

Minutes of the 6th Port Area Security Advisory Committee
Meeting held at 1430 hours on 27 January 2005

Present:

Mr. Roger TUPPER	Chairman
Mr. H P LIU	Vice Chairman
Mr. Paul HO (on behalf of Mr. Eddy MA)	Container Terminal Operators
Mr. Leo KUNG (replacing Mr. Gilbert LEUNG)	River Trade Terminal Co. Ltd.
Mr. C. M. KU	Oil Industry – OIRC members
Mr. Ian TANG	Oil Industry – Non OIRC members
Miss Yen T. LENG (replacing Mr. David YIP)	Passenger Terminal – Ocean Terminal
Mr. Andrew CHAN (replacing Mr. Phileas FONG)	Hong Kong United Dockyard Ltd.
Mr. K T IP	Yiu Lian Dockyard
Miss Catherine CHOW (on behalf of Mr. Henry LEE)	HKCTO Association
Mr. H K LEUNG	Marine Department
Mr. S M CHUNG	Marine Department
Mr. L Y BUTT	Marine Department
Mr. W H 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. Edmund LAU	Bulk Industry – CLP
Mr. Neil RUSSELL	Hong Kong Liner Shipping Association

In attendance:

Mr. Rod COLSON	Hong Kong Police
Mr. Peter ELLIS	Mainers' Club
Mr. K Y TING	Hong Kong Seamen's Union
Mr. Terence SIT	Hong Kong Liners Association
Capt. Y C YU	Merchant Navy Officers' Guild

1. Open of Meeting

- 1.1 The Chairman welcomed all participants to the sixth meeting of the Port Area Security Advisory Committee (PASAC), specifically to Miss Catherine CHOW, Miss Yen T LENG, Mr. Leo KUNG, Mr. Andrew CHAN, Mr. Rod COLSON, Mr. Peter ELLIS, Mr. K Y TING, Mr. Terence SIT and Capt. Y C YU who attended the meeting for the first time. The Chairman also introduced Mr. L Y BUTT and Mr. H K LEUNG who replaced Mr. T C SIN and Mr. K L LEE respectively.

2 Confirmation of the Minutes of Last Meeting

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

3 Items Discussed

3.1 PASAC Paper No. 01/05

3.1.1 The Chairman said that whilst pilots and ship surveyors had no difficulties following agreed procedures to enter port facilities for boarding ships, seafarer's welfare representatives have not had the same success. According to IMO's Maritime Safety Committee's (MSC) 'Guidance relating to the implementation of SOLAS chapter XI-2 and the ISPS Code' attached to the MSC/Circ.1132 issued on 14 December 2004, though the control of access by shore-based personnel to ships is regulated under the PFSP, every effort should be made to facilitate such access unless there are specific security-related reasons specified in the PFSP for not doing so. For this reason, representatives from the Sailors Home and Mission to Seamen, Seamen's Union and Merchant Navy Officers' Guild had been invited to the meeting to discuss the issue.

3.1.2 The difficulties expressed by the seafarers' welfare representatives are summarized as follows: -

- i) some terminal operators would not allow any shore-based personnel to access vessel(s) through their facilities and boarding would have to be made on the ship's seaward side;
- ii) some terminals would allow access to ship through the facility, but required application via ship's agent each time;
- iii) it appeared that some ships agents tended to refuse welfare/union

representatives to board their vessels and restricted crewmembers' shore leave;

- iv) it was observed that ship masters were generally quite willing to receive welfare/union representatives when the vessels were at anchor as the requests were made directly to them.

3.1.3 Mr. Terrence SIT explained that ships' agents had to seek the shipping companies agreement in arranging personnel to board the vessels. Mr. Paul HO said that container terminal operators would facilitate access on instruction of shipping lines and/or agents.

3.1.4 The Chairman stated that one of the primary aims of the ISPS Code was to prevent movement of unwanted personnel and material into a terminal and on to a ship. When in port ships were required to exercise access control to check/stop visitors according to the ship owner's security policy and instructions. He further pointed out that if ship owners refused any non-essential personnel to board their vessels, the terminal operator had to follow.

