

ISPS CODE

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IMPLEMENTATION IN MALAYSIA

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Basically....

The ISPS Code is a risk management tool to detect and prevent security threats for international ships and port facilities with provisions for cooperation, collection and exchange of security related information.

Key components

- Contracting governments;
- Designated authority;
- Recognised security organisations;
- Security assessments;
- Security plans;
- Security officers;
- Certification.

Security Level	Definition/Action
1 Normal	Minimum protective security measures to be maintained at all times.
2 Heightened Risk	Additional protective security measures shall be maintained for a period of time as a result of heightened risk of security incident.
3 Exceptional Risk	Further specific protective security measures shall be maintained for a limited period of time when a security incident is probable or imminent, although it may not be possible to identify the specific target.

Government **CANNOT** delegate

- Setting security level;
- Determining port facilities to include;
- Approving PFSA & PFSP;
- Exercising control and compliance measures;
- Establishing the requirements of Declaration of Security.

Government CAN delegate

- Conducting of PFSA;
- Preparation of PFSP;
- Approving of SSP (But not by the RSO who prepared the SSP);
- Verification and certification of ships;

Port facilities

- All port facilities serving ships engaged on international voyages;
- Will include major & minor Malaysian ports i.e. PTP as well as Lahad Datu;
- Will include private terminal & jetties i.e. Shell, Esso, Cabot etc.
- Approximately more than 40 Malaysian port facilities will be affected.

Security level

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Latest development

- US has begun implementation – vessel screening, targeting, verification exams and control actions.
- A compliant ship coming from or carrying cargo from a non-compliant port facility will be targeted.
- A ship has been fined for allowing an undercover USCG personnel to board without being challenged.

Local issues

- Some port facilities are not sure – some are not aware at all;
- Offshore terminals, shipyards, service boats etc. ?
- Training centers report that number of trainees are not as expected;
- Shipping companies are slow – expecting implementation date to be extended;
- Queries on national contact points;
- COST.

Cost

- US allocates USD 1 billion for MTSA and ISPS;
- Port of Charleston has begun charging USD 1 per feet of ships length – other American and European ports will do too;
- To comply in Malaysia;
 - Port facilities RM50,000.00 and above;
 - Ships about RM20,000.00;
 - Require about 10 weeks for proper implementation;
 - On offer RM5,000.00 per ship and can be done within a month.

CHECKLIST

ISPS Requirements	Done
Government – MOT.	<input checked="" type="checkbox"/>
Designated Authority – MARDEP.	<input checked="" type="checkbox"/>
Approve RSO – 6 organizations.	<input checked="" type="checkbox"/>
Approve Training Centers – 5 organizations.	<input checked="" type="checkbox"/>
Approve Consultants – 8 companies.	<input checked="" type="checkbox"/>
Determine facilities/ports.	<input type="checkbox"/>
Set security level.	<input type="checkbox"/>
Approve SSP, PFSA & PFSP.	<input type="checkbox"/>
Test approved plans.	<input type="checkbox"/>
Inform IMO & industries.	<input type="checkbox"/>

Recommendation

- Identify, declare and communicate information on all port facilities serving international ships.
- Declare security level 1 for all port facilities.
- Implementation should be government driven instead of industry driven:
 - More effective dissemination of information;
 - More stringent enforcement.
- Inform IMO and industry - **IMO Global Integrated Shipping Information System (GISIS)**.

MALAYSIA NEEDS TO BE SEEN AS RESPONSIBLE AND PROACTIVE IN ITS FIGHT AGAINST TERRORISM.

Reference Document

- ISPS CODE 2003 Edition;
- Code of practice on security in ports, IMO & ILO 2003;
- NMPM 45/2003: Kod SAKP – Keperluan untuk kapal issued June 24, 2003;
- NPM 02/2003: Kod SAKP – Keperluan untuk kapal issued July 24, 2003;
- NMPM 46/2003:Kod SAKP – Keperluan untuk kemudahan pelabuhan issued October 8, 2003.
- <http://www.marine.gov.my> for latest list of approved organisations.