security system and any associated security equipment covered by the provisions of Chapter (X1-2) and Chapter (V) of the Convention, the Code and the approved ship security plan. The verification shall ensure that the security system and any associated security equipment of the ship fully complies with the requirements of Chapter (X1-2) of the Convention and the Code and fit to the type, size and service for which the ship is intended.
- 2- A renewal verification at intervals specified by the Authority, but not exceeding five years.
- 3- At least one intermediate verification between the second and third anniversary date of the certificate as defined in the Code. The said intermediate verification shall include inspection of the security system and any associated security equipment of the ship to ensure that it remains satisfactory for the service for which the ship is intended. Such intermediate verification shall be endorsed on the certificate.
- 4- Any additional verifications or inspections as determined by the Authority.

Article 7:

The verifications of ships shall be carried out by the officers of the Authority which may entrust the verifications to a recognized security organisation. In any case, the verifications shall include:

1. Ensuring that the ship security assessment and the verifications are carried out appropriately and efficiently and that all necessary inspections and certifications shall be carried out accordingly.
2. Ensuring that the security system and any associated security equipment of the ship are maintained after the verification is completed in accordance with chapters (XI-2-2-6), (XI-2-2-4)

of the Convention and the Code and the approved Ship Security Plan.

3. Ensuring that no changes are made to the security system, the associated security equipment of the ship or the ship security plan without the approval of the Authority.

Article 8:

The ship security assessment is an essential and integral part of the process of developing the ship security plan. The ship security assessment shall include the following elements:

- 1- Identification of existing security measures and procedures on board the ship.
- 2- Identification of key shipboard operations that it is important to protect including loading/unloading operations, and crew and passenger and other persons embarkation.
- 3- Identification of possible threats and weaknesses of the shipboard operations and the likelihood of their occurrence including the human factor, the infrastructure or the policies and procedures used in operation and management of the ship.
- 4- Documentation of the ship security assessment process and revision of it .

Article 9:

- 1- Each Jordanian ship shall carry on board the ship security plan approved by the Authority. The Authority may entrust the preparation, review and approval of the ship security plan or of amendment of a previously endorsed plan to a recognized security organisation.
- 2- In case the Authority has entrusted a recognized security organisation with the preparation, review and approval of the ship security plan or of amendment of a previously endorsed plan, this organisation must not have been involved in either the preparation of the ship security assessment or the ship security plan or the amendments under review.

Article 10:

The ship security plan shall be in the working language of the ship with a translation into the English language if the language used is not English, and shall address the following:

- 1- Detailed measures to deal with each security level as specified in the Code.
- 2- The ship security plan or its amendments that are presented by the company for endorsement must be accompanied by the ship security assessment on the basis of which the plan was prepared. .
- 3- Measures to prevent weapons, dangerous substances and devices intended for use against persons, ships or ports and the carriage of which is not authorized from being taken on board the ship.
- 4- Identification of restricted areas and measures for the prevention of unauthorized access to them.
- 5- Measures and precautions for the prevention of unauthorized access to the ship.
- 6- Procedures for responding to security threats or breaches of security including provisions for maintaining critical operations of the ship or ship/port interface.
- 7- Procedures for responding to any security instructions may be given by a state the ship is navigating in its territorial waters at security level 3.
- 8- Procedures for evacuation in case of security threat or breaches of security.
- 9- Duties of shipboard personnel assigned security responsibilities and of other shipboard personnel on security aspects.
- 10- Procedures for auditing the security activities.
- 11- Procedures for training, drills and exercises associated with the plan .
- 12- Procedures for interfacing with port facility security activities.
- 13- Procedures for periodic auditing the security activities.
- 14- Procedures for reporting security incidents.
- 15- Identification of ship officer.
- 16- Identification of the ship security officer including 24-hour contact details.
- 17- Procedures to ensure the inspection, testing, calibration and maintenance of any security equipment provided on board.
- 18- Documentation of the frequency of testing or calibration of any security equipment provided on board.
- 19- Identification of the locations where the ship security alert system activation points are provided.

- 20- Procedures, instructions and guidance on the use of the ship security alert system, including the testing, activation, deactivation and resetting and to limit the false alerts.

