

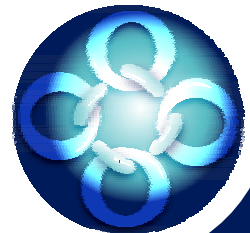


IMO

# Maritime Security - Australia's Perspective

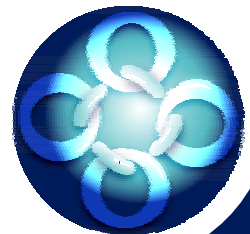
Maritime Security Presentation  
For  
DrillSafe

QEST CONSULTING  
[www.qest.com.au](http://www.qest.com.au)



# What is the ISPS Code?

QEST CONSULTING  
[www.qest.com.au](http://www.qest.com.au)



# What is the ISPS Code?

- Developed through the International Maritime Organization (IMO)
- Embodied in amendments and also a new chapter to the International Convention for the Safety of Life at Sea, 1974 :
  - SOLAS Convention: Chapters V, XI-1 and XI-2
- Adopted the International Code for the Security of Ships and of Ports Facilities to be known as the *International Ship and Port Facility Security (ISPS) Code*



IMO



# What is in the ISPS Code?

- Part A: Mandatory provisions covering responsibilities of Contracting Governments, appointment of security officers for shipping companies, ships, and port facilities, security assessments and plans, training, verification/certification for ships
- Part B: Guidance on processes and considerations for implementing requirements of Part A



The following types of ships engaged on international voyages:

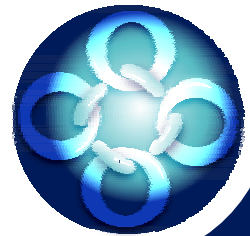
- Passenger ships carrying more than 12 passengers, including high-speed passenger craft;
- Cargo ships, including high-speed craft, of 500 gross tonnage and upwards; and
- Mobile offshore drilling units; and
- Ports, port facilities and port service providers serving such ships engaged on international voyages.

***It excludes warships, naval auxiliaries, fishing vessels and Contracting Govt ships used on non-commercial service***



# Why does this involve Australia

QEST CONSULTING  
[www.qest.com.au](http://www.qest.com.au)



- National Counter-Terrorism Arrangements
  - responsibility of governments
  - National Counter-Terrorism Plan - intelligence collection, analysis, detection and response
- National approach to protection of transport infrastructure



DOTARS Office of Transport Security is responsible for working with State/Territory Governments, relevant Agencies and industry to improve security across the Australian transport system, focusing on the achievement of **preventive** security outcomes.



