



# Training on Maritime Security for Duly Authorised Officers including THETIS-EU MARSEC Module

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Visits & Inspections

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# Overview

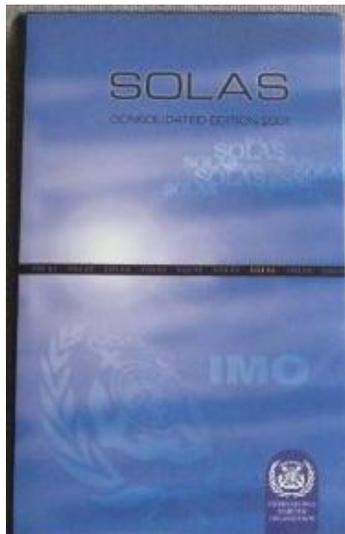


- I. Legal Framework - IMO and EU Legislation**
- II. Contracting Governments – Roles & Responsibilities**
  - Ships in port
  - Ships intending to enter into port
- III. Training for DAOs**
- IV. Sanctions**

# I.

## Legal Framework

### EU and IMO Legislation



12395 **REG** Official Journal of the European Union 29.4.2004

**REGULATION (EC) No 725/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 31 March 2004 on enhancing ship and port facility security (Text with EEA relevance)**

<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION</p> <p>Having regard to the Treaty establishing the European Community, and in particular Article 17(1) thereof,</p> <p>Having regard to the proposal from the Commission,</p> <p>Having regard to the opinion of the European Economic and Social Committee (1),</p> <p>Having consulted the Committee of the Regions,</p> <p>Acting in accordance with the procedure laid down in Article 251 of the Treaty (2),</p> <p>whereas</p> <p>(1) International maritime law and especially conventions among the greatest States in the fields of security and law enforcement and in the fields of peace, which are the very essence of the European Union</p> <p>(2) The security of European Community shipping and of other shipping and of the passengers on the one hand and of international related acts such as acts of terrorism, acts of piracy or similar, should be ensured at all times</p> <p>(3) In connection with the transport of goods containing especially dangerous substances, such as chemical and radioactive substances, the potential consequences of the damage caused by accidents at sea and in other circumstances and the environment are very serious</p> <p>(4) On 12 December 2002 the Diplomatic Conference of the International Maritime Organization (IMO) adopted amendments to the 1974 International Convention for the Safety of Life at Sea (SOLAS Convention) and an International Ship and Port Facility Security Code (ISPS Code). These amendments are intended to enhance the security of ships used in international trade and associated port facilities, they comprise mandatory provisions, the scope of some of which in the Annexes should be clarified and recommendations, some of which should be made mandatory within the Community</p> <p>(5) It is in the interest of the Community to ensure that the provisions of the ISPS Code are fully implemented in the Community</p> <p>(6) It is in the interest of the Community to ensure that the provisions of the ISPS Code are fully implemented in the Community</p> <p>(7) It is in the interest of the Community to ensure that the provisions of the ISPS Code are fully implemented in the Community</p> <p>(8) It is in the interest of the Community to ensure that the provisions of the ISPS Code are fully implemented in the Community</p>	<p>(6) Without prejudice to the rules of the Member States in the field of national security and measures which might be taken on the basis of Title VI of the Treaty on European Union, the security objectives described in recital 2 should be achieved by adopting appropriate measures in the field of maritime transport policy, establishing port standards for the acceptance, implementation and monitoring within the Community of the provisions adopted by the Diplomatic Conference of the IMO on 12 December 2002. Implementation, however, should be confined to the Community to adopt detailed implementing provisions</p> <p>(7) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union</p> <p>(8) Security should be enhanced not only on ships used in international shipping and the port facilities which serve them, but also for ships operating, however, wherever within the Community and their port facilities in particular passenger ships, on account of the number of human lives which such ships carry on board</p> <p>(9) Part B of the ISPS Code comprises a number of recommendations which should be made mandatory within the Community in order to make uniform progress towards achievement of the security objectives described in recital 2</p> <p>(10) In order to contribute to the recognised and necessary objective of providing high-quality maritime services, the Member States should be asked to conclude, in the light of regulation 11 of the special measures of enhanced maritime security of the SOLAS Convention, the agreements or security arrangements for which no arrangements exist within the Community on third vessels using dedicated port facilities, relative to the comparison of the general standard of security sought</p> <p>(11) Pursuant to article 17 of the Treaty on European Union, the Member States should determine, on the basis of the security arrangements which they are to conclude, which parts are concerned and which alternative measures provide an adequate level of protection</p>
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12395/2004 P 11  
 (1) Opinion of the European Parliament of 16 November 2003 has not yet been published in the Official Journal of the European Union of 22 March 2004.

# Legal Framework

## Regulation (EC) 725/2004



### Recital ...

- (11) Member States should vigorously monitor compliance with the security rules by ships intending to enter a Community port, whatever their origin. The Member State concerned should appoint a 'competent authority for maritime security' responsible for coordinating, implementing and monitoring the application of the security measures laid down in this Regulation as they apply to ships and port facilities. This authority should require each ship intending to enter the port to provide in advance information concerning its international ship security certificate and the levels of safety at which it operates and has previously operated, and any other practical information concerning security.
- (13) Security checks in the port may be carried out by the competent authorities for maritime security of the Member States, but also, as regards the international ship security certificate, by inspectors acting in the framework of port State control, as provided for in Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control) <sup>(1)</sup>. Where different authorities are concerned, provision must therefore be made for them to complement each other.



### *Article 1*

#### **Objectives**

1. The main objective of this Regulation is to introduce and implement Community measures aimed at enhancing the security of ships used in international trade and domestic shipping and associated port facilities in the face of threats of intentional unlawful acts.
2. The Regulation is also intended to provide a basis for the harmonised interpretation and implementation and Community monitoring of the special measures to enhance maritime security adopted by the Diplomatic Conference of the IMO on 12 December 2002, which amended the 1974 International Convention for the Safety of Life at Sea (SOLAS Convention) and established the International Ship and Port Facility Security Code (ISPS Code).



