



NEWS

MARITIME SECURITY – UPDATE

FURTHER TO NOTICE TO MEMBERS NO 3 2003/2004 “MARITIME SECURITY – NEW SOLAS REQUIREMENTS”, MEMBERS ARE REMINDED THAT IT IS A CONDITION OF COVER FOR ENTERED VESSELS TO MAINTAIN VALID STATUTORY CERTIFICATION AT ALL TIMES. SINCE THE INTERNATIONAL SHIP AND PORT FACILITY SECURITY (ISPS) CODE LAYS DOWN SPECIFIC OBLIGATIONS IN THIS RESPECT, THE IMPORTANCE OF OBTAINING AN INTERNATIONAL SHIP SECURITY CERTIFICATE FOR EACH APPLICABLE VESSEL BY 1 JULY 2004 CANNOT BE OVER-EMPHASISED. A CIRCULAR TO THIS EFFECT WILL BE ISSUED SHORTLY.

US MARITIME SECURITY REQUIREMENTS ARE LESS CLEAR. ACCORDING TO THE PROVISIONS OF THE MARITIME TRANSPORTATION SECURITY ACT (MTSA) 2002, IT WOULD APPEAR THAT SHIP (“VESSEL”) SECURITY PLANS ARE TO BE SENT TO THE US COAST GUARD BY 31 DECEMBER 2003 FOR APPROVAL. HOWEVER, IN SEPTEMBER THIS YEAR THE US COAST GUARD PUBLISHED A STATEMENT ADVISING FOREIGN SHIPOWNERS NOT TO SUBMIT SUCH PLANS, CONTRARY TO THE VIEWS OF US LAWYERS HOLLAND & KNIGHT. IRRESPECTIVE OF THE MTSA, IT HAS BEEN REPORTED THAT SOME FLAG ADMINISTRATIONS HAVE WARNED SHIPOWNERS AGAINST SENDING SHIP SECURITY PLANS TO THE US COAST GUARD ON THE GROUNDS THAT SUCH ACTION MIGHT AMOUNT TO A BREACH OF CONFIDENTIALITY. CONSEQUENTLY, SHIPOWNERS INTENDING TO FOLLOW HOLLAND & KNIGHT’S RECOMMENDATIONS SHOULD CONSULT WITH THEIR FLAG ADMINISTRATION(S) IN THE FIRST INSTANCE. MEMBERS WILL BE ADVISED OF FURTHER DEVELOPMENTS.

IN THE MEANTIME MEMBERS STILL SEEKING GUIDANCE ON THE PREPARATION OF SHIP SECURITY PLANS MAY WISH TO CONSIDER A “MODEL SHIP SECURITY PLAN” DEVELOPED BY THE INTERNATIONAL CHAMBER OF SHIPPING (ICS). GIVEN THE NEED FOR EACH PLAN TO BE SHIP SPECIFIC, THE DOCUMENTATION ALSO INCLUDES A CD ROM VERSION WHICH MAY BE ADAPTED AS NECESSARY.

MEMBERS MAY OBTAIN A COMPLIMENTARY COPY OF THE ICS “MODEL SHIP SECURITY PLAN” FROM THE CLUB’S LOSS PREVENTION DEPARTMENT ON REQUEST.

YOURS FAITHFULLY
ASSURANCE FORENINGEN LTD

R J B SEARLE
PUBLICATION MANAGER