

**Minutes of the 4<sup>th</sup> Port Area Security Advisory Committee**  
**Meeting held at 1000 hours on 13 May 2004**

**Present:**

Mr. Roger Tupper	Chairman
Mr. H P Liu	Vice Chairman
Mr. Eddy Ma	Container Terminal Operators
Mr. Gilbert Leung	River Trade Terminal Co. Ltd.
Mr. Anthony Tam	Oil Industry – Non OIRC members
Mr. David Yip	Passenger Terminal – Ocean Terminal
Mr. Phileas Fong	Hong Kong United Dockyard Ltd.
Mr. K T Ip	Yiu Lian Dockyard
Mr. Neil M D Russell	Hong Kong Liner Shipping Association
Miss Jessie Chung (on behalf of Mr. Henry Lee)	HKCTO Association
Mr. Edmund Lau	Bulk Industry – CLP
Mr. T C Sin	Marine Department
Mr. K L Lee	Marine Department
Mr. K M Fung	Marine Department
Mr. Raymond Chung	Marine Department
Mr. Peter K Y Wong	Marine Department
Mr. Percy Fung	Hong Kong Police
Mr. T. C. Poon	Hong Kong Police
Mr. K K Lau	Secretary

**Absent with apology:**

Mr. C. M. Ku	Oil Industry – OIRC members
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**In attendance:**

Mr. Joe Lau	Bulk Industry – CLP
Mr. Gordon Lamb	Bulk Industry – CLP

## **1. Open of Meeting**

- 1.1 The Chairman welcomed all participants to the fourth meeting of the Port Area Security Advisory Committee (PASAC), specifically to Miss Jessie Chung, Mr. Gilbert Leung, Mr. Percy Fung, Mr. T.C. Poon who attended the meeting for the first time. The Chairman also introduced Mr. Raymond Chung who would replace Mr. K. M. Fung.

## **2 Amendment to PASAC Membership List and TOR**

- 2.1 The chairman proposed to amend the TOR adding “to monitor the application of ISPS Code after 1 July 2004” at the end of the section. Given Port Security was an on-going work after its implementation. The proposed amendment was agreed.
- 2.2 The revised Membership List to reflect changes of representatives was endorsed by the meeting.

## **3 Confirmation of the Minutes of Last Meeting**

- 3.1 No written comment on the minutes of last meeting was received. The minutes were confirmed.

## **4 Items Discussed**

### PASAC Paper No. 01/04

- 4.1 The Chairman invited Mr. Jacky Wong to report to the committee the progress of implementing the ISPS Code. Mr. Wong reported: -

4.1.1 As of early May 2004, Marine Department (MD) received 26 Port Facility Security Plans and among which 22 were approved. The remaining 4 were being reviewed and evaluated by the PFSWG. There were 5 facilities yet to submit their security plans and they are encouraged to do so.

4.1.2 The Chairman congratulated those who had their plans approved and said that their information would be put uploaded to IMO’s website to indicate their compliance. He hoped all facility operators had found the process of working with the Port Facility Security Working Group (PFSWG), a friendly one. After 1 July 2004 the PFSWG would continue their works and the operators may contact the PFSWG anytime if they had any difficulty.

4.1.3 On the progress of the new legislation, the Legislative Council had form a Bill Committee to expedite vetting of the Bill. The Bill had been accorded with top priority and hopefully, it should be completed in the week commencing on 24 May.

*Post meeting note: the Merchant Shipping (Security of Ships and Port Facility) Ordinance and Rules were enacted on 25 and 29 June 2004 respectively.*

4.1.4 To promote awareness on maritime security and the requirements of the ISPS Code, MD had conducted briefing sessions for members of the mid-stream industry in early 2004; MD will follow the planned PR strategy to promote the ISPS Code.

#### PASC Paper No. 02/04

4.2 The Chairman invited Mr. K. L. Lee to report the implementation of the ISPS Code on Hong Kong Registered Ships. Mr. Lee reported: -

4.2.1 At the end of April, MD had formally authorized 6 Classification Societies as Recognized Security Organization (RSO) to approve Ship Security Plans (SSP) and issue International Ship Security Certificate (ISSC) to Hong Kong registered ships on behalf of the Designated authority. Two other Classification Societies, GL and KR, were granted provisional authorization, their formal authorization were pending for confirmation of their performance in conducting shipboard verifications.