### ISPS A/1.2

“1.2 Objectives:

The objectives of this Code are: (...)

.1 to establish an international framework involving **co-operation between Contracting Governments**, Government agencies, local administrations and the shipping and port industries to detect security threats and take preventive measures against security incidents (...);

.2 to establish the respective **roles and responsibilities** of the **Contracting Governments**, Government agencies, local administrations and the shipping and port industries, at the national and international level, for ensuring maritime security;



### *Article 8*

#### **Security checks in Member State ports**

1. Certificate verification, as defined in paragraph 1.1 of regulation 9 (Control of ships in port) of the special measures to enhance maritime security of the SOLAS Convention, shall be carried out in the port either by the competent authority for maritime security defined in Article 2(7) of this Regulation or by the inspectors defined in Article 2(5) of Directive 95/21/EC.



### Regulation 9

#### Control and compliance measures

##### 1 Control of ships in port

1.1 For the purpose of this chapter, every ship to which this chapter applies is subject to control when in a port of another Contracting Government by officers duly authorised by that Government, who may be the same as those carrying out the functions of regulation I/19. Such control shall be limited to verifying that there is onboard a valid International Ship Security Certificate or a valid Interim International Ship Security Certificate issued under the provisions of part A of the ISPS Code (Certificate), which if valid shall be accepted, unless there are clear grounds for believing that the ship is not in compliance with the requirements of this chapter or part A of the ISPS Code.

<https://portal.emsa.europa.eu/srcweb/default.jsp>

Regulation I/19



## “...every ship”? Who has to comply with the ISPS Code?





### □ Application:

- **passenger ships**, including high-speed passenger craft;
- **cargo ships**, including high-speed craft, of 500 gross tonnage and upwards; and
- mobile offshore drilling units
- the port facilities serving such ships

## II. Contracting Governments Roles & Responsibilities





# Security checks in Member State ports

Article 8 (1) Regulation 725/2004



## Certificate verification ...



**INTERNATIONAL SHIP SECURITY CERTIFICATE**

Issued under the provisions of the  
INTERNATIONAL CODE FOR THE SECURITY OF SHIPS AND PORT FACILITIES (ISPS CODE)  
Under the Authority of the Government of

**PARTICULARS OF SHIP**

Name of Ship	[REDACTED]
Distinctive Number or Letters	[REDACTED]
Port of Registry	[REDACTED]
Type of Ship	[REDACTED]
Gross Tonnage	[REDACTED]
IMO Number	OTHER CARGO SHIP 769.00
Name of Company	[REDACTED]
Company Registration Number	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]

**THIS IS TO CERTIFY**

- that the security system and any associated security equipment of the ship has been verified in accordance with the requirements of section 19.1 of part A of the ISPS Code; in approving the Ship Security Plan and verification, account was also taken of the guidance in part B of the ISPS Code;
- that the verification showed that the security system and any associated security equipment of the ship is in all respects satisfactory and that the ship complies with the applicable requirements of chapter XI-2 of the convention and part A of the ISPS Code;
- that the ship is provided with an approved Ship Security Plan.

Date of issue / renewal / verification on which this certificate is based: 08 April 2014

This Certificate is valid until: 29 March 2019  
in accordance with section 19.1.1 of part A of the ISPS Code, subject to verifications

Place of Issue: [REDACTED]

Date of issue: 10 June 2014

Signature of duly authorized official issuing the Certificate: [REDACTED]

Name: [REDACTED]

Official Stamp: [REDACTED]

MSF5603 / Rev0013 1/2

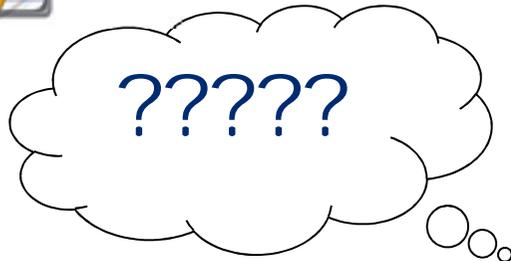


# Security checks in Member State ports

## Article 8 (2) – Certificate verification



Article 2(5), Directive 95/21/EC



What happen, when an officer has  
clear grounds  
for believing that a ship is not in compliance with  
SOLAS and the ISPS Code?

# If you see something, say something

If something does not look right, let us know.

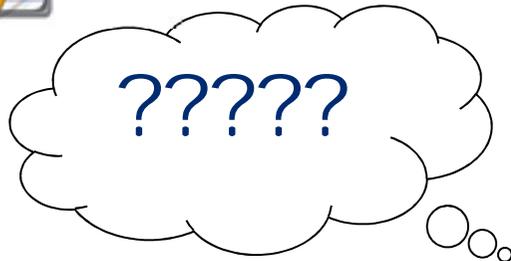


Where the officer conducting the certificate verification **has clear grounds**, and **does not belong to an authority** responsible for carrying out maritime security of the SOLAS Convention, **s/he shall immediately refer** the matter to the **said authority** – **the specialist**

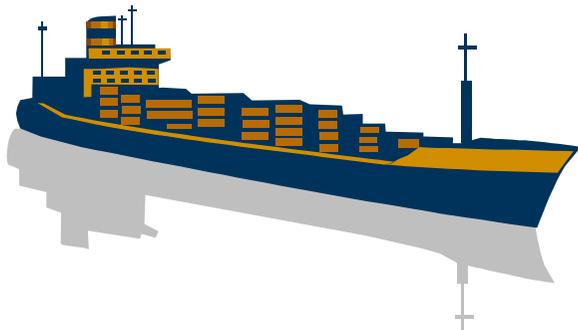


# Security checks in Member State ports

## Article 8 (2) – Certificate verification



Article 2(5), Directive 95/21/EC



Article 2(7), Reg 725/2004

What happen, when an officer has  
clear grounds  
for believing that a ship is not in compliance with  
SOLAS and the ISPS Code?



