

PORT STATE CONTROL COMMITTEE INSTRUCTION 50/2017/19

GUIDELINES FOR PORT STATE CONTROL OFFICERS ON SECURITY ASPECTS

1. Selection of ships to be inspected.

- .1 This guidance applies only to ships mentioned in regulation 2.1 of SOLAS74 ChXI-2
- .2 PSCO's should follow the current criteria for targeting ships in Annex 9 of the MOU.
- .3 The PSCO should be aware of the security level of the port facility at which a ship is to be inspected.
- .4 Reports or complaints, which relate to security received by PSCO's prior to boarding the ship should be passed to the competent security authority¹ who will decide on priority for security inspection by an Officer Duly Authorised for Security.
- .5 While the master of a ship has discretion for ship security he is not entitled to deny access to a duly authorised PSCO to carry out an inspection. There may be cases when it is mandatory to carry out a port state control inspection but the master attempts to limit the inspection on grounds of security. If the PSCO considers this to be unreasonable he should consult the competent security authority.
- .6 PSCO's should be aware that on a ship at security level 3 the protective measures set up might restrict the scope of the "safety" port state control inspection. For example a full emergency drill may not be allowed. There may also be circumstances where the competent security authority restricts port state control activity.

2. Initial inspection

These instructions for the initial inspection comply with IMO's Interim Guidance on Control and Compliance Measures to Enhance Maritime Security (MSC/Circ. 1111 chapter 4 - Control of Ships in Port)

During the initial inspection the PSCO should:

- .1 while approaching and boarding the ship and moving around the ship take note of the security aspects listed in the Annex taking into account the security level imposed by the port and ship. PSCO's are not required to test the security system and should only consider those aspects, which arise during the course of their normal business on board.
- .2 check that the International Ship Security Certificate (ISSC) or the Interim ISSC is on board, valid and has been issued by the ship's Administration, a Recognised Security Organisation authorised by it *or by another Contracting Government at the request of the Administration*. Details of which RSO's are authorised by each Administration can be found in the ISPS Code database on the IMO website:
<http://www2.imo.org/ISPSCode/ISPSInformation.aspx>

¹ The Authority designated by the state for the application of security measures. Port State Control Authorities should clearly communicate to PSCO's the identity, and contact details, of the competent security authority for their State

- .3 check that the ship security officer (SSO), designated by the Company, holds a certificate of proficiency for SSO²
- .4 ask the master with which security level the ship is complying and confirm that this is at least the level imposed by the port.
- .5 when checking other documentation ask for evidence that security drills have been carried out at appropriate intervals - at least every 3 months but also after certain crew changes - (ISPS Code Part A section 13 and Part B paragraphs 13.6 and 13.7) *and seek information on any exercise involving the ship.*
- .6 check the records of the last 10 calls at port facilities including any. ship/port or ship/ship interfaces which should include for each interface:
- security level at which ship operated
 - any special or additional security measures that were taken
 - that appropriate ship security measures were maintained during any ship/ship activity

Note. The requirements under regulations XI-2/9.2.3 to keep records of past calls at port facilities commences on 1 July 2004 and only applies to calls on or after that date

- .7 assess whether key members of the ship's personnel are able to communicate effectively with each other

3. Clear grounds

- .1 The PSCO may establish clear grounds during the initial PSC inspection as follows:
- .1 ISSC is not valid or it has expired (ISPS Code Part B para. 4.33.1, ISPS Code Part A section 19)
 - .2 SSO does not hold a valid certificate of proficiency (STCW 78 Regulation VI/5)
 - .3 The ship is at a lower security level than the port (ISPS Code Part B para. 4.33.2, SOLAS74 Ch XI-2 reg 4.3)
 - .4 Drills related to the security of the ship have not been carried out (ISPS Code Part B para. 4.33.4, ISPS Code Part A section 13.4)
 - .5 Records for the last 10 ship/port or ship/ship interfaces are incomplete (ISPS Code Part B para. 4.33.2, SOLAS74 Ch XI-2 reg 9.2.3)
 - .6 Evidence or observation that key members of ship's personnel cannot communicate with each other (ISPS Code Part B para. 4.33.5).
 - .7 Evidence from observations of aspects listed in Annex that serious deficiencies exist in security arrangements (ISPS Code Part B para 4.33.2)
 - .8 Information from third parties such as a report or a complaint concerning security related information (ISPS Code Part B para 4.33.3)

- .9 The ship holds a subsequent, consecutively issued Interim International Ship Security Certificate (ISSC) and in the professional judgement of the PSCO one of the purposes of the ship or Company in requesting such a certificate is to avoid full compliance with SOLAS74 Ch XI-2 and part A of the ISPS Code, beyond the period of the initial Interim Certificate (ISPS Code Part B para 4.33.8). ISPS Code Part A para 19.4.1 and 19.4.2 specify the circumstances when an Interim Certificate may be issued.

