SAINT LUCIA

No. 46 of 2004

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SCHEDULE

SAINT LUCIA

STATUTORY INSTRUMENT, 2004, No. 46

[29th June, 2004]

In exercise of the power conferred by section 257(1) of the Shipping Act No. 11 of 1994, the Minister responsible for Shipping makes these Regulations:

PART I
PRELIMINARY

Citation

1. These Regulations may be cited as the Shipping (Ship and Port Facility Security) Regulations, 2004.

Interpretation

2.— (1) In these Regulations —

"the Act" means the Shipping Act No. 11 of 1994;

"Administration" means the Maritime Authority of the State, other than Saint Lucia, whose flag the ship is entitled to fly;

"authorized officer" means —

(*a*) a surveyor of ships;

(*b*) a maritime officer; or

(*c*) any person appointed by the Director, either generally or in any particular case, to exercise powers under these Regulations;

"bulk carrier" means a ship which is constructed generally with single deck, top-side tanks and hopper side tanks in cargo spaces, and is intended primarily to carry dry cargo in bulk, and includes such types as are carriers and combination carriers;

"Certificate" means an International Ship Security Certificate issued in accordance with regulation 16;

"chemical tanker" means a cargo ship constructed or adapted and used for the carriage in bulk of any liquid product listed in

chapter 17 of the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk;

"company" means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the ISPS Code;

"company security officer" means the person designated by the Company in accordance with regulation 6;

"Contracting Government" means the government of a State which is party to the Convention;

"Convention" means the International Convention for the Safety of Life at Sea, as amended;

"Declaration of Security" means an agreement reached between the master or ship security officer of a ship and a port facility officer, or a master or ship security officer of another ship in accordance with regulation 47;

"Director" has the meaning assigned under section 2 of the Act;

"Designated Authority" means the organization or the administration identified by a State other than Saint Lucia as responsible for ensuring the implementation of the provisions of chapter XI – 2 of the Convention pertaining to port facility security and ship/port interface from the point of view of the port facility;

"gas carrier" means a cargo ship constructed or adapted for the carriage in bulk of any liquefied gas or other liquid product in chapter 19 of the International Code for the Construction and Equipment of Ships Carrying Liquified Gases in Bulk, 1983, as amended;

"high speed craft" means a craft capable of a maximum speed in metres per second (m/s) equal to or exceeding: $3.7 \ \nabla^{0.1667}$

where: ∇ = displacement corresponding to the design waterline (m^3);

"Interim Certificate" means an Interim International Ship Security Certificate issued in accordance with regulation 20;

"ISPS Code" means the International Code for the Security of Ships and of Port Facilities as adopted, on 12 December 2002, by resolution 2 of the Conference of Contracting Governments of the International Convention for the Safety of Life at Sea, 1974 and any amendments;

"ISM Code" means the International Safety Management Code;

"mobile offshore drilling unit" means a vessel capable of engaging drilling operations for the exploration for or the exploitation of resources beneath the sea-bed such as liquid or gaseous hydrocarbons, sulphur or salt, not on location;

"oil tanker" means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes –

(*a*) a combination carrier;

(*b*) a chemical tanker as defined when it is carrying a cargo or part cargo of oil in bulk; and

(*c*) a gas carrier as defined in regulation 3.20 of Chapter II-1 of the Convention, when it is carrying a cargo or part cargo of oil in bulk;

"Organization" means the International Maritime Organization;

"port facility operator" means any person designated by the Royal Saint Lucia Police Force as port facility operator in accordance with regulation 30;

"port facility" means a location, within a port or elsewhere determined by the Royal Saint Lucia Police Force as being a port facility, where the ship/port interface takes place and this includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate;

"port facility security assessment" means an assessment for the security of a port facility or more than one port facility carried out in accordance with regulation 33;

"port facility security officer" means the person designated as port facility security officer in accordance with regulation 31;

"port facility security plan" means a plan developed in accordance with regulation 34;

"recognized security organization" means an organization with appropriate expertise in security matters and with appropriate knowledge of ship and port operations authorized to carry out

an assessment, or a verification, or an approval or a certification activity, required by these Regulations or by Part A of the ISPS Code;

"restricted zone" means a zone to which access is restricted for security reasons pursuant to these Regulations;

"Royal Saint Lucia Police Force" means the Royal Saint Lucia Police Force established under the Police Ordinance No. 30 of 1965;

"security level 1" means the level for which minimum appropriate protective security measures shall be maintained at all times;

"security level 2" means the level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risks of a security incident;

"security level 3" means the level for which 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;

"security incident" means any suspicious act or circumstance threatening the security of a ship, including a mobile offshore drilling unit and a high speed craft, or of a port facility or of any ship/port interface or any ship to ship activity;

"ship/port interface" means the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship;

"ship security officer" means the person designated by the company as ship security officer in accordance with regulation 7;

"ship security plan" means a plan developed in accordance with regulation 13;

"ship to ship activity" means any activity not related to a port facility that involves the transfer of goods or persons from one ship to another;

"tons" means gross tonnage, and a reference to tons in relation to a ship having alternative gross tonnages is a reference to the larger of those two tonnages.

(2) The term "all ships", when used in these Regulations, means any ship to which these Regulations apply.

(3) For the purposes of these Regulations, the Designated Authority in Saint Lucia is the Royal Saint Lucia Police Force.

Application

3.— (1) Subject to sub-regulation (2), these Regulations apply to —

(*a*) the following types of ships engaged on international voyages—

(i) passenger ships, including high-speed passenger craft;

(ii) cargo ships, including high-speed craft, of 500 tons or more; and

(iii) mobile offshore drilling units; and

(b) port facilities serving the ships in sub-regulation (1) engaged on international voyages.

(2) Notwithstanding sub-regulation (1), the Royal Saint Lucia Police Force may by notice published in the Gazette extend the application of these Regulations to port facilities which, although used primarily by ships not engaged on international voyages, is required, occasionally, to serve ships arriving or departing on international voyages.

(3) A Notice referred to in sub-regulation (2) shall —

(*a*) not be issued without a port facility security assessment for that port facility having been done in accordance with regulation 33;

(*b*) specify the extent of application of these Regulations and the relevant sections of Part A of the ISPS Code to the facility;

(*c*) not compromise the level of security intended to be provided by these Regulations and Part A of the ISPS Code.

(4) Regulations 25, 26 and 43 also apply to a port facility not falling within sub-regulation (1)(b) or (2).

(5) These Regulations do not apply to —

(*a*) warships;

(*b*) naval auxiliaries; or

(*c*) other ships owned or operated by parties to the Convention and in use only on Government non-commercial service.

(6) Nothing in these Regulations shall prejudice the rights or obligations of States under international law.

PART II
SHIP SECURITY

Responsibility of Director

4.— (1) Without prejudice to any other duties under these Regulations, the Director shall —

(*a*) set the applicable security level for ships;

(*b*) approve the ship security plan and relevant amendments to a previously approved plan;

(*c*) verify compliance of ships with the provisions of chapter XI-2 of the Convention and Part A of the ISPS Code and issue to ships the International Ship Security Certificate;

(*d*) exercise control and compliance measures;

(*e*) test approved plans; and

(*f*) communicate information to the Organization and to the shipping and port industries.

(2) Subject to regulation 58, the Director may delegate his or her responsibilities under these Regulations to a recognized security organization, except the following —

(*a*) setting of the applicable security level for ships;

(*b*) exercising control and compliance measures pursuant to regulations 25, 26 and 27;

(*c*) establishing the requirements for a Declaration of Security.

Requirements for companies

5.— (1) A company shall —

(*a*) ensure that the ship security plan contains a clear statement emphasizing the master's authority;

(*b*) establish in the ship security plan that the master has the over-riding authority and responsibility to make decisions to safety

and security of the ship and to request the assistance of the company or the Director as may be necessary;

(*c*) designate a company security officer and may, depending on the number or types of ships it operates, designate several persons as company security officers once it is clearly identified for which ships each person is responsible;

(*d*) ensure that the company security officer, the master and the ship security officer are given the necessary support to fulfill their duties and responsibilities in accordance with regulations 6, 7 and 8;

(*e*) provide the master of the ship with information which shall include the following —

(i) parties responsible for appointing the shipboard personnel, such as, ship management companies, manning agents, contractors, concessionaries, for example, retail sales, outlets, casinos etc.;

(ii) parties responsible for deciding the employment of the ship including time or bareboat charterer or any other entity acting in such capacity; and

(iii) in cases where the ship is employed under the terms of a charter party, the contact details of those parties, including time or voyage charterers.

(2) In accordance with regulation XI-2/5 of the Convention, a company shall update and keep the information in sub-regulation (1)(*e*) current as and when changes occur.

(3) With respect to ships constructed before 1 July 2004, the information in sub-regulation (1)(*e*) shall reflect the actual condition of the ship on that date.

(4) With respect to ships constructed on or after 1 July 2004 and for ships constructed before 1 July 2004 which were out of service on 1 July 2004, the information in sub-regulation (1)(*e*) shall be provided as from the date of entry of the ship into service and shall reflect the actual condition of the ship on that date.

(5) After 1 July 2004, where a ship is withdrawn from service, the information in sub-regulation (1)(*e*) shall be provided as from the date of re-entry of the ship into service and shall reflect the actual condition of the ship on that date.

(6) Previously provided information that does not relate to the actual condition of the ship on that date need not be retained on board the ship.

(7) Where the responsibility for the operation of the ship is assumed by another company, the information relating to the company which operated the ship shall not be required to be left on board the ship.

(8) Any company which fails to comply with this regulation commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

Company security officer

6.— (1) A person shall be designated as the company security officer and he or she may act as the company security officer for one or more ships, depending on the number or types of ships the Company operates once it is clearly identified for which ships this person is responsible.

(2) The duties and responsibilities of the company security officer shall include, but are not limited to —

(*a*) advising the level of threats likely to be encountered by the ship, using appropriate security assessments and other relevant information;

(*b*) ensuring that ship security assessments are carried out;

(*c*) ensuring the development, the submission for approval, and thereafter the implementation and maintenance of the ship security plan;

(*d*) ensuring that the ship security plan is modified, as appropriate, to correct deficiencies and satisfy the security requirements of the individual ship;

(*e*) arranging for internal audits and reviews of security activities;

(*f*) arranging for the initial and subsequent verifications of the ship by the Director or the recognized security organization;

(*g*) ensuring that deficiencies and non-conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance are promptly addressed and dealt with;

(*h*) enhancing security awareness and vigilance;

(*i*) ensuring adequate training for personnel responsible for the security of the ship;

(*j*) ensuring effective communication and co-operation between the ship security officer and the relevant port facility security officers;

(*k*) ensuring consistency between security requirements and safety requirements;

(*l*) ensuring that, if sister-ship or fleet security plans are used, the plan for each ship reflects the ship-specific information accurately; and

(*m*) ensuring that any alternative or equivalent arrangements approved for a particular ship or group of ships are implemented and maintained.