# Security checks in Member State ports

## Duly Authorised Officers



And who are these officers from the “...said authority”?

**Duly Authorised Officers (DAO)**, means an official of the Contracting Government duly authorised by that Government to carry out control and compliance measures in accordance with SOLAS regulation XI-2/9.

[\(MSC/Circ. 1191 \(30.05.2006\), MSC/Circ. 1133 \(14.12.2004\), MSC/Circ. 1111 \(07.06.2004\)\)](#)





## Security checks in Member State ports

### Duly Authorised Officers



During interactions with DAOs, ships' masters and their SSOs should be able to:

- communicate in English; and
- **verify the identity** of DAOs intending to board their ship.





# Security checks in Member State ports

## Duly Authorised Officers



Regulation (EC) No.725/2004, Article 3(5)

### Identification documents

- 4.18 Contracting Governments are encouraged to issue appropriate identification documents to Government officials entitled to board ships or enter port facilities when performing their official duties and to establish procedures whereby the authenticity of such documents might be verified.



# Security checks in Member State ports

Art.8 Reg. and SOLAS regulation 9



## CONTROL AND COMPLIANCE MEASURES SOLAS regulation XI-2/9

- Control of ships in port [ 9.1]



- Control of ships intending to enter the port [9.2]





# Security checks in Member State ports

Art.8 Reg. and SOLAS regulation 9



## Control and Compliance Measures

Main elements of **control**:

1. To require ships to provide security related information prior to entering port

2. To inspect ships intending to enter into port...

**in which circumstances ? ...**

...when there are **clear grounds** – within the territorial sea

3. To refuse to allow a ship to enter port or to expel a ship from port





# Security checks in Member State ports

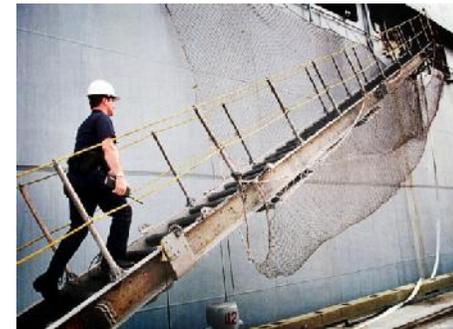
Art.8 Reg. and SOLAS regulation XI-2/9.1.2



If **clear grounds** are identified ...



... or **no valid certificate** is produced...



... Duly Authorised Officers

**shall impose**

any one or more control measures in relation to that ship.

# Ships intending to enter a port



# Provision of security information

Art.6 Reg. and SOLAS regulation XI-2/9.2.1

SOLAS XI-2

Regulation 9, parag 2.1

Reg. 725/2004

Article 6

**Ships intending to enter a port of another Contracting Government**

“... a Contracting Government **may** require that ships intending to enter its ports provide the following information to officers duly authorized by that Government to ensure compliance with this chapter prior to entry into port with the aim of avoiding the need to impose control measures or steps.”

**Provision of security information prior to entry into a port of a Member State**

“...The **competent authority** for maritime security of that Member State **shall** require that information referred to in paragraph 2.1 of regulation 9 (Ships intending to enter a port of another Contracting Government) of the special measures to enhance maritime security of the SOLAS Convention be provided. **The said authority shall analyse**, as far as necessary, the information provided for in paragraph 2 of that SOLAS regulation”

# Provision of security information

Art.6 Reg. and SOLAS regulation XI-2/9.2.1



A ship declares its intention to enter a port, giving **24 hour** notice (either through SafeSeaNet and/or via ship's agent)

Who the recipients of the notification?



PFSO ...?



Call centre port...?



Port Authority ...?



Harbour Master Office...?



# Provision of security information

## Art.6 Regulation



### Ship's pre arrival notification [Art. 6(2) Reg.]:

- Minimum 24 hours in advance
- At the latest at the time the ship leaves the previous port, if voyage is <24hours
- Port of call is not known

### Information required [SOLAS XI-2/9.2.1]

- Valid ISSC
- Current SL
- Special or additional security measures in the last 10 ports of call
- Ship security procedures were maintained during any ship-to-ship activity
- SL at previous 10 ports of call where it conducted ship/port interface
- Other ...?

# Provision of security information

## Art.7 Regulation - Exemptions



### Regulation (EC) No. 725/2004

#### Article 7

#### Exemption from the provision of security information

#### Art. 7(1). **Exemption** :

- (a) The company keeps and **updates** a **list of the ships**,
- (b) for each voyage (...) is kept available for the competent authority for maritime security **upon request** (...) **24 hours a day and without delay**

**Art. 7(2).** **Between two or more Member States**, any of the **MS's may request of the other Member States**

**Art. 7(3).** Member States shall **periodic check the conditions**

**Art. 7(4).** Member States shall draw up a list of companies and ships (...) **communicate to Commission** and Member State concerned

# Provision of security information SafeSeaNet



**Notification of security information**

**Source of the information**

**Provider of the last update:** nswbgvar1      **Date and time of the last update:** 2015-05-27 16:22:11      **ShipCallId:** BG1080

**Security information**

**Does the ship have a valid international Ship Security Certificate (ISSC)?:** Yes  
**If no, why not?:**  
**Type of ISSC:** Full      **Issued by:** Recognized Security Organization      **Issuer:** Germanischer Lloyd  
**Expiry Date:** 2017-05-09  
**Does the ship have an approved SSP on board?:** Yes  
**Ship security level:** SL1

**CSO name and 24 hour contact details**

**First Name:** Peter      **Last Name:** SCHIFFFAHRTS  
**Phone:** +351222      **Fax:** +35133333      **E-mail:** Peter@ddd.de