.2. If clear grounds as described above are established the PSCO will immediately inform the competent security authority (unless the PSCO is also a Officer Duly Authorised for Security). The competent security authority will then decide on what further control measures are necessary taking into account the security level in accordance with Regulation 9 of SOLAS Ch.XI.

.3 Clear grounds other than those above are a matter for the Officer Duly Authorised for Security and are detailed in ISPS Code Part B paragraph 4.33.

4. Further control measures

.1 If there is no valid International Ship Security Certificate (ISSC) or Interim ISSC onboard the PSCO will detain the ship and apply the detention procedure in Annex I section 9 of the Paris MOU procedures.

.2 All other control measures will be decided by the competent security authority. These are listed in SOLAS74 Ch XI-2 regulation 9 and may include:

- a (more detailed) inspection of the ship (see MSC/Circ.1111 Chapter 5)
- delay of the ship
- detention of the ship
- restrictions of operations including movement within the port
- expulsion of the ship from the port
- additional or alternative lesser administrative or corrective measures.

.3 Subject to national legislation and arrangements the competent security authority may request the PSCO to make further verifications before coming to a decision or until Officers Duly Authorised for Security can board the ship. These verifications should be limited to:

- .1 verifying that a security plan is on board and that a ship security officer (SSO) is onboard.
- .2 verifying that the master and ship's personnel, in particular the SSO, duty officer and person(s) controlling access, are familiar with essential shipboard security procedures.
- .3 verifying that communication has been established between the SSO and the Port Facility Security Officer
- .4 verifying that records exist for maintaining the ship's security system including:
 - internal audits and reviews of security activities

- periodic review of the ship security assessment
- periodic review of the ship security plan
- implementation of any amendments to the ship security plan
- maintenance, calibration and testing of any security equipment provided on board including testing of the ship security alert system

.5 checking records of any:

- security threats
- breaches of security
- changes in security levels
- communications relating to the direct security of the ship

.4 Section 9.8.1 of Part A of the ISPS Code identifies the limitations on access by PSCO to specific sections of the Ship Security Plan. Where the only means to verify or rectify the non compliance is to review the relevant requirements of the ship security plan, limited access to specific sections of the plan relating to the non compliance is exceptionally allowed, but only with the consent of the Contracting Government, or the master, of the ship concerned. These specific sections are listed in the table below:

Areas of Plan which may be inspected with consent of Contracting Government of ship or Master of ship

Area of Plan	ISPS Ref.
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

.5 Provisions of the plan relating to certain confidential information cannot be subject to inspection unless agreed by the Contracting Government concerned. These specific sections are listed in the table below:

Areas of Plan which may be inspected ONLY with consent of Contracting Government of ship

Area of Plan	ISPS Ref.
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

.6 If the competent security takes further control actions, which limit the scope of or prevent the completion of the "safety" port state control inspection the PSCO should liaise with the competent security authority and endeavour to complete the safety inspection when the ship has been cleared. The principle of not unduly delaying a ship still applies. However the fact that security breaches have been found would normally justify the PSCO completing the initial safety inspection or continuing where clear grounds for a more detailed inspection of non-security aspects have been found.

.7 If the competent security authority decides to expel the ship the PSCO should ensure that the competent security authority is made fully aware of the possible safety and/or environmental consequences of the ship leaving the berth and/or putting to sea. This may include risks arising from the interruption of cargo operations. The competent security authority should decide on the necessary action taking account of all risks.

.8 An expulsion would not mean that safety deficiencies were rectified. The inspection should be entered into THETIS with a ship related action "expelled on security grounds". The final action taken for any outstanding deficiencies should be recorded as "rectify at next port" and the next port informed if it is known and in the Paris MOU. If not the final action taken should be recorded as "rectify before departure" and the following ship related message added:

- "Ship expelled on security grounds- outstanding non-security deficiencies".

.9 If a ship is detained on non-security grounds but then expelled before the ship is finally released, the detention will count towards a ban under the MOU.

5. Reports and input to the Information system

.1 Any security deficiencies found by the PSCO should be recorded on the Report of Inspection issued by the PSCO using the following codes ONLY:

Defective Item	Nature of defect	Item code
International Ship Security Certificate	missing, invalid, expired, entries missing, not properly filled	01122
Certificate for Ship security officer	missing, invalid, expired, not as required, entries missing, not revalidated	01217
Ship security alert system	not as required	16102
Ship security plan	not as required	16103
Ship security officer	not as required	16104
Access control to ship	not as required	16105
Security drills	not as required	16106
Other (maritime security)	not as required	16199

.2 The PSCO should explain the defect in the additional comments field on the Report of Inspection and in the Information system.