Ship security officer

7.— (1) A ship security officer shall be designated on each ship.

(2) The duties and responsibilities of the ship security officer shall include, but are not limited to —

(*a*) undertaking regular security inspections of the ship to ensure that appropriate security measures are maintained;

(*b*) maintaining and supervising the implementation of the ship security plan, including any amendments to the plan;

(*c*) co-ordinating the security aspects of the handling of cargo and ship's stores with other shipboard personnel and with the relevant port facility security officers;

(*d*) proposing modifications to the ship security plan;

(*e*) reporting to the company security officer any deficiencies and non-conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance and implementing any corrective actions;

(*f*) enhancing security awareness and vigilance on board the ship;

(*g*) ensuring that adequate training has been provided to shipboard personnel, as appropriate;

(*h*) reporting all security incidents;

(*i*) co-ordinating implementation of the ship security plan with the company security officer and the relevant port facility security officer; and

(*j*) ensuring that security equipment is properly operated, tested, calibrated and maintained, if any.

(3) Any contravention of this regulation by the ship security officer shall be an offence.

Master's discretion for ship safety and security

8.— (1) The master of a Saint Lucian ship shall not be constrained by the Company, the charterer or any other person from taking or executing any decision which, in the professional judgement of the master, is necessary to maintain the safety and security of the ship.

(2) The decision in sub-regulation (1) includes denial of access to persons, except those identified as duly authorized by a Contracting Government, or their effects and refusal to load cargo, including containers or other closed cargo transport units.

(3) Where, in the professional judgement of the master, a conflict between any safety and security requirements applicable to the ship arises during its operations, the master shall give effect to those requirements necessary to maintain the safety of the ship.

(4) Where a conflict arises under sub-regulation (3), the master may implement temporary security measures and shall forthwith inform the Director and, if appropriate, the Contracting Government in whose port the ship is operating or intends to enter.

(5) Any temporary security measures under this regulation shall, to the highest possible degree, be commensurate with the prevailing security level and when such cases are identified, the Director shall ensure that such conflicts are resolved and that the possibility of recurrence is minimized.

Ship security

9.— (1) At security level 1, the following activities shall be carried out, through appropriate measures, on all ships, in order to identify and take preventative measures against security incidents -

(*a*) ensuring the performance of all ship security duties;

(*b*) controlling access to the ship;

(*c*) controlling the embarkation of persons and their effects;

(*d*) monitoring of deck areas and areas surrounding the ship;

(*e*) supervising the handling of cargo and ship's stores; and

(*f*) ensuring that security communication is readily available.

(2) At security level 2, additional protective measures, specified in the ship security plan, shall be implemented for each activity set out in sub-regulation (1) taking into account regulation 13.

(3) At security level 3, further specific protective measures specified in the ship security plan shall be implemented for each activity set out in sub-regulation (1) taking into account regulation 13.

(4) Where security level 2 or 3 is set by the Director, the ship shall acknowledge receipt of the instructions on change of the security level.

(5) Prior to entering a port or whilst in a port within the territory of a Contracting Government that has set —

(*a*) security level 2 or 3, the ship shall acknowledge receipt of this instruction and shall confirm to the port facility security officer the initiation of the implementation of the appropriate measures and procedures as detailed in the ship security plan; and

(*b*) security level 3, in addition to paragraph (*a*), the ship shall carry out all instructions issued by the Contracting Government;

(*c*) security level 2 or 3 the ship shall report any difficulties in implementation of security plans and the port facility security officer and ship security officer shall liaise and co-ordinate the appropriate actions.

Ship security assessment

10.— (1) Prior to commencing the ship security assessment, the company security officer shall —

(*a*) ensure that advantage is taken of information available on the assessment of threat for the ports at which the ship will call or at which passengers embark or disembark and about the port facilities and their protective measures;

(*b*) study previous reports on similar security needs;

(*c*) where feasible, meet with appropriate persons on the ship and in the port facilities to discuss the purpose and methodology of the assessment;

(*d*) follow any specific guidance offered by the Contracting Government.

(2) The company security officer shall obtain and record the information required to conduct an assessment including —

(*a*) the general layout of the ship;

(*b*) the location of areas which should have restricted access, such as navigation bridge, machinery spaces of category A and other control stations as defined in chapter II-2 in the Convention;

(*c*) the location and function of each actual or potential access point to the ship;

(*d*) changes in the title which may have an impact on the vulnerability or security of the ship;

(*e*) the cargo spaces and stowage arrangements;

(*f*) the locations where the ship's stores and essential maintenance equipment is stored;

(*g*) the locations where unaccompanied baggage is stored;

(*h*) the emergency and stand-by equipment available to maintain essential services;

(*i*) the number of ship's personnel, any existing security duties and any existing training requirement practices of the Company;

(*j*) existing security and safety equipment for the protection of passengers and ship's personnel;

(*k*) escape and evacuation routes and assembly stations which have to be maintained to ensure the orderly and safe emergency evacuation of the ship;

(*l*) existing agreements with private security companies providing ship/waterside security services; and

(*m*) existing security measures and procedures in effect, including inspection and control procedures, identification systems, surveillance and monitoring equipment, personnel identification

documents and communication, alarms, lighting, access control and other appropriate systems.

(3) The ship security assessment shall —

(*a*) include an on-scene security survey and, at least, the following elements —

(i) identification of existing security measures, procedures and operations;

(ii) identification and evaluation of key shipboard operations that it is important to protect;

(iii) identification of possible threats to the key shipboard operations and the likelihood of their occurrence, in order to establish and prioritize security measures; and

(iv) identification of weaknesses, including human factors, in the infrastructure, policies and procedures;

(*b*) be documented, reviewed, accepted and retained by the Company;

(*c*) address the following elements on board or within the ship —

(i) physical security;

(ii) structural integrity;

(iii) personnel protection systems;

(iv) procedural policies;

(v) radio and telecommunication systems, including computer systems and networks; and

(vi) other areas that may, if damaged or used for illicit observation, pose a risk to persons, property, or operations on board the ship or within a port facility;

(*d*) examine each identified point of access, including open weather decks, and evaluate its potential for use by individuals who might seek to breach security and this includes points of access available to individuals having legitimate access as well as those who seek to obtain unauthorized entry;

(*e*) consider the continuing relevance of the existing security measures and guidance, procedures and operations, under both routine and emergency conditions, and shall determine security guidance including —

(i) the restricted areas;

(ii) the response procedures to fire or other emergency conditions;

(iii) the level of supervision of the ship's personnel, passengers, visitors, vendors, repair technicians, dock workers, etc.;

(iv) the frequency and effectiveness of security patrols;

(v) the security communications systems and procedures;

(vi) the security doors, barriers and lighting; and

(vii) the security and surveillance equipment and systems, if any;

(*f*) consider all possible threats, which may include the following types of security incidents —

(i) damage to, or destruction of, the ship or of a port facility, e.g. by explosive devices, arson, sabotage or vandalism;

(ii) hijacking or seizure of the ship or of persons on board;

(iii) tampering with cargo, essential ship equipment or systems or ship's stores;

(iv) unauthorized access or use, including presence of stowaways;

(v) smuggling weapons or equipment, including weapons of mass destruction;

(vi) use of the ship to carry those intending to cause a security incident and their equipment;

(vii) use of the ship itself as a weapon or as a means to cause damage or destruction;

(viii) attacks from seaward whilst at berth or at anchor; and

(ix) attacks while at sea;

(*g*) take into account all possible vulnerabilities, which may include —

(i) conflicts between safety and security measures;

(ii) conflicts between shipboard duties and security assignments;

(iii) watchkeeping duties, number of ship's personnel, particularly with implications on crew fatigue, alertness and performance;

(iv) any identified security training deficiencies; and

(v) any security equipment and systems, including communication systems.

(4) Those involved in conducting a ship security assessment shall be able to draw upon expert assistance in relation to —

(*a*) knowledge of current security threats and patterns;

(*b*) recognition and detection of weapons, dangerous substances and devices;

(*c*) recognition, on a non-discriminatory basis, of characteristics and behavioral patterns of persons who are likely to threaten security;

(*d*) techniques used to circumvent security measures;

(*e*) methods used to cause a security incident;

(*f*) effects of explosives on ship's structures and equipment;

(*g*) ship security;

(*h*) ship/port interface business practices;

(*i*) contingency planning, emergency preparedness and response;

(*j*) physical security;

(*k*) radio and telecommunications systems, including computer systems and networks;

(*l*) marine engineering; and

(*m*) ship and port operations.

(5) The company security officer and the ship security officer shall always have regard to the effect that security measures may have on ship's personnel who will remain on the ship for long periods and when developing security measures, particular consideration shall be given to the convenience, comfort and personal privacy of the ship's personnel and their ability to maintain their effectiveness over long periods.

(6) Subject to regulations 4(2) and 58, a recognized security organization may carry out the ship security assessment of a specific ship.

Report

11.— (1) Upon completion of the ship security assessment, a report shall be prepared, consisting of a summary of how the assessment was conducted, a description of each vulnerability found during the assessment and a description of counter-measures that could be used to address each vulnerability.

(2) The report under sub-regulation (1) shall be protected from unauthorized access or disclosure.

(3) If the ship security assessment has not been carried out by the Company, the report of the ship security assessment shall be reviewed and accepted by the company security officer.

On-scene security survey

12. The on-scene security survey shall examine and evaluate existing shipboard protective measures, procedures and operations for —

(*a*) ensuring the performance of all ship security duties;

(*b*) monitoring restricted areas to ensure that only authorized persons have access;

(*c*) controlling access to the ship, including any identification systems;

(*d*) monitoring of deck areas and areas surrounding the ship;

(*e*) controlling the embarkation of persons and their effects (accompanied and unaccompanied baggage and ship's personnel personal effects);

(*f*) supervising the handling of cargo and the delivery of ship's stores; and

(*g*) ensuring that ship security communication, information, and equipment are readily available.

Ship security plan

13.— (1) Each ship shall carry on board a ship security plan approved by the Director.

(2) Subject to regulations 4(2) and 58, a recognized security organization may prepare the ship security plan for a specific ship.

(3) The Director may entrust the review and approval of ship security plans or of amendments to a previously approved plan to recognized security organizations.

(4) The recognized security organization undertaking the review and approval of a ship security plan, or its amendments, for a specific ship under sub-regulation (3) shall not have been involved in either the preparation of the ship security assessment or of the ship security plan, or of the amendments under review.

(5) The submission of a ship security plan, or of amendments to a previously approved plan, for approval shall be accompanied by the security assessment on the basis of which the plan, or the amendments, has been developed.

