

**Minutes of the 1<sup>st</sup> Port Area Security Advisory Committee**  
**Meeting held at 0930 hours on 3 July 2003**

**Present:**

Mr. Roger Tupper	Chairman
Mr. H P Liu	Vice Chairman
Mr. T C Sin	Marine Department
Mr. K M Fung	Marine Department
Mr. K L Lee	Marine Department
Mr. W H Wong	Marine Department
Mr. Peter K Y Wong	Marine Department
Mr. A J Watson	Hong Kong Police
Mr. C J Wilson	Hong Kong Police
Mr. F H Fong	Customs & Excise Department
Mr. K C Kwok	Customs & Excise Department
Mr. Frank Lam	CLP Power Hong Kong Ltd
Mr. Eddy Y K Ma	Hong Kong International Terminal
Mr. Reuben Chung	ExxonMobil Hong Kong Ltd.
Mr. Alex Choi	ExxonMobil Hong Kong Ltd.
Mr. S P Wong	River Trade Terminal Co. Ltd.
Mr. David Yip	Harbour City Estates Ltd
Mr. K W Kwan	Harbour City Estates Ltd
Mr. Chris Pooley	Hong Kong United Dockyard Ltd.
Mr. Neil M D Russell	Hong Kong Shipping Association
Mr. Roger Yeo	Hong Kong Petrochemical Co. Ltd.
Mr. K C Li	AFSC Operations Ltd.
Mr. Anthony K M Tam	The HK China Gas Co. Ltd.
Mr. IP Kwok Wah	Shiu Wing Steel Ltd.
Mr. K K Lau	Secretary

**In attendance:**

Mr. S Y Tsui	Director of Marine
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**1. Open of Meeting**

- 1.1 The Chairman welcomed all participants to the first meeting of the Port Area Security Advisory Committee (PASAC). He said that the Committee was responsible for advising the Government on all matters in connection with the implementation of the International Ship & Port Facility Security (ISPS) Code adopted by the International Maritime Organization (IMO) at a Diplomatic Conference held in December 2002.
- 1.2 Since this was the inception meeting, the Chairman said the foremost issues to be dealt with included committee representation and the terms of reference.

## **2. Items to be discussed**

### Committee Representation

- 2.1 The Chairman said the membership of the Committee would be made up by a wide range of port facility groups and each group would be expected to nominate one representative to sit on the Committee. The proposed make-up of the PASAC was as follows:

#### Bulk Industry

- 2.1.1 Currently, Mr. Sam Rose was the representative of three companies (CLP Power, Hongkong Electric Co. Ltd., and Green Island Cement Co. Ltd.) on the Pilotage Advisory Committee. Considering the nature of cargo handled by Shiu Wing Steel Ltd., the Chairman opined that whoever represented the bulk industry would also represent the latter company subject to agreement between the operators. In this regard, Mr. Frank Lam said that his industry would need to deliberate this matter before making any decision.

#### Container Industry

- 2.1.2 This facility group was composed of five container terminal operators (namely, Hongkong International Terminals,

Modern Terminals Limited, COSCO-HIT Terminals, CSX World Terminals Hong Kong and Asia Container Terminals). The Chairman said that the operators would be expected to appoint one representative to the PASAC.

#### Cruise Industry

- 2.1.3 Given that at present the only cruise ship facility in Hong Kong was the Ocean Terminal managed by the Harbour City, the Chairman said that the company would represent itself on the PASAC.

#### Oil Industry

- 2.1.4 Currently, Mr. Reuben Chung was appointed by the Oil Industry Representative Committee (formed by ExxonMobil, CRC, Caltex and Shell) to the Port Operations Committee. As for HK Petrochemical, Towngas and AFSC Operations Ltd, they were neither represented by OIRC nor any constituent body. In order to ensure that the representation on the PASAC was well balanced and representative of the port community, the Chairman suggested that only one representative be jointly nominated by these seven oil companies to the PASAC subject to agreement of the operators.

#### Ship Repair Industry

- 2.1.5 This facility group would consist of two companies, namely Hongkong United Dockyards and Yiu Lian Dockyards. As with other facility groups, they would be expected to nominate one representative to the PASAC.
- 2.1.6 In response to Mr. Chris Pooley's query, the Chairman said that this facility group would not include the towage industry; however, issues related to this sector would be addressed by a separate group set up under the Marine Department to deal with ship security.

### River-Trade Terminal (RTT)

- 2.1.7 Because of its specific type of operations, the Chairman said that RTT would represent itself on the Committee.

### Hong Kong Liner Shipping Association (HKLSA)

- 2.1.7 The Chairman said the HKLSA would also be a member of the Committee representing the interests of port users.

## Proposed Mechanism for Implementing the ISPS Code

- 2.2 The Chairman invited Mr. W H Wong to brief participants on the proposed mechanism for implementing the ISPS Code.
- 2.3 Mr. W H Wong said that the Marine Department had recently been appointed as the Designate Authority (DA) to implement the ISPS Code. To discharge its obligations, three functional bodies under the DA would be established. They were:

### Administrative, Port

- 2.3.1 This body would be responsible for the administration of matters related to port security under the ISPS Code. Its functions ranged from assessing port facility security assessments and port facility security plans to providing secretarial/technical support to the PASAC.
- 2.3.2 Within the same set-up, an interdepartmental working group (entitled Port Facility Security Working Group) would be established, involving the Hong Kong Police. It would serve as an executive arm of the DA in discharging the port security requirements enshrined in the ISPS Code.

### Administrative, Ship

- 2.3.3 Administrative, Ship would be responsible for the administration of matters related to the security of vessels flying the flag of the HKSAR.