CHAPTER THREE

Duration and Validity of the International Ship Security Certificate

Article 11:

The International Ship Security Certificate shall be issued for a period not exceeding five years as follows:

- Upon the completion of the initial verification for issuing the certificate for the first time or after the completion of the renewal verification within three months before the expiry date of the existing certificate. The new certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of expiry of the existing certificate.
- When the renewal verification is completed more than three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of completion of the renewal verification.
- The validity of the certificate may be extended beyond the expiry date for five years provided that the verifications referred to in Article (6) of these regulations are when the certificate is issued for a period of five years are carried out as appropriate.
- If a renewal verification has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the Authority or the the recognized security organization acting on its behalf may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed five months from the expiry date.

Article 12:

The Authority may extend the period of validity of the certificate, if a ship, at the time when a certificate expires, is not in a port in which it is to be

verified. However, this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be verified and only in cases where this verification does not jeopardize the security of the ship.

Article 13:

The ship to which an extension is granted shall not, on its arrival in the port in which it is to be verified, be entitled by virtue of this extension to leave the port without having a new certificate. When the renewal verification is completed, the new certificate shall be valid to a date not exceeding five years from the expiry date of the existing certificate before the extension was granted.

Article 14:

The Authority may extend a certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of these Regulations for a period of grace of up to one month from date of expiry stated on it. When the renewal verification is completed, the certificate issued before the extension shall be valid.

Article 15:

If the intermediate verification is completed before the period specified in Para. (3) of Art. (6) of these regulations, then:

- 1- The expiry date shown on the certificate shall be amended by endorsement to a date which shall not be more than three years later than the date on which the intermediate verification was completed.
- 2- The expiry date may remain unchanged provided one or more additional verifications are carried out so that the maximum intervals between the verifications prescribed in Art. (6) of these regulations are not exceeded.

Article 16:

A certificate issued under Art. (11) of these regulations shall cease to be valid in any of the following cases:

- A- If the relevant verifications prescribed in Art. (6) are not completed within the specified periods.
- B- If the certificate is not endorsed in accordance with para. (1) of Article (15) of these regulations .

- C- If the responsibility of the management or the operation of the ship is transferred to another company .
- D- Upon transfer of the ship to the flag of another state.

Article 17:

Upon registration of a ship under the Jordanian flag, copies of the International Ship Security Certificate or all information relating to the International Ship Security Certificate carried by the ship before the registration should be transmitted to the Authority in addition to copies of available verification reports.

Article 18:

When the responsibility of the management and operation of a ship is assumed by another company, the previous company shall, as soon as possible, transmit to the new company copies of any information related to the International Ship Security Certificate or to facilitate the renewal verifications.

**CHAPTER FOUR
ISSUANCE AND ENDORSEMENT OF THE INTERIM
INTERNATIONAL SHIP SECURITY CERTIFICATE**

Article 19:

An Interim International Ship Security Certificate valid for six months or up to the date of issuance of the International Ship Security Certificate, whichever comes first, shall be issued by the Authority or on behalf of the Authority when the Authority is fully satisfied that the ship complies with the verification requirements prescribed in Art. (6) of these regulations and in a form corresponding to the model given in the appendices of the Code, and for the following cases:

- 1- A ship without an International Ship Security Certificate, on delivery or delivery to a new owner or entry or re-entry into service.
- 2- Transfer of a ship from the flag of a Non-Contracting Government to the flag of a Contracting Government.
- 3- A company assuming the responsibility for the operation of a ship not previously operated by that company.

Article 20:

Notwithstanding the provisions of Article (19) of these regulations, an interim International Ship Security Certificate shall only be issued when the Authority or the recognized security organisation approved by the Authority has verified that:

- 1- The ship security assessment required by the Code has been completed.
- 2- A copy of the ship security plan meeting the requirements of chapter XI-2 of the Convention and the Code is provided on board. Has been submitted for review and approval and is being implemented on the ship.
- 3- The ship is provided with a ship security alert system meeting the requirements of regulation (XI-2 _ 6/2).
- 4- The company security officer has assured that:
 - The ship security plan has been reviewed for compliance with the requirements of the Code.
 - The plan has been submitted for approval .
 - The plan is being implemented on the ship .
- 5- The Necessary arrangements, including arrangements for drills, exercises, and internal audits have been made through which the company security officer is satisfied that the ship will successfully complete the required verification in accordance with Art. (6) within (3) months .
- 6- Arrangements have been made for carrying out the required verifications under Art. (6).
- 7- The master, the ship security officer and other ship's personnel with specific security duties are familiar with their duties and responsibilities as specified in the ship's security plan placed on board and have been provided with such information in the working language of the ship's personnel or the language understood by them.
- 8- The ship security officer meets the requirements of the Code .