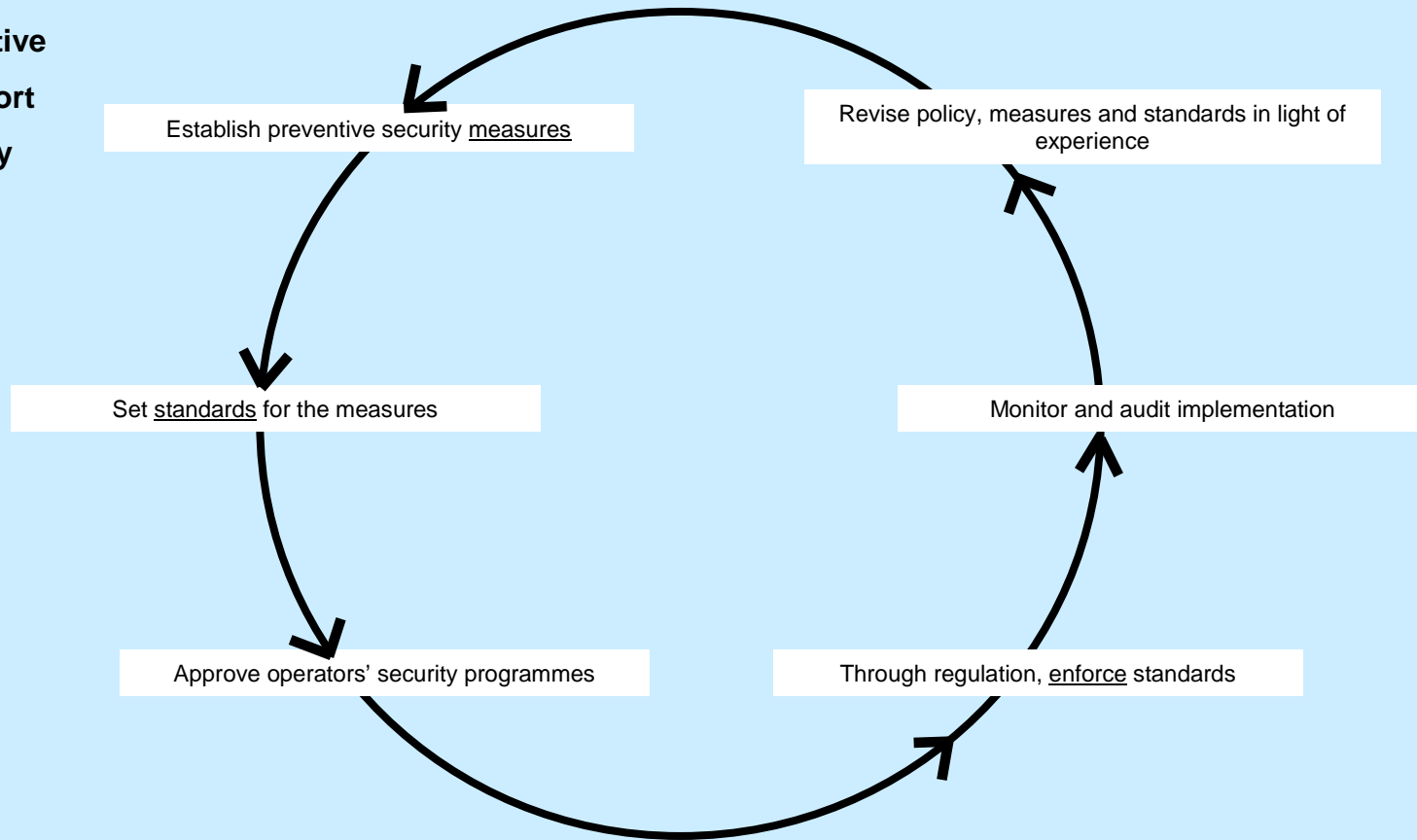


- OTS has security role across all transport sectors
  - Air, Sea, Road, Rail
- Transport is critical to
  - Movement of people and goods
  - Linking our economy domestically and internationally to other trading partners



# Role of OTS in Transport Security

## Preventive Transport Security Policy

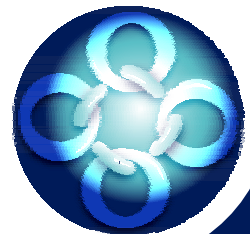


*“Responsible for preventive transport security regulation”*



# The Australian Approach

QEST CONSULTING  
[www.qest.com.au](http://www.qest.com.au)



*Maritime Transport Security Act  
2003 and  
the Maritime Transport Security  
Regulations 2003*



MTSA entered into force - (Received Royal Assent)	<b>12 December 2003</b>
MTS Regulations entered into force -	<b>23 December</b>
Deadline for submitting plans to the Department for approval	<b>1 March 2004</b>
ISPS Code enters into force internationally	<b>1 July 2004</b>



## To ensure

- Australia's obligation under Chapter XI-2 of the SOLAS convention and the ISPS Code are met, including those with regard to the rights, freedoms and welfare of the seafarers are met
- The vulnerability to terrorist attack of Australian ships, ports, and facilities, and other ships within our territorial waters, is reduced without undue disruption to trade



## Outcomes of the *Maritime Transport Security Act 2003 (MTSA)*

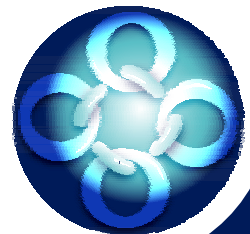
- The risk that maritime transport is used to facilitate terrorist or other unlawful activities is reduced
- Security information is communicated effectively among maritime industry participants and government agencies with maritime security responsibilities.