(6) A ship security plan shall —

(*a*) make provision for the three security levels;

(*b*) address the following –

(i) measures designed to prevent weapons, dangerous substances and devices intended for use against persons, ships or ports and the carriage of which is not authorized from being taken on board the ship;

(ii) identification of the restricted areas and measures for the prevention of unauthorized access to them;

(iii) measures for the prevention of unauthorized access to the ship;

(iv) procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the ship or ship/port interface;

(v) procedures for responding to any security instructions the Contracting Government may give at security level 3;

(vi) procedures for evacuation in case of security threats or breaches of security;

(vii) duties of shipboard personnel assigned security responsibilities and other shipboard personnel on security aspects;

(viii) procedures for auditing the security activities;

(ix) procedures for training, drills and exercises associated with the plan;

(x) procedures for interfacing with port facility security activities;

(xi) procedures for the periodic review of the plan and for updating;

(xii) procedures for reporting security incidents;

(xiii) identification of the ship security officer;

(xiv) identification of the company security officer, including twenty four hour contact details;

(xv) procedures to ensure the inspection, testing calibration, and maintenance of any security equipment provided on board;

(xvi) frequency for testing or calibration of any security equipment provided on board;

(xvii) identification of the locations where the ship security alert system activation points are provided; and

(xviii) procedures, instructions and guidance on the use of the ship security alert system, including the testing activation, deactivation and resetting and to limit false alerts;

(*c*) detail the –

(i) organizational structure of security for the ship;

(ii) ship's relationships with the Company, port facilities, other ships and relevant authorities with security responsibility;

(iii) the communication systems to allow effective continuous communication within the ship and between the ship and others, including port facilities;

(iv) basic security measures for security level 1, both operational and physical, that will always be in place;

(v) additional security measures that will allow the ship to progress without delay to security level 2 and, when necessary, to security level 3;

(*d*) provide for regular review, or audit, of the ship security plan and for its amendment in response to experience or changing circumstances; and

(*e*) detail reporting procedures to the contact points.

(7) The Director shall determine which changes to an approved ship security plan or any security equipment specified in an approved plan shall be implemented.

(8) The nature of the changes to the ship security plan or the security equipment pursuant to sub-regulation (7) that have been specifically approved by the Director shall be documented in a manner that clearly indicates such approval.

(9) The approval in sub-regulation (7) shall be available on board and shall be presented together with the Certificate or the Interim Certificate.

(10) If the changes in sub-regulation (8) are temporary, once the original approved measures or equipment are reinstated, this documentation no longer needs to be retained by the ship.

(11) The ship security plan may be kept in an electronic format and shall be protected by procedures aimed at preventing its unauthorized deletion, destruction, amendment, access or disclosure.

(12) A person who without authorization deletes, destroys, or amends the plan kept in an electronic format, commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(13) Any unauthorized person who obtains access to or discloses the contents of any plan commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(14) Subject to sub-regulation (15), ship security plans are not subject to inspection by a competent authority appointed by a Contracting Government to carry out control and compliance measures in accordance with regulations 25, 26, and 27.

(15) Notwithstanding sub-regulation (14), if a competent authority appointed by a Contracting Government has clear grounds to believe that the ship is not in compliance with the requirements of chapter XI-2 of the Convention or Part A of the ISPS Code, and the only means to verify or rectify non-compliance is to review the relevant requirements of the ship security plan, limited access to the specific sections of the plan relating to the non-compliance is exceptionally allowed, but only with the consent of the Administration of, or the master of, the ship concerned.

Confidential information

14. Notwithstanding regulation 12(14), the provisions in the ship security plan relating to regulation 13(6)(*b*)(ii), (iv), (v), (vii), (xv), (xvii) and (xviii) are considered as confidential information and shall not be subject to inspection unless otherwise agreed by the Director.

Verification for ships

15.— (1) All Saint Lucian ships to which these Regulations apply shall be subject to —

(*a*) an initial verification before the ship is put in service or before the certificate required under regulation 16 is issued for the first time, which shall include a complete verification of its security system and any associated security equipment covered by the relevant provisions of chapter XI-2 of the Convention and Part A of the ISPS Code and the approved ship security plan;

(*b*) a renewal verification at intervals specified by the Director, not exceeding five years, except where regulation 19 is applicable;

(*c*) at least one intermediate verification and if only one intermediate verification is carried out it shall take place between the second and third anniversary date of the certificate as defined in regulation I/2(n) of the Convention;

(*d*) any additional verifications as determined by the Director.

(2) The verification of ships shall be carried out by an authorized officer or, if he or she entrusts it, by a recognized security organization.

(3) After verification under sub-regulation (1) the security system and any associated security equipment of the ship shall be maintained to conform with the provisions of regulations XI-2/42 and XI-2/6 of the Convention, Part A of the ISPS Code and of the approved ship security plan.

(4) After any verification under sub-regulation (1), no changes shall be made in the security system and in any associated security equipment or the approved ship security plan without the sanction of the Director.

(5) Any contravention of sub-regulation (1) or (3) shall be an offence by both the company and the master.

Issue or endorsement of certificate

16.— (1) When an initial or renewal verification is satisfactorily completed pursuant to regulation 15 the Director or a recognized security organization acting on his or her behalf shall issue or, as the case may be, endorse an International Ship Security Certificate.

(2) The International Ship Security Certificate shall be drawn up in the Form A set in the Schedule.

Issue and endorsement of certificates by another Government

17.— (1) The Director may request another Contracting Government to verify the ship and, if satisfied that the provisions of regulation 15 are complied with, to issue or authorize the issue of a Certificate to the ship and, where appropriate, endorse or authorize the endorsement of that Certificate on the ship, in accordance with regulation 16.

(2) A Certificate issued under sub-regulation (1) shall contain a statement to the effect that it has been issued at the request of the Director and it shall have the same effect as if it were issued by the Director.

Certificates issued or endorsed on behalf of another Contracting Government

18.— (1) The Director may, at the request of another Contracting Government, verify a ship and, if satisfied that the provisions of regulation 15 are complied with, issue or authorize the issue of a certificate to the ship and, where appropriate, endorse or authorize the endorsement of that Certificate on the ship, in accordance with regulation 16.

(2) A Certificate issued pursuant to sub-regulation (1) shall contain a statement to the effect that it has been issued at the request of that Contracting Government and it shall have the same effect as if the Certificate was issued or endorsed by that Contracting Government.

Duration and validity of Certificate

19.— (1) A certificate shall be issued for a period specified by the Director, which shall not exceed five years.

(2) Where the renewal verification is completed within three months before the expiry of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of expiry of the existing Certificate.

(3) Where the renewal verification is completed after the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of expiry of the existing Certificate.

(4) Where the renewal verification is completed more than three months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of completion of the renewal verification.

(5) Where a Certificate is issued for a period of less than five years, the Director may extend the validity of the Certificate beyond the expiry date to the maximum period specified in sub-regulation (1) provided that the verifications referred to in regulation 15 are applicable when a Certificate is issued for a period of five years are carried out as appropriate.

(6) Where a renewal verification has been completed and a new Certificate cannot be issued or placed on board the ship before the expiry date of the existing Certificate, the Director or recognized security organization acting on behalf of the Director may endorse the existing Certificate and such a Certificate shall be accepted as valid for a further period which shall not exceed five months from the expiry date.

(7) Where a ship, at the time when a Certificate expires, is not in a port in which it is to be verified, the Director may extend the period of validity of the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be verified, and then only in cases where it appears proper and reasonable to do so.

(8) A Certificate shall not be extended for a period longer than three months, and the ship to which an extension is granted shall not, on its arrival in the port in which it is to be verified, be entitled by virtue of such extension to leave that port without having a new Certificate.

(9) Where the renewal verification is completed, the new Certificate shall be valid to a date not exceeding five years from the expiry date of the existing Certificate before the extension was granted.

(10) A Certificate issued to a ship engaged on short voyages which has not been extended under this regulation may be extended by the

Director for a period of grace of up to one month from the date of expiry stated on it and where the renewal verification is completed, the new Certificate shall be valid to a date not exceeding five years from the date of expiry of the existing Certificate before the extension was granted.

(11) Where an intermediate verification is completed before the period specified in regulation 15 then —

(*a*) the expiry date shown on the Certificate shall be amended by endorsement to a date which shall not be more than three years later than the date on which the intermediate verification was completed;

(*b*) the expiry date may remain unchanged provided one or more additional verifications are carried out so that the maximum intervals between the verifications prescribed in regulation 15 are not exceeded.

(12) A Certificate issued under regulation 16, 17 or 18 shall cease to be valid in any of the following cases —

(*a*) if the relevant verifications are not completed within the periods specified under regulation 15;

(*b*) if the certificate is not endorsed in accordance with regulation 16(1) if applicable;

(*c*) when a company assumes the responsibility for the operation of a ship not previously operated by that company; and

(*d*) upon transfer of the ship to the flag of another State.

(13) In the case of —

(*a*) a transfer of a ship to the flag of another Contracting Government, the Director shall, as soon as possible, transmit to the Contracting Government copies of, or all information relating to the Certificate carried by the ship before the transfer and copies of available verification reports; or

(*b*) a Company that assumes responsibility for the operation of a ship not previously operated by that Company, the previous Company shall, as soon as possible, transmit to the receiving Company copies of any information related to the Certificate or to facilitate the verifications described in regulation 15.

Interim certification

20.— (1) After 1 July 2004, the Director or a recognized security organization may issue an Interim International Ship Security Certificate in the Form B set out in the Schedule for the purposes of —

(*a*) a ship without a Certificate, on delivery or prior to its entry or re-entry into service;

(*b*) transfer from the flag of another Contracting Government to the Saint Lucian register;

(*c*) transfer of a ship to the flag of a Contracting Government from a State which is not a Contracting Government;

(*d*) a Company assuming the responsibility for the operation of a ship not previously operated by that Company,

until the Certificate referred to in regulation 15, 16 or 17(1) is issued.

(2) An Interim Certificate shall only be issued if the Director or a recognized security organization acting on his or her behalf is satisfied that —

(*a*) the ship security assessment required by these Regulations has been completed;

(*b*) a copy of the ship security plan meeting the requirements of these Regulations is provided on board, has been submitted for review and approval, and is being implemented on the ship;

(*c*) the ship is provided with a ship security alert system meeting the requirements of regulation 21, if required;

(*d*) the company security officer has —

(i) ensured the review of the ship security plan for compliance with these Regulations;

(ii) ensured that the plan has been submitted for approval; and

(iii) ensured that the plan is being implemented on the ship; and

(iv) established the necessary arrangements, including arrangements for drills, exercises and internal audits, through which the company security officer is satisfied that the ship will successfully complete the required verification in accordance with regulation 15, within six months;

(*e*) arrangements have been made for carrying out the required verifications under regulation 15;

(*f*) the master, the ship security officer and other ship's personnel with specific security duties are familiar with their duties and responsibilities as specified in these Regulations; and with the relevant provisions of the ship security plan placed on board; and have been provided such information in the working language of the ship's personnel or languages understood by them; and

(*g*) the ship security officer meets the requirements of Part A of the ISPS Code.

(3) An Interim Certificate shall be valid for six months, or until the Certificate required by regulations 16, 17, or 18 is issued whichever comes first.

(4) An Interim Certificate may not be extended.