Article 21:

An Inyerim International Ship Security Certificate shall not be issued to a ship, if in the judgement of the Authority or the recognized security organisation, one of the purposes of the ship or a company in requesting

such certificate is to avoid full compliance with Chapter (XI-2) and the Code beyond the period of the initial interim certificate .

CHAPTER FIVE PORT FACILITY SECURITY PLAN AND THE SHIP PORT INTERFACE ACTIVITIES

Article 22:

Subject to the provisions of Chapters (16.2) and (16.3) of part (A) of the Code, the Authority shall approve and endorse the port facility security plan for each port facility of the Jordanian ports on the basis of a port facility security assessment and adequate for the arrangements made for each security level and the ship/port interface.

Article 23:

All port facilities at the Jordanian ports shall act upon the security levels set by the Authority in such a manner as to assure the adequate response to all security threats and cause a minimum of interface with, or delay to, passengers, goods or services rendered to ships.

Article 24:

Security alerts sent from ships within the Jordanian territorial waters shall be received by the port control located in the port area which shall notify the concerned personnel in order to take necessary measures to deal with the threat level as required and give necessary guidance accordingly.

CHAPTER SIX THE RESPONSIBILITY OF THE COMPANY

Article 25:

The company shall ensure that the ship security plan contains a clear statement emphasizing the master's authority and responsibility to activate the ship security plan and make decisions with respect to safety and security of the ship and to request the assistance of the company or the concerned Authority in the territorial waters of the closest coastal state in which the ship is located.

Article 26:

The company shall ensure that the company security officer, the master and the ship security officer are given the necessary support to fulfil the duties and responsibilities to activate the ship security plan and in accordance with the Convention and the Code.

Article 27:

The companies responsible for the operation or management of the ship flying the Jordanian flag shall designate a company security officer for each ship in accordance with the provisions of the Convention and the Code and shall ensure the following:

- 1- Setting up a ship security plan for each ship as specified by the Convention and the Code.
- 2- Ensuring that all personnel employed on board their ships do not pose any security threat to the ship or port facilities it calls and these personnel carry identification cards with them.
- 3- Ensuring that their ships are adequately manned in accordance with the safe manning requirements in a way that ensures the right activation of the security plan and that the newly appointed sailors are subjected to acquaintance and orientation courses.
- 4- Ensuring adequate awareness of the crew members of the tasks assigned to them along with all arrangements and equipment needed to be carried on board the ship which are necessary to deal with security threats.
- 5- Communicating with the concerned authority to coordinate and specify the mechanism for dealing with security threat levels .
- 6- Ensuring adequate training for all personnel to deal with ship security plan requirements .
- 7- Setting up the precautional measures required for the security of goods and containers and supervising the personnel responsible for loading operations.
- 8- Enhancing security awareness and vigilance in vulnerable and insecure ports.
- 9- Ensuring effective coordination and communication among crew members in case of emergency or declaration of security levels.
- 10- Ensuring that the ship alert system is properly set to the security requirements of the security level in accordance with the Code.

Article 28:

Advising the Authority immediately of any deficiencies identified in the maritime security equipment which may cause delay in notification procedures of relevant security levels and any alternative security measures make up for this deficiency.

Article 29:

Companies, masters and crewmembers shall be responsible for dealing with maritime security requirements, safe ship operation, giving written instructions to ship masters and identification of proper procedures required for activation of the ship security plan.

Article 30:

The companies undertake to develop a comprehensive training plan and a training program on board its ships, in phases, for the officers responsible for the implementation of the ship security plan .

Article 31:

The company shall instruct the company security officer and the ships security officers to conduct a ship security training program in coordination with maritime education institutions to accomplish that mission.

Article 32:

The master and the ship security officer shall monitor the proper implementation of the ship security training program, and oversee the performance of the crew for the full activation of the ship security plan .

Article 33:

The records of ship security activities, including training, drills, ship security chart, dangers and relevant communications, shall be kept electronically and in the working language of the ship with a translation to the English language.