**Last 10 calls at port facilities (most recent call first)**

Port	Date of arrival	Date of departure	Port facility	Security level	Special or additional security measures taken by the ship
Bremerhaven (DEBRV)	2015-05-03 16:22:03	2015-05-04 16:22:03	0014	SL1	
Antwerpen (BEANR)	2015-05-17 16:21:22	2015-05-18 16:21:22	0008	SL1	none

**Ship-to-ship activities (most recent first) which were carried out during the last 10 calls at port facilities listed above**

Date from	Date to	Ship-to-ship activity	Security measures applied in lieu	Location
2015-05-17	2015-05-18	1		Antwerpen (BEANR)

# Provision of security information

Art.6 Reg. and SOLAS regulation 9.2.1



## Experience to date:

- **Recipients:**
  - Harbour master offices
  - PFSO offices
  - MRCC centre
  - ...
- **Administrations have established standing requirements on:**
  - The information provided;
  - Forms
  - Time period required for submission
  - The information analysed

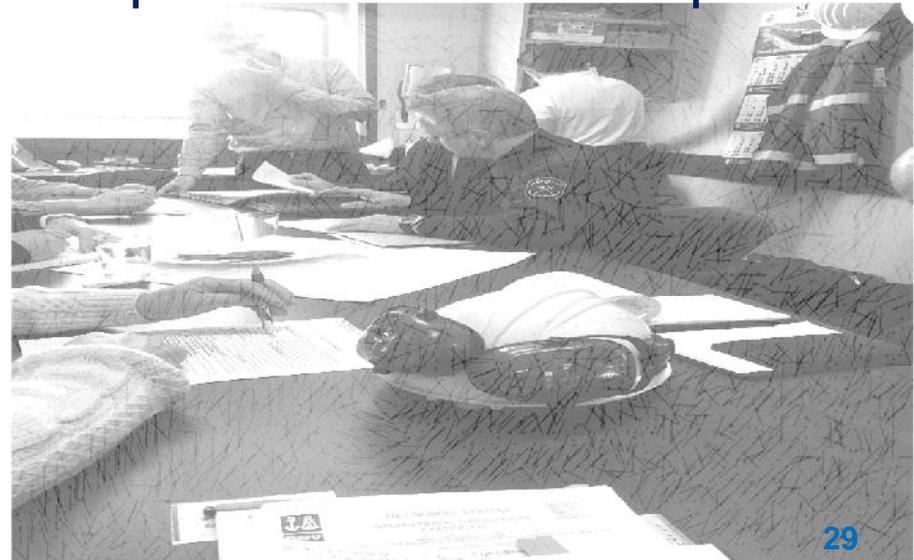
# Provision of security information

Art.6 Reg. and SOLAS regulation 9.2.1



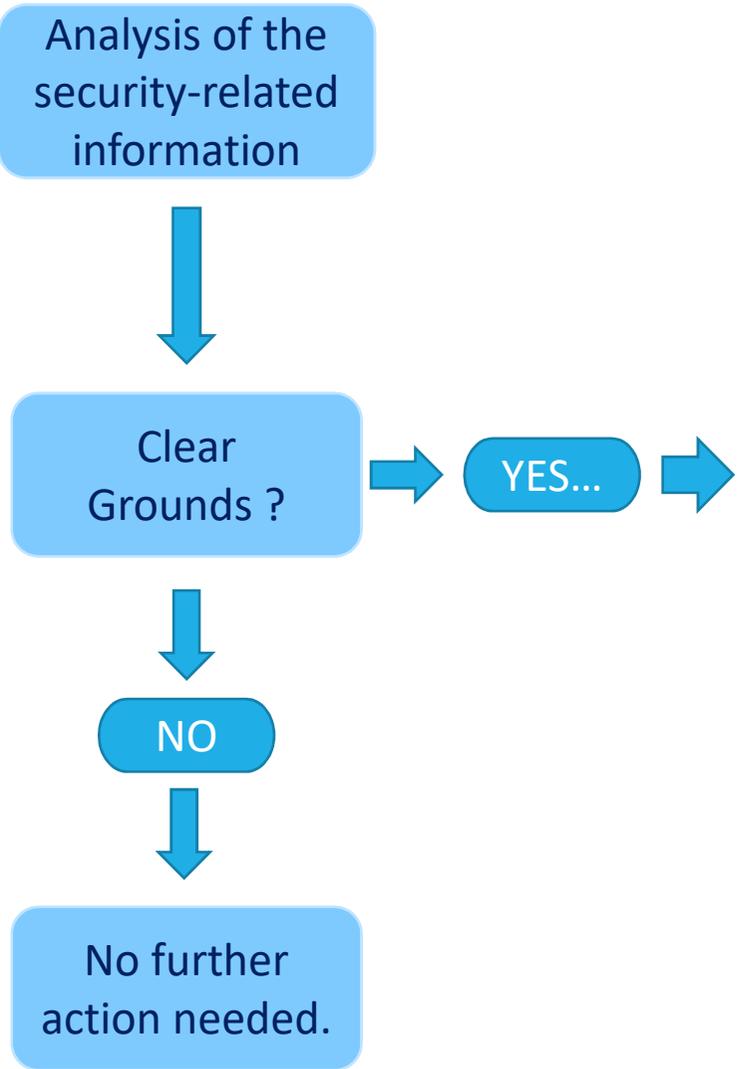
## What decision ...?

- If no valid ISSC?
- If no records of information SOLAS paragraph 2.1 for the last 10 calls at port facilities?
- If no records of the LOCODE of the port facilities the ship called?
- Who to call?
- Who should be notified?