(5) A subsequent, consecutive Interim Certificate shall not be issued to a ship if, in the judgement of the Director or the recognized security organization, one of the purposes of the ship or a Company in requesting such certificate is to avoid full compliance with these Regulations beyond the period of the initial Interim Certificate as specified in sub-regulation (3).

(6) For the purposes of regulation XI-2/9 of the Convention, the Director may, prior to accepting an Interim Certificate as a valid Interim Certificate, ensure that the requirements of sub-regulation (2)(*d*) – (*f*) have been met.

Ship security alert system

21.— (1) The following ships shall be provided with a ship security alert system —

(*a*) ships constructed on or after 1 July 2004;

(*b*) passenger ships, including high-speed passenger craft, constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004;

(*c*) oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high speed craft, of 500 tons and upwards constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004;

(*d*) other cargo ships of 500 tons and upward and mobile offshore drilling units constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004.

(2) The ship security alert system, when activated, shall —

(*a*) initiate and transmit a ship-to-shore security alert to a competent authority designated by the Director, which in these circumstances may include the Company, identifying the ship, its location and indicating that the security of the ship is under threat or it has been compromised;

(*b*) not send the ship security alert to any other ships;

(*c*) not raise any alarm on-board the ship; and

(*d*) continue the ship security alert until deactivated and reset.

(3) The ship security alert system shall —

(*a*) be capable of being activated from the navigation bridge and in at least one other location; and

(*b*) conform to performance standards not inferior to those adopted by the Organization.

(4) The ship security alert system activation points shall be designed so as to prevent the inadvertent initiation of the ship security alert.

(5) The requirement for a ship security alert system may be complied with by using the radio installation fitted for compliance with the requirements of Chapter IV of the Convention, provided all requirements of this regulation are complied with.

(6) Where the Director receives notification of a ship security alert he or she shall immediately notify the State in the vicinity of which the ship is presently operating.

(7) Where the Director receives notification of a ship security alert from a ship which is not entitled to fly its flag, it shall immediately notify the relevant Administration and, if appropriate, the States in the vicinity of which the ship is presently operating.

(8) Any contravention of sub-regulations (1) to (4) shall be an offence by the company and the master.

Continuous synopsis record

22.— (1) This regulation applies to all ships engaged on international voyages, except —

(*a*) ships of war and troop ships;

(*b*) cargo ships of less than 500 tons;

(*c*) ships not propelled by mechanical means;

(*d*) wooden ships of primitive build;

(*e*) pleasure vessels not engaged in trade; and

(*f*) fishing vessels.

(2) (*a*) All ships shall be provided with a Continuous Synopsis Record for the purpose of providing an on-board record of the history of the ship with respect to the information recorded therein.

(*b*) For ships constructed before 1 July 2004, the Continuous Synopsis Record shall, at least, provide the history of the ship as from 1 July 2004.

(3) The Continuous Synopsis Record shall be issued by the Director to each Saint Lucian ship and it shall contain at least, the following information —

(*a*) the name of Saint Lucia;

(*b*) the date on which the ship was registered in Saint Lucia;

(*c*) the ship's identification number in accordance with the Act;

(*d*) the name of the ship;

(*e*) the port at which the ship is registered;

(*f*) the name of the registered owner and their registered address;

(*g*) the name of the registered bareboat charterer and the registered address, if applicable;

(*h*) the name of the Company, its registered address and the address from where it carries out the safety management activities;

(*i*) the name of all classification societies with which the ship is classed;

(*j*) the name of the Director or of the Contracting Government or of the recognized organization which has issued the Document of Compliance or the Interim Document of Compliance, specified in the ISM Code, to the Company operating the ship and the name of the body which has carried out the audit on the basis of which the document was issued, if other than that issuing the document;

(*k*) the name of the Director or the Contracting Government or of the recognized organization that has issued the Safety Management Certificate or the Interim Safety Management Certificate, specified in the ISM Code, to the ship and the name of the body which has carried out the audit on the basis of which the certificate was issued, if other than the body issuing the certificate;

(*l*) the name of the Director or of the Contracting Government or of the recognized security organization that has issued the Certificate or an Interim Certificate, specified in Part A of the ISPS Code, to the ship and the name of the body which has carried out the verification on the basis of which the certificate was issued, if other than the body issuing the certificate; and

(*m*) the date on which the ship ceased to be registered with Saint Lucia.

(4) The Continuous Synopsis Record shall be kept on board the ship and shall be available for inspection at all times.

(5) (*a*) Any changes relating to the entries referred to in sub-regulation (3)(*d*) or (*m*) shall be recorded in the Continuous Synopsis Record so as to provide updated and current information together with the history of the changes.

(*b*) In case of any changes relating to the entries referred to in paragraph (a), the Director shall issue, as soon as is practically possible, but not later than three months from the date of the change, to the ships entitled to fly the Saint Lucia flag either a revised and updated version of the Continuous Synopsis Record or appropriate amendments thereto.

(*c*) In case of any changes relating to the entries referred to in paragraph (a), the Director, pending the issue of a revised and updated version of the Continuous Synopsis Record, shall authorize and require either the Company or the master of the ship to amend the Continuous Synopsis Record to reflect the changes.

(*d*) After the Continuous Synopsis Record has been amended the Company or the master of the ship shall, without delay, inform the Director accordingly.

(6) The Continuous Synopsis Record shall be in the format developed by the Organization and shall be maintained in accordance with guidelines developed by the Organization and any previous entries in the Continuous Synopsis Record shall not be modified, deleted or, in any way, erased or defaced.

Transfer of flag by ship

23.— (1) Whenever a ship is transferred to the flag of another State or the ship is sold to another owner, or is taken over by another bareboat charterer, or another Company assumes the responsibility for the operation of the ship, the Continuous Synopsis Record shall be left on board the ship.

(2) When a ship is to be transferred to the flag of another State, the Company, or, master shall notify the Director of the name of the State under whose flag the ship is to be transferred so as to enable the Director to forward to that State a copy of the Continuous Synopsis Record covering the period during which the ship was under his or her jurisdiction.

(3) When a ship is transferred to the flag of another Contracting Government, the Director shall transmit to the Administration as soon as possible after the transfer takes place a copy of the relevant Continuous Synopsis Record covering the period during which the ship was under Saint Lucia jurisdiction together with any Continuous Synopsis Records previously issued to the ship by other States.

(4) When a ship is transferred from the flag of another State, the Director shall append the previous Continuous Synopsis Records to the new Continuous Synopsis Record issued to the ship.

Offences and penalties

24.— (1) A Company, shall —

(*a*) provide to the Director the information required by regulation 23(3) if requested by the Director;

(*b*) inform the Director of the changes referred to in regulation 22(5);

(*c*) make the changes in the Continuous Synopsis Record as he or she is required to make under regulation 22(5)(*c*);

(*d*) inform the Director as is required by regulation 22(5)(*c*)(ii);or

(*e*) ensure the Continuous Synopsis Record is left on the ship and is available for inspection as required by regulation 22(4).

(2) Where a Company contravenes sub-regulation (1) that company commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars.

(3) A master shall —

(*a*) make any changes in the Continuous Synopsis Record he or she is required to make under regulation 22(5)(*c*);

(*b*) ensure the Continuous Synopsis Record is left on the ship and is available for inspection as required by regulation 22(4).

(4) Where a master contravenes sub-regulation (3), he or she commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars.

Ships intending to enter a port

25.— (1) The Director may require that ships intending to enter ports in Saint Lucia provide the following information to authorized officers to ensure compliance with these Regulations prior to entry into the port and with the aim of avoiding the need to impose control measures or steps—

(*a*) the name of the authority issuing the Certificate or Interim Certificate;

(*b*) the security level at which the ship is currently operating;

(*c*) the security level at which the ship operated in any previous port where it has conducted a ship/port interface within the time frame specified in sub-regulation(4);

(*d*) any special or additional security measures that were taken by the ship in any previous port where it has conducted a ship/port interface within the time frame specified in sub-regulation (4);

(*e*) that the appropriate ship security procedures were maintained during any ship to ship activity within the time frame specified in sub-regulation (4); or

(*f*) other practical security related information, but not details of the ship security plan, taking into account the guidance given in Part B of the ISPS Code;

and where requested by the Director, the ship or the Company shall provide confirmation, acceptable to it, of the information required above.

(2) Every Saint Lucian ship to which these Regulations applies intending to enter the port of another Contracting Government shall provide the information described in sub-regulation (1) on the request of the authorized officer of that Contracting Government.

(3) The master may decline to provide the information requested under sub-regulation (2) on the understanding that failure to do so may result in denial of entry into port.

(4) The ship shall keep records of the information referred to in sub-regulation (2) for the last ten calls at port facilities.

(5)(*a*) Where, after receipt of the information described in sub-regulation (1), an authorized officer has clear grounds for believing that the ship is not in compliance with the requirements of these Regulations, such officers shall attempt to establish communication with and between the ship and its Administration in order to rectify the non-compliance.

(*b*) Where such communication does not result in rectification, or if such officers have clear grounds for believing that the ship is not in compliance with the requirements of these Regulations, such officers may take steps in relation to that ship as provided in sub-regulation (6) and any such steps shall be proportionate, taking into account the guidance given in these Regulations.

(6) The steps which may be taken pursuant to sub-regulation (5) shall include the following —

(*a*) a requirement for the rectification of the non-compliance;

(*b*) a requirement that the ship proceed to a location specified in the territorial sea or internal waters of Saint Lucia;

(*c*) inspection of the ship, if the ship is in the territorial sea of Saint Lucia; or

(*d*) denial of entry into port.

(7) Prior to initiating any steps under sub-regulation (6), the Designated Authority shall inform the ship of its intentions and upon receipt of this information the master may withdraw the intention to enter that port.

Control of ships in port

26.(1)(*a*) For the purpose of these Regulations, every ship to which these Regulations applies is subject to control when in a port in Saint Lucia by the Director or an authorized officer.

(*b*) The control in paragraph (a) shall be limited to verifying that there is on board a valid Certificate or Interim Certificate, which, if valid, shall be accepted, unless there are clear grounds for believing that the ship is not in compliance with the requirements of these Regulations.

(2) Where there are no clear grounds, or where no valid Certificate or Interim Certificate is produced when required, the authorized officer shall impose any one or more control measures in relation to that ship as provided in sub-regulation (4).

(3) The imposed measures pursuant to sub-regulation (2) shall be proportionate, taking into account the guidance given in this regulation.

(4) (*a*) The control measures which authorized officers shall impose under sub-regulation (2) include the following —

(i) inspection of the ship;

(ii) delaying the ship;

(iii) detention of the ship;

(iv) restriction of operations including movement within the port; or

(v) expulsion of the ship from port.

(*b*) The control measures in paragraph (*a*) may additionally or alternatively include other lesser administrative or corrective measures.

