

**Highlights of the Federal Register**  
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**Maritime Security**

This is the Interim Rule published by the USCG. A Public Hearing on this Interim Rule is scheduled for 23 July, 2003 in Washington, D.C. The final Rule will go into effect 25 November, 2003 and will go into the new Subchapter "H" of the 33 CFR. ABS, on behalf of the IACS Working Group on Maritime Security, will make an intervention at the Public Hearing to clarify many practical points associated with the Rule.

USCG intends to implement an aggressive PSC to enforce these regulations. This will also include performance tracking of owners, operators, flag administrations, RSO's, charterers and port facilities. The USCG will scrutinize administrations selection of RSO's to ensure these organisations meet the requirements of the ISPS Code.

**Application of the Rule:**

The rule has implications for the following:

MODUs

Passenger ships

All other ships trading commercially greater than 100 gross tons, except fishing vessels

Non-SOLAS, non US Flag ships trading commercially greater than 100 gross tons

Barges subject to 46 CFR

Tankships

Towing vessels greater than 8 meters engaged in towing barges subject to this Rule.

**Requirements and implications for US Flag Ships only**

- 1 All Ship Security Assessments (SSA) and Ship Security Plans (SSP) must be submitted to the USCG no later than 30 December, 2003.
- 2 The USCG has developed an Alternative Security Program. This program allows industry groups to submit a template plan for USCG approval. Typical groups submitting security plans via this program are AWO, IADC and Great Lake Carriers Association. These plans will only be approved if they meet the requirements of Chapter H and 33 CFR parts 120-128. Acceptance of this program resides at the Commandant level.
- 3 The Company Security Officer (CSO) is to be designated in writing and may be a full time or a collateral position. CSOs may also be the Ship Security Officer (SSO). The CSO is to ensure consistency between security requirements and safety requirements within the SSP. The SSP must identify how the CSO and SSO may be contacted at any time.
- 4 The SSO is to be designated in writing for each vessel, must be a member of the crew and be licensed.

- 5 Training requirements for the CSO, SSO and crew members in maritime security must be specified in the SSP. USCG has not mandated what the standard is for formal training as they are waiting for the adoption by STW of the requirement for security training. USCG does however require that all ship personnel receive some training in security issues, emergency procedures, recognition and detection of dangerous substances and devices, profiling and some basic security techniques.
- 6 Drills are to be conducted at least once every 3 months. Exercises involving the company are to be carried out annually but at periods not to exceed 18 months. Drills must be conducted within one week if 25% of the crew has been changed out. If the ship has been laid up, a security drill must take place within one week of reactivation
- 7 Ship security records are to be maintained for two (2) years. Records are to maintained of:
  - Security drills and exercises
  - security incidents
  - changes in security levels
  - calibration and testing of security equipment
  - security threats
  - Declarations of Security (DOS)
  - internal annual security audits.
- 8 Restricted areas defined in the SSP must include:
  - navigation bridge
  - security/surveillance equipment space
  - ventilation systems
  - potable water spaces
  - spaces containing dangerous goods or substances
  - ships storerooms
  - crew quarters
  - machinery spaces

It must be determined who is allowed to have access to these spaces. All areas that are restricted areas must be marked.
- 9 A DOS may run continuous for ships which call the same port on a repeat basis. The DOS must be kept on file for the last 10 port calls.
- 10 The SSA must be reviewed and updated each time the SSP is revised. The USCG strongly supports the use of third party assessments and audits to ensure quality and consistency.
- 11 The SSP is to be submitted for re-approval every five (5) years. The SSP is to be written in English. A single SSP may be allowed for a fleet of ships, so long as they share the same characteristics and operations. Sections of the SSP not written in English will be reviewed by Port State Control. The USCG will review a SSP every time amendments are made. Proposed amendments are to be submitted 30 days prior to them taking effect. USCG suggest that SSP sections are listed in a particular sequence. For verification of the SSP by the USCG, the company must request the verification thirty (30) days prior to the desired date.

- 12 The CSO and SSO must conduct annual audits of the SSP.
- 13 The Ship Security Alert System (SSAS) is only required initially on SOLAS ships. Ships on domestic trade may use alternate methods for alerting authorities; code words in routine radio traffic or pre-designated call word.
- 14 A Continuous Synopsis Record (CSR) will not be required to be maintained on ships trading domestically.
- 15 Seafarers Identification criteria is desired, but the intent is to await the outcome of the June 2003 ILO conference before developing USCG requirements in this regard.

### **Requirements and implications for all other Flag Ships**

- 16 Ships which have a valid ISSC will be deemed to be in compliance with the ISPS Code if the SSP meets the requirements of the ISPS Code Part A *and relevant sections of Part B*. USCG will expect the ISSC (or an addendum to the ISSC) to indicate this. **It is not required that such ships submit SSPs to the USCG for approval.**
- 17 Ships coming from non-signatory Administrations will be required to submit their SSP for review and will be subject to PSC boardings.
- 18 In certain cases companies may be required to submit SSPs to the USCG for approval. These are vessels that fall outside of the tonnage or route thresholds of SOLAS.

### **Requirements concerning Ports**

- 19 The current MARSEC level is to be met prior to a ship entering into the port. If the MARSEC level is raised whilst the ship is in the port, the Captain of the Port (COTP) is to be notified when the vessel is in compliance. MARSEC directives will be issued under the authority of the COTP. Table 5 demonstrates the relationship between SOLAS Security Levels, MARSEC levels and the Homeland Security color scheme.
- 20 It is required that Contracting Governments ensure compliance for their port facilities. The USA will verify the compliance of these facilities with the requirements of the ISPS Code. Ships calling at ports that do not meet the requirements of the ISPS Code may be subject to control and compliance measures, even if they have an approved SSP and a valid ISSC.

*Note: In this document the USCG term "vessel" has been replaced with "ship" in line with IMO terminology. The meaning is unchanged.*