# Control and Compliance Measures

SOLAS regulation XI-2/9 – Ships intending to enter port

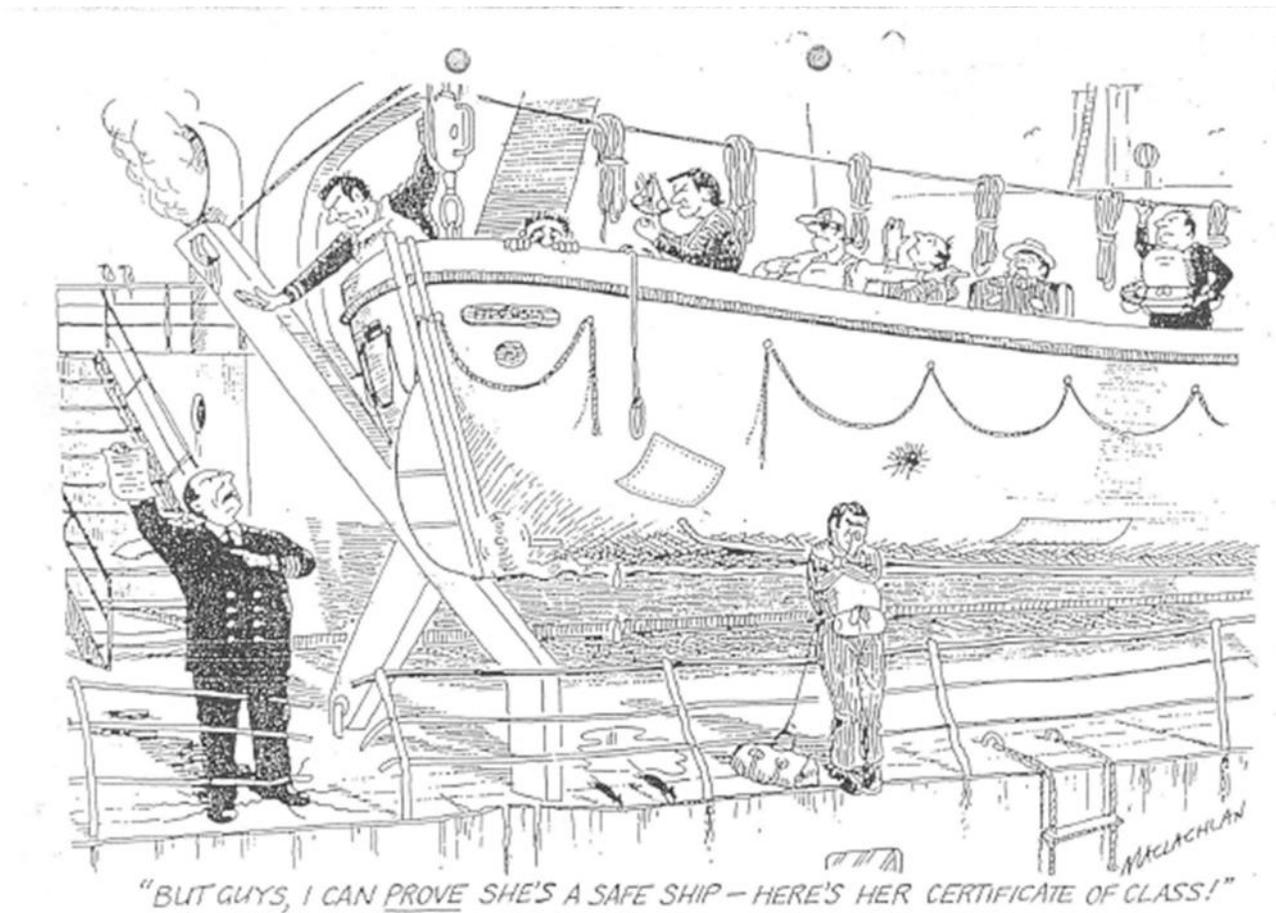


1. The ship has serious security deficiencies
2. Receipt of a reliable report or complaint
3. Evidence or reliable information that the ship had:
  - a. **ship/port** interface – which did not comply with MARSEC measures
  - b. **ship-to-ship** activity – which did not comply with MARSEC measures
4. The ship holds a sequentially issued Interim ISSC
5. Failure of the ship to provide all security-related information

# Control and Compliance Measures

SOLAS regulation XI-2/9 - Ships intending to enter port

**Ship** is not compliant with the Maritime Security Measures (e.g. without a valid ISSC)...



# Control and Compliance Measures

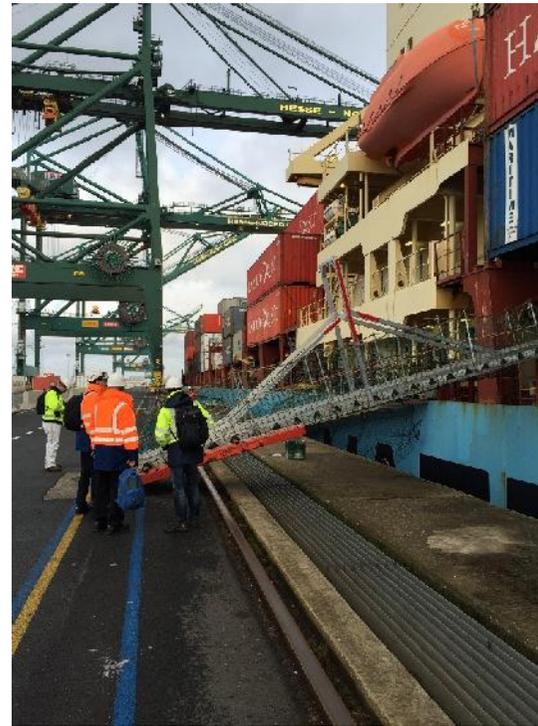
SOLAS regulation XI-2/9.2.5 - Ships intending to enter port



The DAO could:

1. Request the ship to **rectify the non-compliance**;
2. Require the ship to **proceed to a location** specified;
3. **Inspect the ship** if in the territorial sea or intends to enter;
4. **Denial of entry** into port.