Additional control and compliance provisions

27.— (1) Where —

(*a*) the imposition of a control measure, other than a lesser administrative or corrective measure, referred to in regulation 26(4)(*b*); or

(*b*) any of the steps referred to in regulation 26(4)(*a*)

are taken, an authorized officer shall forthwith inform the Administration in writing specifying which control measures have been imposed or steps taken and the reasons and he or she shall also notify the recognized security organization, which issued the Certificate relating to the ship concerned and the Organization when any such control measures have been imposed or steps taken.

(2) When entry into port is denied or the ship is expelled from a port in Saint Lucia, the Director shall communicate the appropriate facts to the authorities of the State of the next appropriate ports of call, when known, and any other appropriate coastal States, taking into account any guidelines developed by the Organization and confidentiality and security of such notification shall be ensured.

(3) Denial of entry into port or expulsion from port, shall only be imposed where the authorized officers have clear grounds to believe that the ship poses an immediate threat to the security or safety of persons, or of ships or other property and there are no other appropriate means for removing that threat.

(4) The control measures referred to in regulation 26 and the steps referred to in regulation 25 shall only be imposed, pursuant to regulations 26 and 25, until the non-compliance giving rise to the control measures or steps has been corrected to the satisfaction of the Director, taking into account actions proposed by the ship or the Administration or the Director, if any.

(5) Where control is exercised under regulation 26 or steps taken under regulation 25 —

(*a*) all possible efforts shall be made to avoid a ship being unduly detained or delayed and if a ship is unduly detained, or delayed, it shall be entitled to compensation for any loss or damage suffered; and

(*b*) necessary access to the ship shall not be prevented for emergency or humanitarian reasons or for security purposes.

Threats to ships

28.— (1) The Director shall set security levels and ensure the provision of security level information to ships operating in the territorial sea of Saint Lucia or having communicated an intention to enter the territorial sea.

(2) The Director shall provide a point of contact through which such ships can request advice or assistance and to which such ships can report any security concerns about other ship movements or communications.

(3) Where a risk of attack has been identified, the Director shall advise the ships concerned and their Administrations of —

(*a*) the current security level;

(*b*) any security measures that should be put in place by the ships concerned to protect themselves from attack, in accordance with these Regulations; and

(*c*) security measures that the Designated Authority put in place.

PART III
PORT FACILITY SECURITY

Responsibility of Royal Saint Lucia Police Force

29.— (1) Without prejudice to any other duties under these Regulations or any other law the Royal Saint Lucia Police Force shall —

(*a*) set the applicable security level for port facilities or ship to ship interface in Saint Lucia territorial sea;

(*b*) determine which of the ports located within their territory are required to designate a port facility security officer who will be responsible for the preparation of the port facility security plan;

(*c*) ensure completion and approval of the port facility security assessment and of any subsequent amendments to a previously approved assessment;

(*d*) approve the port facility security plan and any subsequent amendments to a previously approved plan;

(*e*) exercise control and compliance measures;

(*f*) test approved plans; and

(*g*) communicate information to the Organization and to the shipping and port industries.

(2) Subject to regulation 58, the Royal Saint Lucia Police Force may delegate to a recognized security organization its duties under these Regulations, except —

(*a*) setting of the applicable security level for port facilities or ship to ship interface in Saint Lucia territorial sea;

(*b*) approving a port facility security assessment and subsequent amendments to an approved assessment;

(*c*) determining the port facilities which will be required to designate a port facility security officer and prepare a port facility security plan;

(*d*) approving a port facility security plan and subsequent amendments to an approved plan;

(*e*) exercising control and compliance measures pursuant to regulations 25, 26 and 27; and

(*f*) establishing the requirements for a Declaration of Security.

(3) The Royal Saint Lucia Police Force shall designate and communicate to the port facility operator and the port facility security officer the measures required to be addressed in a port facility security plan for the various security levels, including when the submission of a Declaration of Security will be required.

Duties of port facility operator

30. The port facility operator shall —

(*a*) ensure that port facilities comply with the relevant requirements of these Regulations;

(*b*) appoint a suitably qualified port facility security officer, and ensure that he or she has knowledge of, and receives appropriate training in the following —

(i) security administration;

(ii) relevant international conventions, codes and recommendations;

(iii) relevant Government legislation and regulations;

(iv) responsibilities and functions of other security organizations;

(v) methodology of port facility security assessment;

(vi) methods of ship and port facility security surveys and inspections;

(vii) ship and port operations and conditions;

(viii) ship and port facility security measures;

(ix) emergency preparedness and response and contingency planning;

(x) instruction techniques for security training and education, including security measures and procedures;

(xi) handling sensitive security-related information and security related communications;

(xii) knowledge of current security threats and patterns;

(xiii) recognition and detection of weapons, dangerous substances and devices;

(xiv) recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten the security;

(xv) techniques used to circumvent security measures;

(xvi) security equipment and systems, and their operational limitations;

(xvii) methods of conducting audits, inspections, control and monitoring;

(xviii) methods of physical searches and non-intrusive inspections;

(xix) security drills and exercises, including drills and exercises with ships; and

(xx) assessment of security drills and exercises;

(*c*) provide the port facility security officer with the resources, assistance and support necessary to enable him or her to carry out his or her duties;

(*d*) ensure that port facility personnel having specific security duties, have appropriate knowledge and receive appropriate training in the following —

(i) knowledge of current security threats and patterns;

(ii) recognition and detection of weapons, dangerous substances and devices;

(iii) techniques used to circumvent security measures;

(iv) crowd management and control techniques;

(v) security-related communications;

(vi) operations of security equipment and systems;

(vii) testing, calibration and maintenance of security equipment and systems;

(viii) inspections, control, and monitoring techniques; and

(ix) methods of physical searches of persons, personal effects, baggage, cargo, and ship's stores;

(*e*) that all other port facility personnel have knowledge of and are familiar with relevant provisions of the port facility security plan in some or all of the following —

(i) the meaning and the consequential requirements of the different security levels;

(ii) recognition and detection of weapons, dangerous substances and devices;

(iii) recognition of characteristics and behavioural patterns of persons who are likely to threaten the security; and

(iv) techniques used to circumvent security measures.

Port facility security officer

31.— (1) A port facility security officer shall be designated for each port facility and a person may be designated as the port facility security officer for one or more port facilities.

(2) In addition to those specified elsewhere in these Regulations, the duties and responsibilities of the port facility security officer shall include, but are not limited to —

(*a*) conducting an initial comprehensive security survey of the port facility, taking into account the relevant port facility security assessment;

(*b*) ensuring the development and maintenance of the port facility security plan;

(*c*) implementing and exercising the port facility security plan;

(*d*) undertaking regular security inspections of the port facility to ensure the continuation of appropriate security measures;

(*e*) recommending and incorporating, as appropriate, modifications to the port facility security plan in order to correct deficiencies and to update the plan to take into account relevant changes to the port facility;

(*f*) enhancing security awareness and vigilance of the port facility;

(*g*) ensuring adequate training has been provided to personnel responsible for the security of the port facility;

(*h*) reporting to the relevant authorities and maintaining records of occurrences which threaten the security of the port facility;

(*i*) co-ordinating implementation of the port facility security plan with the appropriate company and ship security officer;

(*j*) co-ordinating with security services, as appropriate;

(*k*) ensuring that standards for personnel responsible for security of the port facility are met;

(*l*) ensuring that security equipment is properly operated, tested, calibrated and maintained, if any; and

(*m*) assisting ship security officers in confirming the identity of those seeking to board the ship when requested.

(3) The port facility security officer shall be given the necessary support to fulfil the duties and responsibilities imposed by chapter XI-2 of the Convention, Part A of the ISPS Code and these Regulations.

(4) A port facility security officer shall —

(*a*) assist the ship security officer in those exceptional instances where the ship security officer has questions about the validity of identification documents of those seeking to board the ship for official purposes;

(*b*) not be responsible for routine confirmation of the identity of those seeking to board the ship.

Port facility security

32.— (1) A port facility shall act upon the security levels set by the Royal Saint Lucia Police Force and security measures and procedures shall be applied at the port facility in such a manner as to cause a minimum of interference with, or delay to, passengers, ship, ship's personnel and visitors, goods and services.

(2) At security level 1, the following activities shall be carried out through appropriate measures in all port facilities in order to identify and take preventative measures against security incidents —

(*a*) ensuring the performance of all port facility security duties;

(*b*) controlling access to the port facility;

(*c*) monitoring of the port facility, including anchoring and berthing areas;

(*d*) monitoring restricted areas to ensure that only authorized persons have access;

(*e*) supervising the handling of cargo;

(*f*) supervising the handling of ship's stores; and

(*g*) ensuring that securing communication is readily available.

(3) At security level 2, additional protective measures, specified in the port facility security plan, shall be implemented for each activity detailed in sub-regulation 2.

(4) At security level 3, further specific protective measures, specified in the port facility security plan, shall be implemented for each activity detailed in sub-regulation (2).

(5) In addition, at security level 3, port facilities shall respond to and implement any security instructions given by the Royal Saint Lucia Police Force.

(6) Where a port facility security officer is advised that a ship encounters difficulties in complying with the requirements of chapter XI-2 of the Convention or Part A of the ISPS Code or in implementing the appropriate measures and procedures as detailed in the ship security

plan, and in the case of security level 3 following any security instructions given by the Royal Saint Lucia Police Force, the port facility security officer and the ship security officer shall liaise and co-ordinate appropriate actions.

(7) When a port facility security officer is advised that a ship is at a security level which is higher than that of the port facility, the port facility security officer shall report the matter to the Royal Saint Lucia Police Force and shall liaise with the ship security officer and co-ordinate appropriate actions, if necessary.

Port facility security assessment

33.— (1) A port facility security assessment shall be carried out by —

(*a*) a Contracting Government or a recognized security organization to —

(i) determine which port facility requires a port facility security officer;

(ii) prepare the port facility security plan;

(iii) provide measures to ensure the security of ships where there are no port facility security officers at the relevant port facility; or

(*b*) a port facility where a port facility security plan must be prepared.

(2) When the port facility security assessment has been carried out by a port facility, the —

(*a*) port facility security assessment shall be reviewed and approved for compliance with this regulation by the Royal Saint Lucia Police Force;

(*b*) recognized security organization which may have carried out the security assessment, shall not be associated with any other recognized security organization that prepared or assisted in the preparation of that assessment.

(3) The persons carrying out the assessment shall have appropriate skills to evaluate the security of the port facility in accordance with this regulation and shall be able to draw upon expert assistance in relation to —

(*a*) knowledge of current security threats and patterns;

(*b*) recognition and detection of weapons, dangerous substances and devices;

(*c*) recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security;

(*d*) techniques used to circumvent security measures;

(*e*) methods used to cause a security incident;

(*f*) effects of explosives on structures and port facility services;

(*g*) port facility security;

(*h*) port business practices;

(*i*) contingency planning, emergency preparedness and response;

(*j*) physical security measures, e.g. fences;

(*k*) radio and telecommunications systems, including computer systems and networks;

(*l*) transport and civil engineering; and

(*m*) ship and port operations.