.3 If the competent security authority is informed the action taken "competent security authority informed" should be recorded against each relevant deficiency.

.4 Deficiencies relating to certification/qualification of ship security officer should be recorded e.g. the SSO does not hold appropriate certificate or qualification as required by STCW. Deficiencies concerning functioning of SSO should be recorded e.g. there is no SSO onboard or the SSO fails to carry out its duty

Annex

Security Aspects at Initial Inspection

As a guide the PSCO should take note of the following security aspects during the initial inspection, taking into account the security level imposed by the ship and the port:

Note: Non-compliance with one or more particular aspects may not necessarily constitute a failure to comply with mandatory requirements of Chapter XI-2 or Part A of the ISPS Code.

1. ACCESS TO SHIP WHEN IN PORT

Ships at Security Level 1

Ramps, walkways or any access points to a vessel should be controlled.

- .1 Is there some form of control on the walkways or access points to the vessel? (ISPS Code Part A, section 7.2.2)
- .2 Is it noticeable that the ship has controls in place as you approach it? (ISPS Code Part A, section 7.2.4)
- .3 Is the identity of all persons seeking to board the ship checked? (ISPS Code Part A, section 7.2.4 and Part B, section 9.14.1)

Additionally for passenger ships control at Security Level 1

- .4 In liaison with port facility have designated secure areas been established for searching? (ISPS Code Part B, section 9.14.2)
- .5 Are checked persons and their personal effects segregated from unchecked persons and their effects? (ISPS Code Part B, section 9.14.4)
- .6 Are embarking passengers segregated from disembarking passengers? (ISPS Code Part B, section 9.14.5)
- .7 Has access been secured to unattended spaces adjoining areas to which passengers and visitors have access? (ISPS Code Part B, section 9.14.7)

Ships at Security Level 2

- .8 Has the number of access points been limited? (ISPS Code Part B, section 9.16.2)
- .9 Have steps been taken to deter waterside access to the ship, *which may be implemented in conjunction with the port facility?* (ISPS Code Part B, section 9.16.3)
- .10 Has a restricted area on the shore-side of the ship been established, *which may be implemented in conjunction with the port facility?* (ISPS Code Part B, section 9.16.4)
- .11 Are visitors escorted on the ship? (ISPS Code Part B, section 9.16.6)
- .12 Can the master confirm that full or partial searches of the ship have been carried out? (ISPS Code Part B, section 9.16.8)
- .13 Can the master confirm that an additional security briefing has been carried out? (ISPS Code Part B paragraph 9.16.7)

2. ACCESS TO BRIDGE, ENGINE ROOM AND OTHER SENSITIVE AREAS:

Ships at Security Level 1

- .1 Is the bridge and engine room capable of being locked or secured? (ISPS Code Part B, section 9.21.1)
- .2 Is the bridge and engine room locked or is access otherwise controlled (e.g. by being manned or using surveillance equipment to monitor the areas)? (ISPS Code Part B, section 9.22.2)
- .3 Are doors to sensitive areas locked (steering gear, machinery spaces, air conditioning plants, etc)? (ISPS Code Part B, sections 9.21.1 -9)

Additionally for passenger ships at Security Level 1:

- .4 Are Restricted Areas marked? (ISPS Code Part B, section 9.20)

Additionally for passenger ships at Security Level 2:

- .5 Have Restricted Areas been established adjacent to access points in order to avoid a large number of persons congregating in those areas? (ISPS Code Part B, section 9.23.1)

3. MONITORING THE SECURITY OF THE SHIP:

Ships at Security Level 1

- .1 Is it noticeable that there are deck watches in place during your inspection or that guards or security patrols are being undertaken in the locality of the vessel or that surveillance equipment is being used to monitor the areas? Security watches provided by shore services are acceptable (ISPS Code Part B, sections 9.22.2 and 3)
- .2 Do the deck watches take account of both landward and seaward approaches? (ISPS Code Part B, section 9.46.1 and 2)

Ships at Security Level 2

- .3 If surveillance equipment is being used is it being monitored at frequent intervals? (ISPS Code Part B, section 9.23, 9.47.2)
- .4 Are there additional personnel dedicated to guard and patrol restricted areas in place? (ISPS Code Part B, section 9.16.1, 9.47.3)

4. CHECKS AND SEARCHES OF SHIPS' STORES AND PROVISIONS (if these aspects are observable while on board)

Ships at Security Level 1

- .1 Are ships stores being checked before being loaded for signs that they have been tampered or interfered with? (ISPS Code Part B, section 9.33.3)
- .2 Are checks made to ensure stores match the order prior to being loaded (ISPS Code Part B, section 9.35.1)
- .3 Are stores securely stored once loaded (ISPS Code Part B, section 9.35.2)