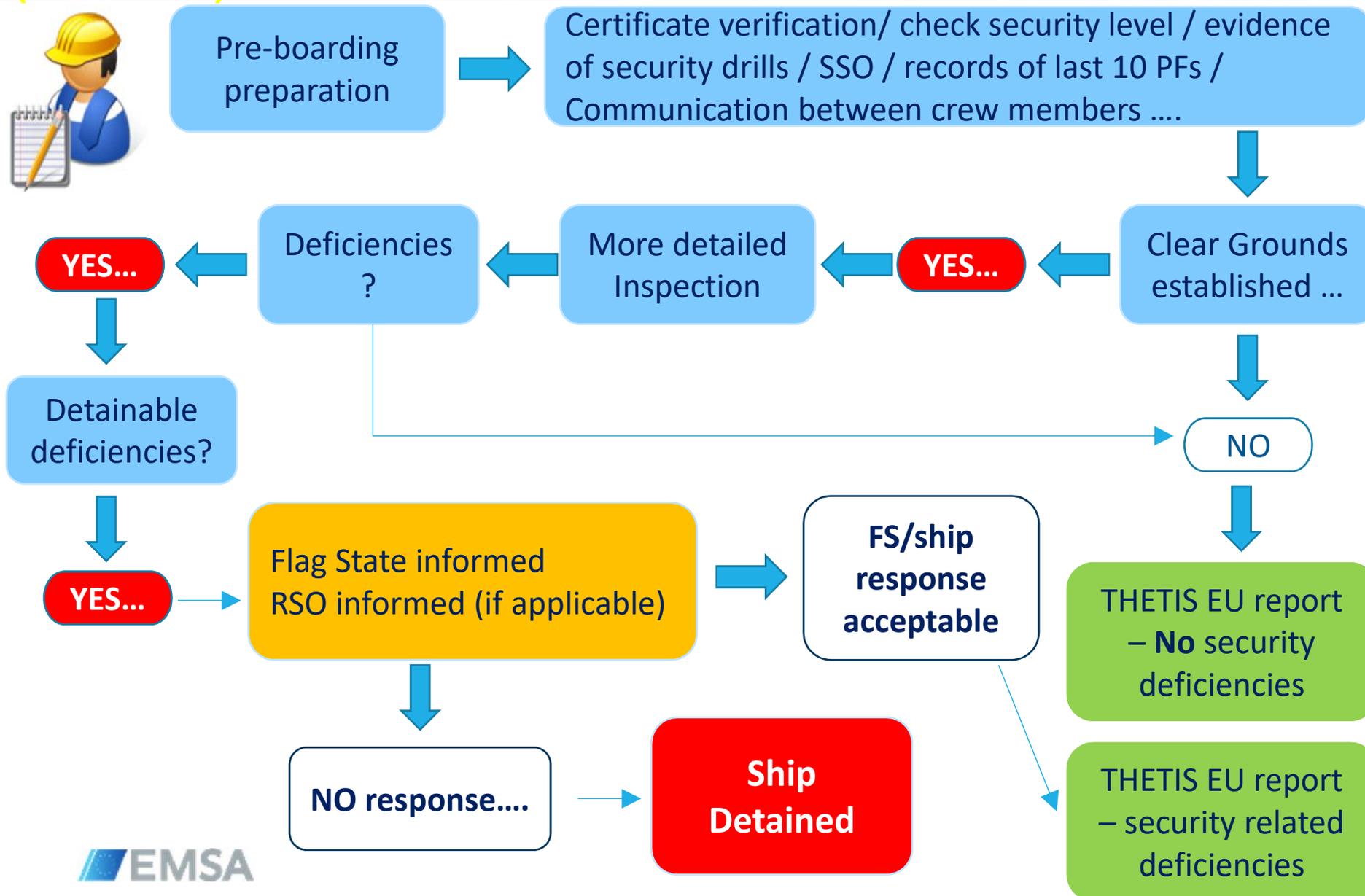
# Ships in port



# Security checks in Member State ports

## SOLAS regulation XI-2/9.1.3 - Control in port

(EXAMPLE)





# Security checks in Member State ports

## SOLAS regulation XI-2/9.1.3 - Control in port



...such control measures are:

✓ **Inspection of the ship ...**



✓ **Delaying the ship...**





# Security checks in Member State ports

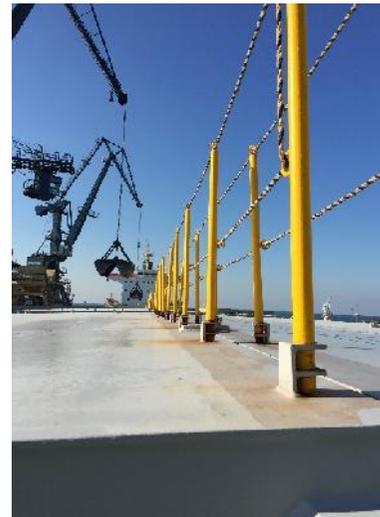
## SOLAS regulation XI-2/9.1.3 - Control in port



✓ Detention ...



✓ Restrict operations...



...including movement within the port...





## Security checks in Member State ports

### SOLAS regulation XI-2/9.1.3 - Control in port



- ✓ **Expulsion of the ship from port ...**



- ✓ **...additionally or alternatively ... other lesser administrative or corrective measures.**



# Security checks in Member State ports

Art.8 Reg. and SOLAS regulation 9



## EXAMPLES of Clear Grounds (ISPS B/4.33):

1. **Evidence** - ISSC or the Interim ISSC that it is not valid or it has expired (ISPS Code paragraph B/4.33.1);
2. **Evidence** or **reliable information** - serious deficiencies exist in the security equipment, documentation or arrangements (ISPS Code paragraph B/4.33.2);
3. **A report** or **complaint** which containing reliable information clearly indicating that the ship does not comply with the requirements (ISPS Code paragraph B/4.33.3);
4. **Evidence** or **observation** gained by a duly authorised officer using professional judgment that the master or ship's personnel are 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 (ISPS Code paragraph B/4.33.4);
5. **Evidence** or **observation** gained by the duly authorised officer using professional judgment that key members of the 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 (ISPS Code paragraph B/4.33.5);