(4) Port facility security assessments shall be reviewed periodically and updated, taking into account changing threats and minor changes in the port facility, and shall always be reviewed and updated when major changes to the port facility take place.

(5) The port facility assessment shall include, at least, the following elements —

(*a*) identification and evaluation of important assets and infrastructure it is important to protect taking into account potential loss of life, the economic significance of the port, symbolic value, and the presence of Government installations;

(*b*) identification of possible threats to the assets and infrastructure and the likelihood of their occurrence, in order to establish and prioritize security measures undertaken in consultation with the relevant national security organizations to determine —

(i) any particular aspects of the port facility, including the vessel traffic using the facility, which make it likely to be the target of an attack;

(ii) the likely consequences in terms of loss of life, damage to property and economic disruption, including disruption to transport systems, of an attack on, or at, the port facility;

(iii) the capability and intent of those likely to mount such an attack; and

(iv) the possible type, or types, of attack;

producing an overall assessment of the level of risk against which security measures have to be developed;

(*c*) identification, selection and prioritization of countermeasures and procedural changes and their level of effectiveness in reducing vulnerability; and

(*d*) identification of weaknesses, including human factors, in the infrastructure, policies and procedures;

(*e*) physical security;

(*f*) structural integrity;

(*g*) personnel protection systems;

(*h*) procedural policies;

(*i*) radio and telecommunication systems, including computer systems and networks;

(*j*) relevant transportation infrastructure;

(*k*) utilities; and

(*l*) other areas that may, if damaged or used for illicit observation, pose a risk to person, property, or operations within the port facility.

(6) The assets and infrastructure under sub-regulation (3)(*a*) may include —

(*a*) accesses, entrances, approaches, and anchorages, manoeuvring and berthing areas;

(*b*) cargo facilities, terminals, storage areas, and cargo handling equipment;

(*c*) systems such as electrical distribution systems, radio and telecommunication systems and computer systems and networks;

(*d*) port vessel traffic management systems and aids to navigation;

(*e*) power plants, cargo transfer piping, and water supplies;

(*f*) bridges, railways, roads;

(*g*) port service vessels, including pilot boats, tugs, lighters, etc.;

(*h*) security and surveillance equipment and systems; and

(*i*) the waters adjacent to the port facility.

(7) The possible threats under sub-regulation (3)(*b*) may include the following types of security incidents —

(*a*) damage to, or destruction of, the port facility or of the ship, e.g. by explosive devices, arson, sabotage or vandalism;

(*b*) hijacking or seizure of the ship or of persons on board;

(*c*) tampering with cargo, essential ship equipment or systems or ship's stores;

(*d*) unauthorized access or use, including presence of stowaways;

(*e*) smuggling weapons or equipment, including weapons of mass destruction;

(*f*) use of the ship to carry those intending to cause a security incident and their equipment;

(*g*) use of the ship itself as a weapon or as a means to cause damage or destruction;

(*h*) blockage of port entrances, locks, approaches, etc.; and

(*i*) nuclear, biological and chemical attack.

(8) The process in sub-regulation (3)(*b*) shall involve consultation with the relevant authorities relating to structures adjacent to the port facility which could cause damage within the facility or be used for the purpose of causing damage to the facility or for illicit observation of the facility or for diverting attention.

(9) Upon completion of the port facility security assessment, a report shall be prepared, consisting of a summary of how the assessment was conducted, a description of each vulnerability found during the

assessment and a description of countermeasures that could be used to address each vulnerability and the report shall be protected from unauthorized access or disclosure.

(10) For the purposes of sub-regulation (3)(*c*) —

(*a*) the security measures shall be selected on the basis of factors such as whether they reduce the probability of an attack and shall be evaluated using information that includes —

(i) security surveys, inspections and audits;

(ii) consultation with port facility owners and operators, and owners/operators of adjacent structures if appropriate;

(iii) historical information on security incidents; and operations within the port facility;

(*b*) identification of vulnerabilities shall include consideration of —

(i) water-side and shore-side access to the port facility and ships berthing at the facility;

(ii) structural integrity of the piers, facilities, and associated structures;

(iii) existing security measures and procedures, including identification systems;

(iv) existing security measures and procedures relating to port services and utilities;

(v) measures to protect radio and telecommunication equipment, port services and utilities, including computer systems and networks;

(vi) adjacent areas that may be exploited during, or for, an attack;

(vii) existing agreements with private security companies providing water-side/shore-side security services;

(viii) any conflicting policies between safety and security measures and procedures;

(ix) any enforcement and personnel constraints;

(x) any deficiencies identified during training and drills; and

(xi) any deficiencies identified during daily operation, following incidents or alerts, the report of security concerns, the exercise of control measures, audits, etc.

Port facility security plan

34.— (1) A port facility security plan shall be developed and maintained, on the basis of a port facility security assessment for each port facility, adequate for the ship/port interface.

(2) The port facility security plan referred to in sub-regulation (1) shall make provisions for the three security levels defined in regulation 2.

(3) Subject to regulation (2), a recognized security organization may prepare the port facility security plan of a specific port facility.

(4) The port facility security plan shall be approved by the Royal Saint Lucia Police Force.

(5) The port facility security plan shall address, at least, the following —

(*a*) measures designed to prevent weapons or any other dangerous substances and devices intended for use against persons, ships or ports, and the carriage of which is not authorized, from being introduced into the port facility or on board a ship;

(*b*) measures designed to prevent unauthorized access to the port facility to ships moored at the facility, and to restricted areas of the facility;

(*c*) procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the port facility or ship/port interface;

(*d*) procedures for responding to any security instructions the Royal Saint Lucia Police Force may give at security level 3;

(*e*) procedures for evacuation in case of security threats or breaches of security;

(*f*) duties of port facility personnel assigned security responsibilities and of other port facility personnel on security aspects;

(*g*) procedures for interfacing with ship security activities;

(*h*) procedures for the periodic review of the plan and updating;

(*i*) procedures for reporting security incidents;

(*j*) identification of the port facility security officer, including twenty four contact details;

(*k*) measures to ensure the security of the information contained in the plan;

(*l*) measures designed to ensure effective security of cargo and the cargo handling equipment at the port facility;

(*m*) procedures for auditing the port facility security plan;

(*n*) procedures for responding in case the ship security alert system of a ship at the port facility has been activated; and

(*o*) procedures for facilitating shore leave for ship's personnel or personnel changes, as well as access of visitors to the ship, including representatives of seafarers' welfare and labour organizations.

(6) Personnel conducting internal audits of the security activities specified in the plan or evaluating its implementation shall be independent of the activities being audited unless it is impracticable due to the size and the nature of the port facility.

(7) The port facility security plan may be combined with, or be part of, the port security plan or any other port emergency plan.

(8) The Royal Saint Lucia Police Force shall determine which changes to the port facility security plan shall not be implemented unless the relevant amendments to the plan are approved by them.

(9) The port facility security plan may be kept in an electronic format and shall be protected by procedures aimed at preventing its unauthorized deletion, destruction, amendment, access or disclosure.

(10) A person who without authorization deletes, destroys or amends the plan kept in an electronic format commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(11) Any unauthorized person who obtains access to or discloses the contents of any plan commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(12) The Royal Saint Lucia Police Force may allow a port facility security plan to cover more than one port facility if the operator, location, operation, equipment, and design of these port facilities are similar and where the Royal Saint Lucia Police Force allows such an alternative arrangement the particulars of such arrangement shall be communicated to the Organization.

(13) All port facility security plans shall —

(*a*) detail the security organization of the port facility;

(*b*) detail the organization's links with other relevant authorities and the necessary communication systems to allow the effective continuous operation of the organization and its links with others, including ships in port;

(*c*) detail the basic security level 1 measures, both operational and physical, that will be in place;

(*d*) detail the additional security measures that will allow the port facility to progress without delay to security level 2, and, when necessary, to security level 3;

(*e*) provide for regular review, or audit, of the port facility security plan and for its amendment in response to experience or changing circumstances; and

(*f*) detail reporting procedures to the appropriate contact points.

Statement of Compliance of a port facility

35.— (1) The Royal Saint Lucia Police Force may issue an appropriate Statement of Compliance of a Port facility indicating —

(*a*) the port facility;

(*b*) that the port facility complies with the provisions of chapter XI-2 of the Convention and Part A of the ISPS Code;

(*c*) the period of validity of the Statement of Compliance of a port facility, which should be specified by the Royal Saint Lucia Police Force but shall not exceed five years; and

(*d*) the subsequent verification arrangements established by the Royal Saint Lucia Police Force and a confirmation when these are carried out.

(2) The statement of compliance shall be in the Form C set out in the Schedule.

Alternative security arrangements

36.— (1) The Royal Saint Lucia Police Force may, when implementing these Regulations, conclude in writing bilateral or multilateral agreements with other Contracting Governments on alternative security arrangements covering short international voyages on fixed routes between port facilities located within their territories.

(2) Any agreement made pursuant to sub-regulation (1) shall not compromise the level of security of other ships or of port facilities not covered by the agreement.

(3) A ship covered by such an agreement made pursuant to sub-regulation (1) shall not conduct any ship-to-ship activities with any ship not covered by the agreement.

(4) An agreement made under sub-regulation (1) shall be reviewed periodically, taking into account the experience gained as well as any changes in the particular circumstances or the assessed threats to the security of the ships, the port facilities or the routes covered by the agreement.

Equivalent security arrangements

37.— (1) The Director may allow a particular ship or a group of Saint Lucian ships to implement other security measures equivalent to those prescribed in these Regulations, provided such security measures are at least as effective as those prescribed in these Regulations and the Director, where he or she allows such security measures, shall communicate to the Organization particulars thereof.

(2) (*a*) When implementing these Regulations and Part A of the ISPS Code, the Royal St. Lucia Police Force may allow a particular port facility or a group of port facilities located within its territory, other than those covered by an agreement concluded under regulation 36, to implement security measures equivalent to those prescribed in these Regulations, provided such security measures are at least as effective as those prescribed in these Regulations.

(*b*) Where the Royal Saint Lucia Police Force, allows the security measures, under paragraph (*a*) it shall communicate to the Organization particulars of the security measures.

PART IV
OFFENCES

Requirement to provide information

38. The Royal Saint Lucia Police Force may, by notice in writing served on any of the following persons —

(*a*) the owner, charterer, manager or master of any ship which is in, or appears to the Royal St. Lucia Police Force to be likely to enter, a port facility;

(*b*) a port facility operator;

(*c*) any person who carries on operations in a port facility; and

(*d*) any person who is permitted to have access to a restricted zone of a port facility for the purposes of the activities of a business carried on by him or her,

require that person to provide the information specified in the notice.

(2) A notice under sub-regulation (1) shall specify a date before which the information required by the person in sub-regulation (1) (*a*) – (*d*) is to be furnished to the Royal St. Lucia Police Force.

(3) Any notice under sub-regulation (1) may also require the person on whom it is served to inform the Royal St. Lucia Police Force of any inaccurate information resulting from any change of circumstances including the taking of any further measures for purposes of these Regulations or the alteration or discontinuance of any measures already taken.