4.2.2 551 out of the 741 Hong Kong Registered Ocean-going Vessels had submitted their security plans and among which 509 plans had been approved. 186 shipboard verifications were conducted and at the end of April, 182 ships were issued with ISSC. About one third of the plans were still pending for shipboard verifications. The delay was due to insufficient qualified RSOs to carry out the verification works because many flag States were also using the same group of classification societies. To this, MD was considering including the Italian Society, RINA, as a RSO so as to speed up the process. As an alternative measure, the shipowner of a ship with its security plan approved by the RSO may request MD auditors to conduct the shipboard verification. Upon satisfactorily completion of the verification, MD would issue the ISSC to the ship.

#### ISPS Compliance

4.2.3 The Chairman advised members that according to the progress report mentioned above, there might be a situation that a considerable number of ships might not have certificate by 1 July. This information had been conveyed to the IMO and IMO would look into the matter. Hong Kong would follow IMO's decision and guidelines on this particular issue.

4.2.4 Before any outcome from IMO, different administrations would have different views and approaches. Some might take stronger approach like United State & Japan whilst the Pacific nations and some European countries would take a common approach as laid down by the Tokyo or the Paris MOU.

4.2.5 Mr. K L Lee supplemented that there could be 2 possible ways out:

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1.) not to detain ships just because of the certification requirement within a certain period;

2.) use of interim certification to cover those ships, which had already had an approved ship security plan and were implementing the plan onboard. But just unable to get an auditor to carry out the shipboard verification.

3.) HK preferred the use of interim certificate as it was considered as a reasonable process.

#### PASAC paper 3/04

4.3 The Chairman invited Mr. Jacky Wong to brief the Committee on the ISPS Requirements for Entry of Ships on and after 1 July 2004. Mr. Wong said: -

4.3.1 A ship intending to call at Hong Kong or for transiting Hong Kong waters for Mainland Ports in the Pearl River Delta would need to submit additional security information to the Vessel Traffic Center (VTC) together with their Pre-arrival Notification (PAN) 24 hours before entering into Hong Kong waters. The Chairman supplemented that if the Port Security Level went up to Level 2 or Level 3, MD might require longer advance notification.

4.3.2 All foreign ships within Hong Kong waters would subject to Port State Control inspection to ensure their compliance with all the international convention requirements. Non-compliant ships would face delay or detention.

4.3.3 The Chairman supplemented that a non-compliant ship might not be denied port entry or expelled unless there were clear grounds to believe the ship would pose immediate security threat. If operators accepted these ships to operate at their facilities, they were reminded to sign a DoS with the ship.

4.3.4 In response to an enquiry about the access arrangement to/from a port facility, the Chairman said that in order to make things proceeded smoothly ships' agents were advised to make prior arrangement with the facility security officer. For local people, the Hong Kong ID card would be a good identification document whilst a passport would be appropriate for people coming from abroad, such as surveyors & lawyers. The Chairman further pointed out that some oil facilities might not permit this type of access at all. So, it would be beneficial for anyone to make prior communication with the facility's security officer to understand any specific requirements of the facility.

4.3.5 In response to the question on the rationale for uploading the information of PFSO to Internet, Mr. Fung (MD) explained that the information was required by IMO. The information was limited to the name of the PFSO and his/her contact telephone and fax number. Mr. K L Lee supplemented that IMO required to have a contact point, with somebody who would responsible for the facility to answer any security related matter. Before a ship arriving at the port facility, there would be a lot of enquires such as if the facility were having an individual security level, how was the arrangement for DoS and with who in respect of signing it etc. MD also wished to put these information on the Maritime Security website to facilitate enquiry by the shipping industry. Since a person's name was protected by privacy ordinance in Hong Kong, it would be necessary to obtain operators' agreement before MD could make use of it.

## **5 Any Other Business**

- 5.1 The Chairman advised members about the access arrangement of Pilots to port facilities. In addition to the pilots' own personal ID, they also bear a Pilot ID Card issued by MD. The Chairman suggested operators to brief their security patrols/guards on this issue.

## **6 Date of Next Meeting**

The Chairman suggested reserving 8 July 2004 for the next meeting in case of any post implementation issue. Members will be advised of the date of the next meeting.

## 7 **Close of Meeting**

The meeting was adjourned at 1100 hours.