# Security checks in Member State ports

Art.8 Reg. and SOLAS regulation 9



## Clear Grounds (cont.):

6. **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 or part A of the ISPS Code, and the ship in question has not completed a Declaration of Security, nor taken appropriate, special or additional security measures or has not maintained appropriate ship security procedures (ISPS Code paragraph B/4.33.6);
7. **Evidence or reliable information** that the ship has embarked persons, or loaded stores or goods at a port facility or from another source (e.g., another ship or helicopter transfer) where either the port facility or the other source is not required to comply with chapter XI-2 or part A of the ISPS Code, and the ship has not taken appropriate, special or additional security measures or has not maintained appropriate security procedures (ISPS Code paragraph B/4.33.7); and
8. If the ship holds a **subsequent, consecutively** issued **Interim ISSC** as described in section A/19.4 of the ISPS Code (...)



# Security checks in Member State ports

Art.8 Reg. and SOLAS regulation 9



If the DAO considers that the **ship is not in conformity** with the requirements of the MARSEC measures, parts of the SSP may be inspected.

**Areas of Plan** which may be inspected with the **consent of** the **CG** of ship **or Master of ship**

<b>.. Area of Plan</b>	<b>ISPS Ref.</b>
Prevention of introduction of non-authorized articles	A/9.4.1
Prevention of unauthorized access to the ship	A/9.4.3
Evacuation of the ship	A/9.4.6
Auditing security activities	A/9.4.8
Training, drills and exercises	A/9.4.9
Interfacing with port facility security activities	A/9.4.10
Review of ship security plan	A9.4.11
Reporting security incidents	A/9.4.12
Identification of the ship security officer	A/9.4.13
Identification of the company security officer	A/9.4.14
Frequency of testing or calibration of security equipment	A/9.4.16
Security of Ship Security Assessment and Plan	A/9.6
Security activities not covered by ISPS code	B/9.51



# Security checks in Member State ports

Art.8 Reg. and SOLAS regulation 9



**Confidential information** that cannot be subjected to inspection unless agreed by the CG ...

**Areas of Plan** which may be inspected **ONLY with consent of CG** of ship...

<b>Area of Plan</b>	<b>ISPS Ref.</b>
Restricted areas	A/9.4.2
Responding to security threats or breaches of security, including frequency of inspection data	A9.4.4
Responding to any security instructions at security level 3	A/9.4.5
Duties of those assigned security responsibilities	A9.4.7
Procedures for maintenance of security equipment	A/9.4.15
Ship security alert system	A9.4.17&18

# Control and Compliance Measures

## SOLAS regulation XI-2/9 - Ships intending to enter port



At the end of an inspection , the duly authorized officer should ensure that the ship's master or SSO is provided with a report giving the results of the inspection ... Example



MSC/Circ.1111  
ANNEX 2  
Page 28

### APPENDIX 2

#### REPORT OF THE IMPOSITION OF A CONTROL AND COMPLIANCE MEASURE IN ACCORDANCE WITH INTERIM GUIDANCE ON CONTROL AND COMPLIANCE MEASURES TO ENHANCE MARITIME SECURITY (Resolution MSC.159(78))

(Reporting authority)  
(Address)  
(Telephone & Fax)

Copy to: Master  
Duly Authorized Officer administrative office  
If control measures, other than lesser administrative measures are taken, additional copies of this report shall be provided to:  
Administration  
Recognized security organization  
IMO  
Port State of ship next port call (if denied entry or expelled)

- Name of reporting authority: \_\_\_\_\_
- Date of inspection: \_\_\_\_\_
- Place of inspection: \_\_\_\_\_
- Name of ship: \_\_\_\_\_
- Flag of ship: \_\_\_\_\_
- Type of ship: \_\_\_\_\_
- Call sign: \_\_\_\_\_
- IMO Number: \_\_\_\_\_
- Gross tonnage: \_\_\_\_\_
- Year build: \_\_\_\_\_
- Recognized security organization: \_\_\_\_\_
- Registered owner (from Continuous Synopsis Record (CSR)): \_\_\_\_\_
- Registered bareboat charterer, if applicable (from CSR): \_\_\_\_\_
- Company (from CSR): \_\_\_\_\_
- ISSC issuing Authority: \_\_\_\_\_
- Dates of issue/expiry: \_\_\_\_\_
- Ship security level: \_\_\_\_\_
- Reason(s) for non-compliance: \_\_\_\_\_

19. Action taken by Duly Authorized Officer:

20. Specific control measures taken (marks as follow: "x" actions taken, "-" no actions taken)  
None  
Lesser administrative measures  
More detailed inspection  
Ship departure delayed  
Restricted Ship Operation  
Cargo operation modified or stopped  
Ship directed to other location in port  
Ship detained  
Ship denied entry into port  
Ship expelled from port

21. Corrective action taken by ship or Company: \_\_\_\_\_

Issuing office: \_\_\_\_\_ Duly Authorized Officer  
Name: \_\_\_\_\_  
Telephone/Fax: \_\_\_\_\_ Signature: \_\_\_\_\_

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[MSC/Circ.1111, 7 June 2004]

Appendix 2 - RESOLUTION MSC.159(78) (adopted on 21 May 2004)

Interim Guidance on Control and Compliance measures to Enhance Maritime Security

# III. Training





# Training Duly Authorised Officers



## DAOs are recommended to ...

- a. Be knowledgeable with shipboard operations;
- b. Be able to communicate in English – Master / SSO;
- c. Receive training for the control functions;
- d. Receive training on safety for boarding ships;
- e. Be issued with ID card



# Contracting Governments

## Government Officials – Training & Qualification

- Inspectors are **adequately qualified** and have **appropriate level of knowledge**
  - approved training curriculum