(4) Where a notice requires further information to be furnished to the Royal St. Lucia Police Force in accordance with sub-regulation (3), it shall require that information to be furnished to it before the end of such period as is specified in the notice for the purposes of this sub-regulation.

(5) A notice served on a person under sub-regulation (1) may at any time —

(*a*) be revoked by a notice in writing served on the person by the Royal Saint Lucia Police Force; or

(*b*) be varied by a further notice under sub-regulation (1).

(6) The Director may, require the owner, charterer, manager or master of any Saint Lucian ship to provide him or her with information, and sub-regulations (1) to (5) shall apply as if references to the Designated Authority were references to the Director.

(7) Any person who —

(*a*) without reasonable excuse, fails to comply with a requirement imposed on him or her by a notice under this regulation; or

(*b*) in furnishing any information so required, makes a statement which he or she knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

commits an offence, and is liable on summary conviction to a fine not exceeding ten thousand dollars.

False statements

39.— (1) A person who willfully makes a false statement to mislead or misleads or attempts to mislead the Director or the Royal Saint Lucia Police Force or any other person acting in the discharge of functions under these Regulations relating to the following —

(*a*) any baggage, cargo or stores, whether belonging to him or her or to another, that is or are intended for carriage by sea —

(i) by a Saint Lucian ship, or

(ii) by any other ship to or from Saint Lucia; and

(*b*) for the purpose of, or in connection with, an application made by him or her or another for the issue of an identity document to which this regulation applies; or

(*c*) in connection with the continued holding by him or her or another of any such document which has already been issued,

commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(2) In this regulation —

"cargo" includes mail;

"ship" does not include a ship used in naval, customs or police service; and

"stores" means any goods intended for sale or use in a ship, including fuel and spare parts and other articles of equipment, whether or not for immediate fitting.

Unauthorised presence in restricted zones

40.— (1) A person shall not —

(*a*) go, with or without a vehicle or vessel, onto or into any part of a restricted zone of a port facility except with the permission of

the port facility operator or a person acting on behalf of the port facility operator and any conditions to which that permission is for the time being granted; or

(*b*) remain in any part of such a restricted zone after being requested to leave by the port facility operator or a person acting on behalf of the port facility operator.

(2) Sub-regulation (1)(*a*) does not apply unless it is proved that, at all the material times, notices stating that the area concerned was a restricted zone were posted so as to be readily seen and read by persons entering the restricted zone.

(3) A person who contravenes sub-regulation (1) commits an offence.

Offences relating to authorized persons

41.— (1) A person who intentionally obstructs an authorized officer acting in the exercise of a power conferred on him or her by or under these Regulations commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(2) A person who falsely pretends to be an authorized officer, commits an offence, and is liable on summary conviction to a fine of ten thousand dollars.

General penalty etc.

42.— (1) A person, who commits an offence under these Regulations and for which there is no penalty is liable on summary conviction, to a fine not exceeding ten thousand dollars.

(2) It shall be a defence for a person charged under these Regulations to show that he or she took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Obstruction

43. A person who, without lawful justification or excuse —

(*a*) obstructs, hinders or resists the Director or the Royal Saint Lucia Police Force or any other person in the discharge of their functions under these Regulations;

(*b*) fails to comply with any lawful requirement of the Director or the Royal Saint Lucia Police Force; or

(*c*) deals with documents, communication or information in a manner inconsistent with his or her duty under these Regulation;

commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for a term of two years.

Prohibition on proceeding to sea without an appropriate certificate

44.— (1) Any Saint Lucian ship required to be verified under these Regulations shall not proceed, or attempt to proceed to sea unless there is in force a valid Certificate or an Interim Certificate.

(2) Where a ship proceeds, or attempts to proceed to sea in contravention of sub-regulation (1) the company and the master, commits an offence.

PART V
MISCELLANEOUS

Organization and performance of security duties

45.— (1) The ship security plan shall establish the following in relation to security levels —

(*a*) the duties and responsibilities of all shipboard personnel with a security role;

(*b*) the procedures of safeguards necessary to allow such continuous communications to be maintained at all times;

(*c*) the procedures needed to access the continuing effectiveness of security procedures and any security and surveillance equipment and systems, including procedures for identifying and responding to equipment or systems failure or malfunction;

(*d*) the procedures and practices to protect security-sensitive information held in paper or electronic format;

(*e*) the type and maintenance requirements of security and surveillance equipment and systems, if any;

(*f*) the procedures to ensure the timely submission, and assessment, of reports relating to possible breaches to security or security concerns; and

(*g*) procedures to establish, maintain and update an inventory of any dangerous goods or hazardous substances carried on board, including their location.

(2) The port facility security plan shall establish the following, which relate to security levels —

(*a*) the role and structure of the port facility security organization;

(*b*) the duties, responsibilities and training requirements of all port facility personnel with a security role and the performance measures needed to allow their individual effectiveness to be assessed;

(*c*) the port facility security organization's links with other national or local authorities with security responsibilities;

(*d*) the communication systems provided to allow effective and continuous communication between port facility security personnel, ships in port and, when appropriate, with national or local authorities with security responsibilities;

(*e*) the procedures or safeguards necessary to allow such continuous communications to be maintained at all times;

(*f*) the procedures and practices to protect security-sensitive information held in paper or electronic format;

(*g*) the procedures to assess the continuing effectiveness of security measures, procedures and equipment, including identification of, and response to, equipment failure or malfunction;

(*h*) the procedures to allow the submission, and assessment, of reports relating to possible breaches of security or security concerns;

(*i*) procedures relating to cargo handling;

(*j*) procedures covering the delivery of ship's stores;

(*k*) the procedures to maintain, and update, records of dangerous goods and hazardous substances and their locations within the port facility;

(*l*) the means of alerting and obtaining the services of waterside patrols and specialist search teams, including bomb searches and underwater searches;

(*m*) the procedures for assisting ship security officers in confirming the identity of those seeking to board the ship when requested; and

(*n*) the procedures for facilitating shore leave for ship's personnel or personnel changes, as well as, access of visitors to the ship, including representatives of seafarers' welfare and labour organizations.

Drills and exercise

46.— (1) To ensure the effective implementation of the port facility security plan, drills shall be conducted at least every three months unless the specific circumstances dictate otherwise and these drills shall test individual elements of the port facility plan such as those security threats listed in regulation 33 (5)(*b*) and (7).

(2) Various types of exercises, which may include participation of port facility security officers, in conjunction with other relevant authorities of company security officers, or ship security officers, if available, shall be carried out at least once each calendar year with no more than eighteen months between the exercises.

(3) Requests for the participation of company security officers or ship security officers in joint exercises shall be made, bearing in mind the security and work implications for the ship.

(4) The exercises in this regulation shall test communication, co-ordination, resource availability and response and may be —

(*a*) full-scale or live;

(*b*) tabletop simulation or seminar; or

(*c*) combined with other exercises such as emergency response exercises held in Saint Lucia.

(5) Where a port facility operator and a port facility security officer refuses or neglects without reasonable cause to implement this regulation, that port facility security officer and the port facility operator commits an offence and are liable on summary conviction to a fine of ten thousand dollars.

(6) Any contravention of this regulation shall be an offence by the port facility security officer.

(7) To ensure the effective implementation of the provisions of the ship security plan, drills shall be conducted at least once every three months.

(8) In cases where more than twenty-five per cent of the ship's personnel has been charged, at any one time, with personnel that has not previously participated in any drill on that ship within the last three months, a drill should be conducted within one week of the change.

(9) The drill in sub-regulation (7) and (8) shall test individual elements of the plan such as those security threats listed in regulation10(3)(*f*).

(10) Various types of exercises, which may include participation of company security officers, port facility security officers, relevant authorities as well as ship security officers, if available, shall be carried out at least once each calendar year with no more than eighteen months between the exercises and these exercises shall test communications, co-ordination, resources availability, and response and may be —

(1) full-scale or live;

(2) tabletop simulation or seminar; or

(3) combined with other exercises held, such as search and rescue or emergency response exercises.

Declaration of Security

47.— (1) A Declaration of Security may be completed —

(*a*) where the Royal Saint Lucia Police Force deems it necessary;

(*b*) when a ship deems it necessary;

(*c*) a port facility security officer prior to ship/port interfaces that are identified in the approved port facility security assessment as being of particular concern.

(2) The need for a Declaration of Security may be indicated by—

(*a*) the results of the port facility security assessment and the reasons and circumstances in which a Declaration of Security is required shall be set out in the port security plan;

(*b*) an Administration as a result of a ship security assessment set out in the ship security plan.

(3) A Ship may request completion of a Declaration of Security where —

(*a*) the ship is operating at a higher security level than the port facility or another ship it is interfacing with;

(*b*) there is an agreement on a Declaration of Security between Contracting Governments covering certain international voyages or specific ships on those voyages;

(*c*) there has been a security threat or a security incident involving the ship or involving the port facility;

(*d*) the ship is at a port which is not required to have and implement an approved port facility security plan; or

(*e*) the ship is conducting ship-to-ship activities with another ship not required to have and implement an approved ship security plan.

(4) Requests for the completion of a Declaration of Security under sub-regulation (1) shall be acknowledged by the applicable port facility or ship and in the case that a ship or an Administration requests completion of a Declaration of Security in sub-regulation (2) (*b*), the port facility officer or ship security officer shall acknowledge the request and discuss appropriate measures.

(5) The Declaration of Security shall be completed by —

(*a*) the master or the ship security officer on behalf of the ship; or

(*b*) the port facility security officer or any other person responsible for shore-side security on behalf of the port facility.

(6) The Declaration of Security shall address the security requirements that may be shared between a port facility and a ship and shall state the responsibility of each.

(7) The main purpose of a Declaration of Security is to ensure agreement is reached between the ship and the port facility or with other ships which it interfaces as to the respective security measures each will undertake in accordance with the provisions of their respective approved security plans.

(8) The Declaration of Security shall be signed and dated by the port facility and the ship and shall include its duration, which shall not be

greater than the period agreed by the Royal Saint Lucia Police Force and the port facility, the relevant security level and the relevant contact details.

(9) A change in the security level may require that a new or revised Declaration of Security be completed.

(10) A Declaration of Security —

(*a*) between a ship and a port facility shall be in the Form D;

(*b*) a ship and another ship shall be in the Form E;

prescribed in the Schedule.

(11) The port facility security plan shall establish the procedures to be followed when, on the instructions of the Royal Saint Lucia Police Force the port facility security officer requests a declaration of security or when a declaration of security is requested by a ship.

Access

48.— (1) The ship security plan shall establish the security measures covering all means of access to the ship identified in the ship security assessment including but not limited to the following —

(*a*) access ladders;

(*b*) access gangways;

(*c*) access ramps;

(*d*) access doors, sidescuttles, windows and ports;

(*e*) mooring lines and anchor chains; and

(*f*) cranes and hoisting gear.