3.1.5 The Chairman went on to say that the ISPS Code should not be used as a tool to deny ships crews access to spiritual or welfare support from ashore nor to restrict contact between crews and their bone fide union representatives. The solution would seem to lay in ensuring that the crew be given the opportunity to go ashore or if the ship was only in port a short time then procedures should be made to enable access to the ship for the welfare/union representatives.

3.1.6 It was agreed in the meeting that: -

- i) MD would set up a meeting with the shipping lines to agree on some co-operative agreement such that seafarers' welfare matters could be taken care whilst the requirements of the Code would not be compromised.
- ii) The facility operators should review their facility security plans according to the MSC/Circ.1132 and propose amendments to the plans for approval by the DA where appropriate.

4 **Items for Members Information**

4.1 **Update on ISPS Code implementation on vessels visiting Hong Kong**

4.1.1 Mr. H. K. LEUNG reported that since the enforcement of ISPS Code and up to the end of January 2005, MD surveyors had inspected 386 ships and among which 22 were detained. The major detainable items related to maritime security were: -

- i) absence of an International Ship Security Certificate (ISSC) on

- board;
- ii) no control of access to ships for unauthorized personnel; and
- iii) failed to record security drills.

4.2 Enhancement of Security in Hong Kong Waters

4.2.1 Mr. Rod COLSON of the Police introduced the Versatile Maritime Policing Response system to the members. After the briefing members expressed their support for the new strategy. Mr. COLSON encouraged the members to advise their industry colleagues of the Versatile Maritime Policing Response (VMPR) system and to contact him if they had any other questions.

4.3 PASAC paper 2/05

4.3.1 Mr. W H WONG briefed members on the criteria for 2005 Port Facility Security Audits. He said that the audit programme would commence in mid-February 2005. Each audit would cover aspects of documentations, access control, ship/port interface and awareness.

4.3.2 In response to Mr. Paul HO's enquiry on the composition of the audit team, Mr. S M Chung said that it would depend on the areas to be audited and type of trade of the port facility. The team would comprise of the members of the Port Security Working Group. Mr. WONG supplemented that in the first few audits a larger size audit team could be expected as the auditors need to gain experience.

4.3.3 Miss Catherine CHOW asked and Mr. WONG replied that the audits for the 23 port facilities had been scheduled to complete by the end of 2005.

4.3.4 Mr. C M KU asked whether the findings would be let known to the members for experience sharing, Mr. S M CHUNG replied that the audits would be processed on a one-to-one basis and the result would not be disclosed to a third party. It would be the facility operators' own discretion on sharing their audit results with others.

4.4 PASAC Paper No. 3/05

4.4.1 Mr. W H WONG introduced the IMO's interim guidance and the voluntary self-assessment tool for port facility security. The interim guidance

and the assessment tool provided a method of self-assessing the effectiveness with which a SOLAS Contracting Government fulfilled, and continues to fulfill, its obligations in respect of port facility security; and a tool to allow port facilities to self-assess the continuing effectiveness of their port facility security plans and the implementation of the relevant security measures in such plans. The tool was not mandatory therefore it would not be necessary for facility operators to submit their results to the DA. They should treat the results as a confidential document and protect it from being disclosed.

4.4.2 In response to Mr. KU's enquiry on what benefit could facility operators expect from these tools, Mr. WONG replied that by conducting the assessment periodically, facility operators could monitor their continuing compliance with the ISPS Code and whether their facility security plans had covered all areas specified in the Code. As facility security plans differed from facility to facility and similarly the interpretation of the Code might vary among operators, the tools provide a general reference for monitoring and assessment of port facility security. Further more, by going through the questionnaire, operators could have better understanding of the Code.

5 Any Other Business

5.1 Maritime Security Exercise

5.1.1 Mr. Percy FUNG, informed members that the Police was planning a major maritime security exercise to be held in May/June 2005. The main purposes were to test the internal readiness and responses of various Police units and to test multi-agency co-ordination and cooperation in tackling of maritime security incidents.

5.1.2 The location of the exercise would be in Kwai Chung area and might involve one or more facilities.

[Post meeting note: the exercise has been postponed to mid or late July 2005.]

6 Date of Next Meeting

The Chairman suggested that the next meeting to be held after a few security audits and the security exercise had been conducted. Members will be advised of the date of the next meeting.

7 Close of Meeting

The meeting was adjourned at 1600 hours.