- Example of possible topics:**

- International maritime security framework
- National Legislative policy & framework
- Knowledge on major security incidents
- Knowledge of the maritime industry
- Responsibilities of the national Authority – MarSec
- Responsibilities of the inspectors
- Code of Conduct
- Authority's oversight program
- Auditing techniques
- Guidelines/procedures/instructions on how to participate in drills and exercises
- Guidelines/procedures/instructions on how to enforce sanction system





# Training Duly Authorised Officers

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## CHAPTER 2 QUALIFICATIONS AND TRAINING OF DULY AUTHORIZED OFFICERS

- 2.1 Duly authorized officers are appointed by a Contracting Government to exercise control and compliance measures under the provisions of regulation XI-2/9.
- 2.2 It is certain that the professional backgrounds of duly authorized officers will vary. However, duly authorized officers need to have appropriate knowledge of the provisions of chapter XI-2 and of the ISPS Code, of shipboard operations and need to be appropriately qualified and trained to the level required by the functions that they are authorized to carry out.
- 2.3 Duly authorized officers should also be able to communicate with the master, the ship security officer and other officers on the ship in English.
- 2.4 Duly authorized officers should receive appropriate training to ensure proficiency in safety procedures when boarding or on board a ship, particularly if at sea, including emergency evacuation procedures and procedures for entering enclosed spaces.
- 2.5 Duly authorized officers when on board a ship should comply with the security measures and procedures in place on the ship unless such measures are incompatible with the specific control measures or steps.
- 2.6 Duly authorized officers should refrain from attempting to breach the security of a ship.
- 2.7 Duly authorized officers should carry, and present when boarding a ship, a photographic identification document indicating their authorization. Procedures should be in place to allow verification of the identity of those who have been appointed as duly authorized officers.
- 2.8 Duly authorized officers should periodically undergo training in order to update their knowledge. Training seminars or courses should be held with such frequency so as to ensure the update of their knowledge with respect to legal instruments related to control and compliance measures to enhance maritime security.
- 2.9 Duly authorized officers may be assisted, when appropriate, by persons with specialized expertise appointed by the Contracting Governments. Such persons should receive appropriate training, as outlined above.

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### APPENDIX 2

#### REPORT OF THE IMPOSITION OF A CONTROL AND COMPLIANCE MEASURE IN ACCORDANCE WITH INTERIM GUIDANCE ON CONTROL AND COMPLIANCE MEASURES TO ENHANCE MARITIME SECURITY (Resolution MSC.159(78))

(Reporting authority)  
(Address)  
(Telephone & Fax)

Copy to: Master  
Duly Authorized Officer administrative office

If control measures, other than lesser administrative measures are taken, additional copies of this report shall be provided to:

- Administration
- Recognized security organization
- IMO
- Port State of ship next port call (if denied entry or expelled)

1. Name of reporting authority: \_\_\_\_\_

2. Date of inspection: \_\_\_\_\_

3. Place of inspection: \_\_\_\_\_

4. Name of ship: \_\_\_\_\_

5. Flag of ship: \_\_\_\_\_

6. Type of ship: \_\_\_\_\_

7. Call sign: \_\_\_\_\_

8. IMO Number: \_\_\_\_\_

9. Gross tonnage: \_\_\_\_\_

10. Year build: \_\_\_\_\_

11. Recognized security organization: \_\_\_\_\_

12. Registered owner (from Continuous Synopsis Record (CSR)): \_\_\_\_\_

13. Registered bareboat charterer, if applicable (from CSR): \_\_\_\_\_

14. Company (from CSR): \_\_\_\_\_

15. ISSC issuing Authority: \_\_\_\_\_

16. Dates of issue/expiry: \_\_\_\_\_

17. Ship security level: \_\_\_\_\_

18. Reason(s) for non-compliance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

19. Action taken by Duly Authorized Officer: \_\_\_\_\_

\_\_\_\_\_

20. Specific control measures taken (marks as follow: "x" actions taken, "-" no actions taken)

- None
- Lesser administrative measures
- More detailed inspection
- Ship departure delayed
- Restricted Ship Operation
  - Cargo operation modified or stopped
  - Ship directed to other location in port
- Ship detained
- Ship denied entry into port
- Ship expelled from port

21. Corrective action taken by ship or Company: \_\_\_\_\_

\_\_\_\_\_

Issuing office: \_\_\_\_\_ Duly Authorized Officer

Name: \_\_\_\_\_

Telephone/Fax: \_\_\_\_\_ Signature: \_\_\_\_\_

\_\_\_\_\_

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### Coordination Mechanisms:

- Many possible **Committee structures** (Military forces, national Police, Intelligence, ...);
- **Maintain** effective **link** between **Administration and industry** - consultation with all major stakeholders in the port and shipping;
- **Co-ordination** at the national and ship-port levels;
- **Identify** security threats and vulnerabilities;
- **Establish** security priorities;
- Planning, **coordinating** and evaluating security initiatives;
- Developing or **contributing** to a National Maritime Security Framework or Strategy;
- Developing or **contributing** to government policy statements on maritime security;
- Developing **coordinated** positions on meeting international obligations; and
- Addressing jurisdictional issues involving member organisations.



# IV. SANCTIONS



# SANCTIONS

**“Member States shall ensure that effective, proportionate and dissuasive sanctions for breaching the provisions of this Regulation are introduced”.**

**Article 14 of Regulation (EC) No.725/2004**

# SANCTIONS



It is an enforcement action carried out **exclusively** by officials of the Administration, with the purpose of control which may result to **sanctions**.

There are no sanctions before the ship is certified!

# SANCTIONS



## IMPORTANT

The imposition of excessive or inappropriate security procedures and measures can reduce their **acceptability and effectiveness** and impose unnecessarily delays, or restrictions, on passenger or cargo movements!!





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