*It is not the purpose of this Act to prevent lawful advocacy, protest, dissent or industrial action that does not compromise maritime security*



# In Maritime Terms

QEST CONSULTING  
[www.qest.com.au](http://www.qest.com.au)





# Maritime Transport Security Acronyms

- Company Security Officer (CSO)
- Declaration of Security (DoS)
- International Ship Security Certificate (ISSC)
- Maritime Industry Participant (MIP)
- Recognised Security Organisation (RSO)
- Ship Security Alert System (SSAS)
- Ship Security Officer (SSO)
- Port Security Officer (PSO)
- Port Facility Security Officer (PFSO)
- Port Service Provider Security Officer (PSPSO)



- A **port** is an area of water, or land and water (including any buildings, installations or equipment situated in or on that land or water) intended for use either wholly or partly in connection with the movement, loading, unloading, maintenance or provisioning of ships
- **Security Regulated Port** is a port which serves security regulated ships and has been declared as such by the Secretary.



- ***Port facility*** means an area of land or water, or land and water, within a security regulated port (including any buildings, installations or equipment in or on the area) used either wholly or partly in connection with the loading or unloading of ships.



# Ship Definition in the MTSA

- ❖ A ship is a *regulated Australian ship* if the ship is an Australian ship that is:
  - (a) a passenger ship that is used for overseas or inter-State voyages; or
  - (b) a cargo ship of 500 or more gross tonnes that is used for overseas or inter-State voyages; or
  - (c) a mobile offshore drilling unit that is on an overseas or inter-State voyage (other than a unit that is attached to the seabed)



- ❖ A ship is a *regulated foreign ship* if the ship:
  - (a) is a foreign ship; and
  - (b) is one of the following:
    - (i) a passenger ship;
    - (ii) a cargo ship of 500 or more gross tonnes;
    - (iii) a mobile offshore drilling unit (other than a unit that is attached to the seabed);
    - (iv) a ship of a kind prescribed in the regulations;and
  - (c) is in Australian waters; and
  - (d) is in, or is intending to proceed to, a port in Australia.



# Who is a Maritime Industry Participant?

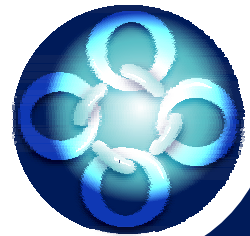
The Act defines **Maritime Industry Participants (MIPs)** as: -

- (a) port operators; or
- (b) port facility operators; or
- (c) the ship operator for a regulated Australian ship; or
- (d) the ship operator for a regulated foreign ship; or
- (e) a person (other than a maritime security inspector or a duly authorised officer) appointed by the Secretary under the Act to perform a maritime transport security function; or
- (f) a contractor who provides services to a person mentioned in paragraphs (a) to (d) or
- (g) a person who conducts a maritime-related enterprise