**CHAPTER SEVEN
SHIP CONTROL PROCEDURES**

Article 34:

Every ship, excluding those mentioned in Article 4 of these regulations, are subject to control when in the Jordanian ports or territorial waters by port state control officers duly authorized by the Authority to verify that these ships are in compliance with the requirements of the Convention and the Code as follows:

- 1- Verifying that there is on board a valid ship security plan, a valid Interim International Ship Security Certificate and that periodical inspections are carried out properly.
- 2- Verifying that there is on board a ship security plan approved by the flag state and carrying the IMO number of the ship.
- 3- Verifying the ability of the crew members to respond to emergency.
- 4- Verifying that an officer has been designated as a ship security officer on board the ship.
- 5- Verifying that all security equipment provided for in the Convention and the Code are available on board the ship.
- 6- The port state control officers duly authorized by the Authority may review the relevant requirements of the ship security plan if they have clear grounds to believe that the ship is not in compliance with the requirements of the Code or any section of it.
- 7- Ships intending to enter the Jordanian territorial waters should have on board records of the measures taken while visiting a port facility of a state which is not a Contracting Government and a record of the last ten calls at a port facility.
- 8- The port state control officers duly authorized by the Authority shall have the right to carry out a complete inspection of ships prior to entry to the port facility in response to his own professional judgement or security information passed to them.
- 9- If any deficiencies on the security equipment of the ship were identified and it is not possible to repair or replace them while in port, the ship may leave the port and complete the required repairs in the next port of call.

Article 35:

If any deficiencies or non-conformities are identified contradicting the provisions of Article (34) above, the duly authorized port state control officer shall send a report of these deficiencies and non-conformities to the Administration which shall notify the master, the consulate of the flag state or its diplomatic representative or the Administration accordingly to take the necessary action. Otherwise, the Officer shall have the right to prevent the

ship from entering the Jordanian territorial waters or detain it and impose a fine in accordance with the prevailing laws.

Article 36:

Control and compliance measures in the Jordanian territorial waters shall include ensuring that the ships comply with all of the requirements of these regulations, the Code and the Convention as follows:

- 1- All relevant security documents are valid and available on board in accordance with the requirements of these regulations, the Code and the Convention.
- 2- All relevant security equipment are available on board the ship in accordance with the requirements of these regulations, the Code and the Convention.
- 3- The ship hull and the ship equipment are working properly and meet the safety and security requirements necessary for the ship's crew, the passengers and the port facilities it intends to call. Ships flying the flags of Non-contracting Governments do not enjoy a favourable treatment in comparison with the ships flying the flags of Contracting Governments.

Article 37:

Upon evidence or reliable information arising from the other sources, the Authority shall instruct the duly authorized port state control officer to inspect the concerned in the following cases:

- 1- Evidence from a review of the certificate that it is not valid or it has expired, or an evidence or reliable information that serious deficiencies exist in the security equipment, documentation or arrangements required by chapter XI-2 and part A of the Code.
- 2- Receipt of a report or complaint which, in the professional judgement of the duly authorized officer, contains reliable information clearly indicating that the ship does not comply with the requirements of chapter XI-2 and part A of the Code.
- 3- Evidence or information gained by a duly authorized officer using professional judgement that the master or ship's personnel is not familiar with essential shipboard security procedures or cannot carry out drills related to the security of the ship or that such procedures or drills have not been carried out.

- 4- Evidence or information gained by a duly authorized officer using professional judgement that key members of ship's personnel are not able to establish proper communication with any other key members of ship's personnel with security responsibilities on board the ship.
- 5- Evidence or reliable information that the ship has embarked persons or loaded stores or goods at a port facility or from another ship where either the port facility or the other ship is in violation of chapter XI-2 and the ship in question has not taken appropriate, special or additional security measures on board.
- 6- Evidence or reliable information that the ship has embarked persons or loaded stores or goods at a port facility or from another source or another ship or helicopter or any other means of sea transport where either the port or the other source is not in compliance with the requirements of chapter XI-2 of the Convention and the Code or was not subject to the alternative appropriate security measures.
- 7- The ship holding a subsequent, consecutively issued Interim International Ship Security Certificate as described in section A / (19.4), and if in the professional judgement of an officer duly authorized, one of the purposes of the ship or a company in requesting such certificate is to avoid full compliance with chapter XI-2 and part (A) of the Code beyond the period of the initial Interim Certificate.

Article 38:

The port state control officer shall take all necessary measures to avoid undue delay or stopping or denial of entry to Jordanian territorial waters.

**CHAPTER EIGHT
FINAL PROVISIONS**

Article 39:

All contradicting provisions of these regulations, the Code and the Convention shall be considered cancelled .

Article 40:

These Regulations shall come into force on the date of publication in the Official Gazette).