

## **PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE**

### **Implementation of ISPS Code in Hong Kong**

#### **Purpose**

This paper provides background information and progress of implementing the International Ship and Port Facility Security (ISPS) Code in Hong Kong.

#### **Background**

2. The attack on the Twin Towers on 11 September 2001 and the subsequent incidents such as the attacks in Bali and Mombassa exemplify the changed nature of terrorism to endanger all peoples and nations. In response to the increased risk of the threat from acts of global terrorism, the ISPS Code is developed by the International Maritime Organisation (IMO). The code is to be globally implemented on 1 July 2004.

- The ISPS Code

3. The ISPS code aims to enable the detection and deterrence of security threats within an international framework. To achieve this, the code requires all vessels engaged on international voyages and port facilities berthing these vessels to carry out a security assessment. Based on the assessment a security plan is to be developed.

- Designated Authority

4. The code also requires contracting governments to establish a Designated Authority (DA) for each port to undertake the security duties required by the code. Some of these duties are setting of applicable security

levels, approving security assessments and security plans. The Director of Marine has been appointed as the DA of Hong Kong.

- Security Officers

5. The code further requires port facility operators, shipping companies and vessels engaged on international voyages to appoint Port Facility Security Officer, Company Security Officer and Ship Security Officer respectively. They are responsible for the implementation of the ISPS Code in their facility, company or ship.

### **Implementation of ISPS Code on Hong Kong Registered Vessels**

6. As of today, the DA has authorization six classification societies as Recognized Security Organizations (RSO) to approve security plans and issue International Ship Security Certificates to Hong Kong registered ships. Beside these six classification societies, there are also two classification societies that have been granted provisional authorization.

7. At present there are a total of 741 Hong Kong registered ships that are required to comply with the ISPS Code. According to the reports from the RSOs on 30 April 2004, the progress of implementing the ISPS Code on such ships is as follows:

No. of Ship Security Plans submitted for approval -	551
No. of ship security plans approved -	509
No. of shipboard verifications conducted -	186
No. of ISSC issued -	182

### **Implementation of ISPS on Hong Kong Port Facilities**

8. There are total 31 port facilities in Hong Kong required to comply with the ISPS Code. They include government mooring buoys, anchorages,

the Macau Ferry Terminal, the China Ferry Terminal and other privately owned port facilities.

9. All Port Facility Security Assessments of these facilities were endorsed by the DA in January 2004 on the advice of the Port Facility Security Working Group (PFSWG).

10. As of today, a total of 26 port facilities have submitted their Port Facility Security Plan (PFSP). 20 of them were endorsed by the DA after assessed and evaluated by the PFSWG. The remaining PFSPs received are being assessed and evaluated by the PFSWG. Comments from the PFSWG had been sent out to the relevant port facility operators for them to revise their plan.

### **Legislation**

11. A new legislation is required to implement the ISPS Code in Hong Kong. The Bill for this new legislation, the proposed Merchant Shipping (Security of Ships and Port Facilities) Ordinance, had been submitted to the LegCo for First and Second Reading. A Bill Committee of the LegCo will be convened to examine the Bill, most probably in May 2004. The Merchant Shipping (Security of Ships and Port Facilities) Regulation is being drafted by the Department of Justice. After the LegCo has passed the Bill, the Merchant Shipping (Security of Ships and Port Facilities) Regulation will be submitted to the LegCo for negative vetting.

### **PR Strategy**

12. To promote awareness on maritime security and the requirements of the ISPS Code, MD has developed a PR Strategy. As part of our PR Strategy, we had conducted briefing sessions for members of the mid-stream industry during February 2004.

13. MD will continue to promote the ISPS Code according to the planned PR Strategy.

## **Implementation of ISPS Code in Hong Kong**

14. After 1 July 2004, Hong Kong will follow the port state control requirements under the Tokyo Memorandum of Understanding in respect of application of the ISPS Code. This will require vessels to state their compliance to the ISPS Code prior to their arrival in Hong Kong. Vessels will also be subject to port state inspection during their stay.

### **Presentation**

15. This paper will be presented by Mr Jacky Wong of the Marine Department.

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