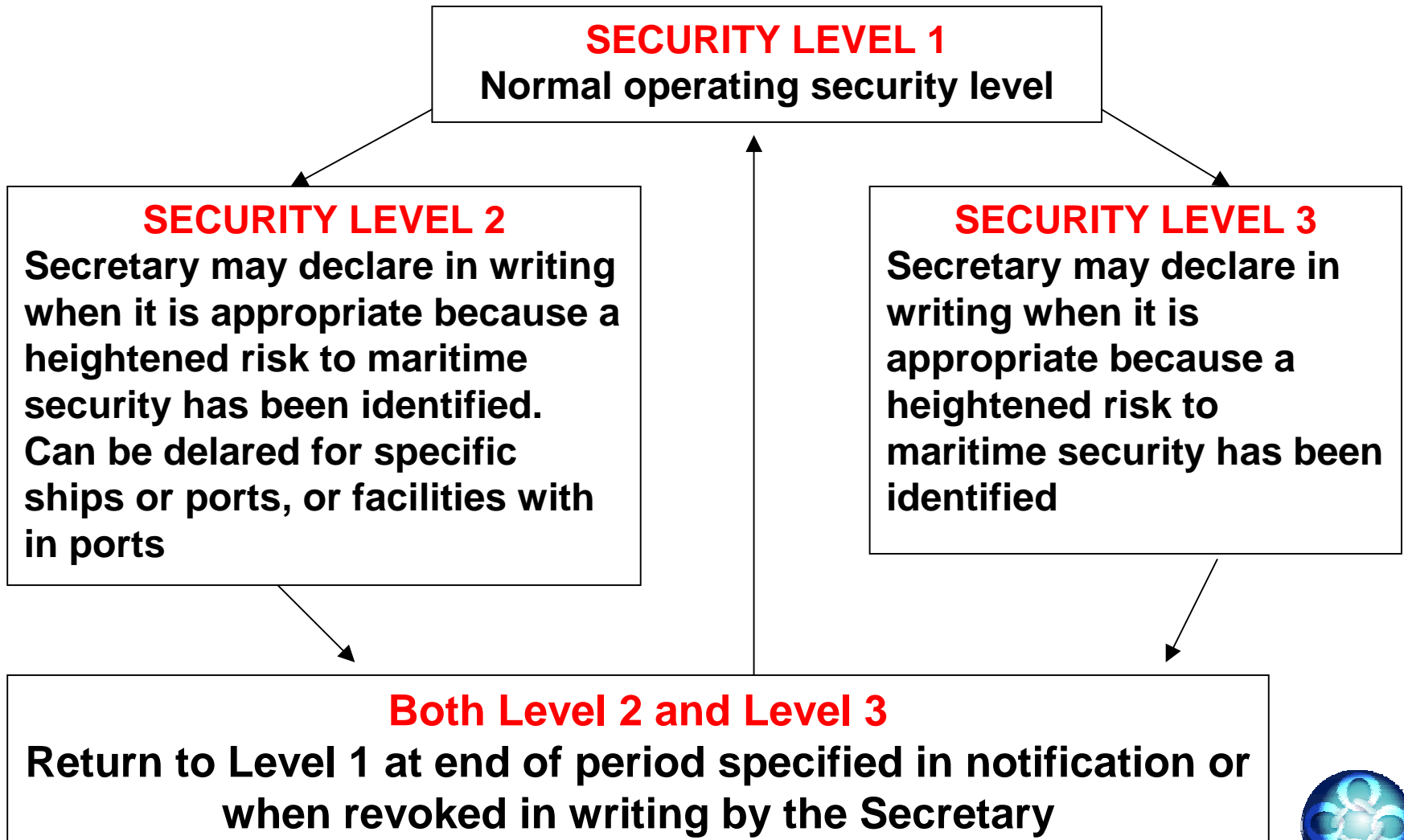


# Safety and Security

QEST CONSULTING  
[www.qest.com.au](http://www.qest.com.au)



# Security Levels





# What about security and safety?

A person does not commit an offence against the MTSA if:

- ❖ they are the Master engaged in conduct in the operation of or control of the ship; **and**
- ❖ the Master is engaged in conduct to protect the safety or security of the ship, the cargo, a person, another ship or a port, a port facility or other installation in the port; and
- ❖ the conduct was reasonable in the circumstances

***This preserves the intention of the ISPS Code that safety must be maintained in the new security environment.***



# Who is required to have a Security Plan?

The following maritime industry participants are required to have a security plan:

- (a) a port operator;
- (b) a port facility operator;
- (c) a port service provider;
- (d) a ship operator of a regulated Australian Ship



# What are the obligations on regulated foreign ships?

Regulated foreign ships must:

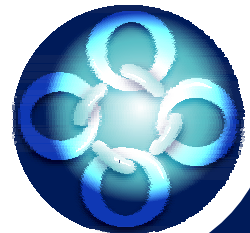
- have ISSCs
- provide pre-arrival information
- allow inspections
- comply with Australian security levels if higher than the level set by their flag administration
- comply with Australian security directions
- comply with maritime and ship security plans
- acknowledge level notifications and directions

Secretary may give control directions and can enforce control directions.



# Training

**QEST CONSULTING**  
[www.qest.com.au](http://www.qest.com.au)



# Is training available?

- The IMO Standards on Training and Watchkeeping Sub-Committee (IMO STW 34/14 Paragraph 9.39 and Annex 9) has developed model training courses for:
  - 1. Ship Security Officer (SSO)
  - 2. Company Security Officer (CSO)
  - 3. Port Facility Security Officer (PFSO)
- See DOTARS or IMO websites for details:
  - <http://www.dotars.gov.au/transsec/index.aspx>
  - <http://www.imo.org/home.asp?doc>



Assessment and approval process starts!

Security plans needed to have reached the OTS by 1 March 2004 for assessment and review.

Australia 100% committed to implementation and full compliance by 1 July 2004

Cultural change and cooperative relationships will be key to success



# Where can you get more information?

Website:

<http://www.dotars.gov.au/transsec/index.aspx>

Email:

[Transport.Security@dotars.gov.au](mailto:Transport.Security@dotars.gov.au)