### Operations Arm

- 2.3.4 The main responsibilities of Operations Arm included overseeing the daily implementation of security measures, coordinating government's response to security threats/incidents and conducting drills and exercises on port security.
- 2.4 Mr. S Y Tsui emphasized that the primary focus of the PASAC was on port security instead of ship security; but matters related to ship-port interface would be covered.
- 2.5 The Chairman said that the duties of the Operations Arm would be taken up by the Vessel Traffic Centre, which was responsible for handling maritime emergencies on a 24-hour basis. As far as the legislation was concerned, the Administrative, Ship would be responsible for enacting the ISPS Code into Hong Kong law.
- 2.6 Mr. Frank Lam asked what would be the specific security requirements for chartered ships calling at Hong Kong. In response, the Chairman said that all vessels engaged on international voyages were required to comply with the requirements enshrined in the ISPS Code. Nevertheless, operators might wish to put in a special term or condition in the charter party to ensure that vessels they hired were in full compliance with the ISPS Code.
- 2.7 Mr. Reuben Chung asked whether there would be any specific security requirement for local oil barges. The Chairman said that the ISPS Code was generally applied to ships engaged on international voyages and did not prescribe any security requirement for local vessels; however, berthing of local vessels to port facilities and to ships engaged on international voyages would be covered by port facility security plans and ship security plans. Mr. S Y Tsui said that if certain risks were of particular concern to operators, they could address them in their security assessments.

## Terms of Reference (TOR)

- 2.8 Mr. A Watson asked whether ship-to-ship interface should be included in addition to ship-port interface. In response, the Chairman said that the Marine Department would be responsible for the security of those facilities (i.e. buoys and anchorages) at which ship-to-ship transfer activities normally took place and that this issue would be looked into and duly addressed in collaboration with the Police when conducting the security assessments and developing the security plans for those facilities.
- 2.9 In the light of Mr. A Watson's comment, the TOR was so amended to include the matter of ship-to-ship interface and was endorsed by the meeting.

## Port Facility Security Assessment

- 2.10 Being appointed as the Chairman of the Port Facility Security Working Group (PFSWG), Mr. K M Fung said that his task force would be entrusted with the responsibility of assisting port facility operators to carry out their own security assessments and prepare security plans for DA's approval.
- 2.11 Mr. K M Fung said that the approval procedure would involve the following steps:
- (i) Each of the port facility operators was required to undertake a port facility security assessment (PFSA) in accordance with the guidelines set out in the ISPS Code;
  - (ii) Upon completion of the PFSA, the operator should submit it to the PFSWG for evaluation and vetting.
  - (iii) If the PFSA was in compliance with the required standards, it would be recommended to DA for approval;
  - (iv) Upon satisfactory completion of (iii), the operator should

prepare a port facility security plan (PFSP) based on the PFSA results and submit it to PFSWG for evaluation and vetting;

- (v) If the PFSP was in compliance with the ISPS requirements, it would be recommended to DA for approval; and
- (vi) Upon satisfactory completion of (v), DA would issue a letter to compliant operators confirming their compliance with the ISPS Code.

2.12 The Chairman advised that the Government had established October as the deadline by which all port facility operators were expected to submit their individual assessments to DA for vetting and approval.

2.13 Mr. C J Wilson asked whether it would be appropriate to include the Customs & Excise Department (C&ED) in the PFSWG given their permanent presence within the Kwai Chung container port. In response, the Chairman said that, he had not problem with widening the membership of PFSWG to include C&ED, which had played an important role in implementing the US's Container Security Initiative.

2.14 Mr. Neil Russell asked how frequent would the PASAC be meeting. The Chairman envisaged that the PASAC would need to meet more frequently during the early implementation stage. According to the current implementation timeframe, he said that there was a need for PASAC to meet again in late August and October 2003 to finalize the matter of committee representation and port facility security assessments respectively.

2.15 Mr. David Yip asked whether the Government would provide the operators with a list of Recognized Security Organizations (RSO) who might be entrusted with the task of carrying out a security assessment. The Chairman said that it was considered not appropriate for the Government to recommend individual security consultants or provide a list of RSO for the purpose of carrying out a security assessment. He said that it would be at the discretion of port facility operators as to whether they would like to carry out the

required assessments by their own security teams or seek expert assistance to meet the requirement. Noting that some Classification Societies were currently providing consultancy services in this area, Mr. S Y Tsui advised that interested operators might wish to approach them directly for information and assistance.

2.16 In response to the Chairman's enquiry, Mr. A Watson said that the Crime Prevention Bureau (CPB) did maintain a list of security companies that were duly licensed in accordance with the Security and Guarding Services Ordinance. If necessary, port facility operators could approach the CPB to check what companies were on the list. In response to Mr. Chris Pooley's request, Mr. A Watson undertook to find out whether the list could be circulated to attendees for the purpose of carrying out the security assessments.

2.17 Mr. Chris Pooley asked what criteria would be used by the Government to evaluate the effectiveness of a port facility security assessment. The Chairman said the conduct of security assessments would be governed by relevant standards and requirements as set out in the relevant provisions of the ISPS Code. He added that port facility operators were expected to maintain close liaison with the PFSWG while carrying out their security assessments and drawing up the security plans. Mr. K M Fung supplemented that MD was in the final stage of preparing the guidance for conducting a port facility security assessment; it would be forwarded to the port facility operators upon endorsement of the PFSWG.

2.18 At the request of Mr. Chris Pooley, Mr. K M Fung undertook to draw up a list of contact points for anyone who might have queries or wish to get hold of more information on the area of port security.

### **3. Any Other Business**

3.1 No other business was raised and the meeting was adjourned at 1130 hours.



#### **4. Date of the Next Meeting**

4.1 The date of the next meeting would be advised in due course.