(2) For each access identified pursuant to sub-regulation (1), the ship security plan shall identify the appropriate locations where access restrictions or prohibitions shall be applied for each security level and for each security level establish the type of restriction or prohibition to be applied and the means of enforcing them.

(3) The ship security plan shall establish for each security level the means of identification required to allow access to the ship and for individuals to remain on the ship without challenge and this may involve developing an appropriate identification system, allowing for permanent

and temporary identifications for ship's personnel and for visitors respectively.

(4) Any ship identification system shall, when it is practicable to do so, be co-ordinated with the identification system applying to the port facility.

(5) The ship security system shall establish provisions to ensure that the identification systems are regularly updated, and that abuse of procedures shall be subject to disciplinary action.

(6) Persons unwilling or unable to establish their identity or confirm the purpose of their visit when requested to do so shall be denied access to the ship and their attempt to obtain access shall be reported, as appropriate, to —

(*a*) the ship security officer;

(*b*) the company security officer;

(*c*) the port facility security officer; or

(*d*) the Royal St. Lucia Police Force.

(7) At security level 1, the ship security plan shall establish the security measures to control access to the ship and the following may be applied —

(*a*) checking the identity of all persons seeking to board the ship and confirming their reasons for doing so by checking, for example, joining instructions, passenger tickets, boarding passes, work orders, etc.;

(*b*) in liaison with the port facility, the ship shall ensure that —

(i) designated secure areas are established in which inspections and searching of persons, baggage, including carry-on items, personal effects, vehicles and their contents can take place;

(ii) vehicles destined to be loaded on board car carriers, ro-ro and other passenger ships are subjected to search prior to loading, in accordance with the frequency required in the ship security plan;

(*c*) segregating —

(i) checked persons and their personal effects from unchecked persons and their personal effects;

(ii) embarking from disembarking passengers;

(*d*) identifying access points that should be secured or attended to prevent unauthorized access;

(*e*) securing, by locking or other means, access to unattended spaces adjoining areas to which passengers and visitors have access; and

(*f*) providing security briefings to all ship personnel on possible threats, the procedures for reporting suspicious persons, objects or activities and the need for vigilance.

(8) At security level 1, all persons seeking to board a ship shall be liable to search and the frequency of such search, including random search, shall be specified in the approved ship security plan and shall be approved by the Director.

(9) The search under sub-regulation (8) may be undertaken by the port facility in close co-operation with the ship and in close proximity to it.

(10) Unless there are clear security grounds for doing so, members of the ship's personnel shall not be required to search their colleagues or their personal effects.

(11) Any search under sub-regulations (8), (9) or (10) shall be undertaken in a manner which fully takes into account the human rights of the individual and preserves their basic human dignity.

(12) At security level 2, the ship security plan shall establish the security measures to be applied to protect against a heightened risk of a security incident to ensure higher vigilance and tighter control, which may include —

(*a*) assigning additionally personnel to patrol deck areas during silent hours to deter unauthorized access;

(*b*) limiting the number of access points to the ship, identifying those to be closed and the means of adequately securing them;

(*c*) deterring waterside access to the ship, such as in liaison with the port facility, provision of boat patrols;

(*d*) establishing a restricted area on the shore side of the ship, in close co-operation with the port facility;

(*e*) increasing the frequency and detail of searches of persons, personal effects, and vehicles being embarked or loaded onto the ship;

(*f*) escorting visitors on the ship;

(*g*) providing additional specific security briefings to all ship personnel on any identified threats, re-emphasizing the procedures for reporting suspicious persons, objects, or activities and stressing the need for increased vigilance; and

(*h*) carrying out a full or partial search of the ship.

(13) At security level 3, the ship shall comply with the instructions issued by those responding to the security incident or threat and the ship security plan shall detail the security measures which could be taken by the ship, in close co-operation with those responding and the port facility, which may include —

(*a*) limiting access to a single, controlled access point;

(*b*) granting access only to those responding to the security incident or threat;

(*c*) directing persons on board;

(*d*) suspension of embarkation or disembarkation;

(*e*) suspension of cargo handling operations, deliveries, etc.;

(*f*) evacuation of the ship;

(*g*) movement of the ship; and

(*h*) preparing for a full or partial search of the ship.

(14) The port facility security plan shall establish the security measures covering all means of access to the port facility identified in the port facility security assessment.

(15) For each of the means of access identified in the port facility security assessment under sub-regulation (1), the port facility security plan shall identify the appropriate locations where access restrictions or prohibitions shall be applied for each of the security levels and for each security level the port facility security plan shall specify the type of restriction or prohibition to be applied and the means of enforcing them.

(16) The port facility security plan shall establish for each security level the means of identification required to allow access to the port facility and for individuals to remain within the port facility without challenge and this may involve temporary identifications for port facility personnel and for visitors respectively.

(17) Any port facility identification system shall, when it is practicable to do so, be co-ordinated with that applying to ships that regularly use the port facility.

(18) The port facility security plan shall establish provisions to ensure that identification systems are regularly updated, and that abuse of procedures shall be subject to disciplinary action.

(19) Persons unwilling or unable to establish their identity and to confirm the purpose of their visit when requested to do so shall be denied access to the port facility and their attempt to obtain access shall be reported to the port facility security officer and to the national or local authorities with security responsibilities.

(20) The port facility security plan shall identify the locations where persons, personal effects, and vehicle searches are to be undertaken and such locations shall be covered to facilitate continuous operation, regardless of prevailing weather conditions, in accordance with the frequency laid down in the port facility security plan.

(21) Once subjected to search, persons, personal effects and vehicles shall proceed to the restricted holding, embarkation or car loading areas.

(22) The port facility security plan shall establish separate locations for checked and unchecked persons and their effects and if possible separate areas for embarking or disembarking passengers, ship's personnel and their effects to ensure that unchecked persons are not able to come in contact with checked persons.

(23) The port facility security plan shall establish the frequency of application of any access controls, particularly if they are to be applied on a random, or occasional basis.

(24) At security level 1 —

(*a*) the port facility security plan shall establish the control points where the following security measures may be applied —

(i) restricted areas, which should be bounded by fencing or other barriers to a standard which should be approved by the Royal Saint Lucia Police Force;

(ii) checking identity of all persons seeking entry to the port facility in connection with a ship, including passengers, ship's personnel and visitors, and confirming their reasons for doing so by checking, for example, joining instructions, passenger tickets, boarding passes, work orders, etc.;

(iii) checking vehicles used by those seeking entry to the port facility in connection with a ship;

(iv) verification of the identity of port facility personnel and those employed within the port facility and their vehicles;

(v) restricting access to exclude those not employed by the port facility or working within it, if they are unable to establish their identity;

(vi) undertaking searches of person, personal effects, vehicles and their contents; and

(vii) identification of any access points not in regular use, which should be permanently closed and locked;

(*b*) all those seeking access to the port facility shall be liable to search and the frequency of such searches shall be specified in the port facility security plan approved by the Royal Saint Lucia Police Force.

(25) Unless there are clear security grounds for doing so, members of the ship's personnel shall not be required to search their colleagues or their personal effects and any such search shall be undertaken in a manner which fully takes into account the human rights of the individual and preserves their basic human dignity.

(26) At security level 2, the port facility security plan shall establish the additional security measures to be applied, which may include —

(*a*) assigning additional personnel to guard access points and control perimeter barriers;

(*b*) limiting the number of access points to the port facility, and identifying those to be closed and the means of adequately securing them;

(*c*) providing for means of impeding movement through the remaining access points, e.g. security barriers;

(*d*) increasing the frequency of searches of persons, personal effects, and vehicles;

(*e*) denying access to visitors who are unable to provide a verifiable justification for seeking access to the port facility; and

(*f*) using patrol vessels to enhance water-side security.

(27) At security level 3, the port facility shall comply with instructions issued by those responding to the security incident or threat and the port facility security plan shall detail the security measures which may be taken by the port facility, in close co-operation with those responding and with the ships at the port facility, which may include —

(*a*) suspension of access to all, or part, of the port facility;

(*b*) granting access only to those responding to the security incident or threat;

(*c*) suspension of pedestrian or vehicular movement within all, or part, of the port facility;

(*d*) increased security patrols within the port facility, if appropriate;

(*e*) suspension of port operations within all, or part, of the port facility;

(*f*) direction of vessel movements relating to all, or part, of the port facility; and

(*g*) evacuation of all, or part, of the port facility.

Restricted areas

49.— (1) The ship security plan shall —

(*a*) identify the restricted areas to be established on the ship, specify their extent, times of application, the security measures to be taken to control access to them and those to be taken to control activities within them;

(*b*) ensure that there are clearly established policies and practices to control access to all restricted access;

(*c*) provide that all restricted areas should be clearly marked, indicating that access to the area is restricted and that unauthorized presence within the area constitutes a breach of security.

(2) The purposes of restricted areas under sub-regulation (1) are to —

(*a*) prevent unauthorized access;

(*b*) protect passengers, ship's personnel, and personnel from port facilities or other agencies authorized to be on board the ship;

(*c*) protect security-sensitive areas within the ship; and

(*d*) protect cargo and ship's stores from tampering.

(3) Restricted areas for the purposes of sub-regulation (1) may include —

(*a*) navigation bridge, machinery spaces of category A and other control stations as defined in chapter II-2 of the Convention;

(*b*) spaces containing security and surveillance equipment and systems and their controls and lighting system controls;

(*c*) ventilation and air-conditioning systems and other similar spaces;

(*d*) spaces containing dangerous goods or hazardous substances;

(*e*) spaces containing cargo pumps and their controls;

(*f*) crew accommodation; and

(*g*) any other areas as determined by the company security officer through the ship security assessment, to which access must be restricted to maintain the security of the ship.

(4) At security level 1, the ship security plan shall establish the security measures to be applied to restricted areas, which may include —

(*a*) locking or securing access points;

(*b*) using surveillance equipment to monitor the areas;

(c) using guards or patrols; and

(*d*) using automatic intrusion-detection devices to alert the ship's personnel of unauthorized access.

(5) At security level 2, the frequency and intensity of the monitoring of, and control of access to, restricted areas shall be increased to ensure that only authorized persons have access and the ship security plan shall establish the additional security measures to be applied, which may include —

(*a*) establishing restricted areas adjacent to access points;

(*b*) continuously monitoring surveillance equipment; and

(*c*) dedicating additional personnel to guard and patrol restricted areas.

(6) At security level 3, the ship shall comply with the instructions issued by those responding to the security incident or threat and the ship security plan shall detail the security measures which could be taken by the ship, in close co-operation with those responding and the port facility, which may include —

(*a*) setting up of additional restricted areas on the ship in proximity to the security incident, or the believed location of the security threat, to which access is denied; and

(*b*) searching of restricted areas as part of a search of the ship.

(7) The port facility security plan shall —

(*a*) identify the restricted areas to be established within the port facility and specify their extent, times of application, the security measures to be taken to control access to them and those to be taken to control activities within them and this shall also include in appropriate circumstances, measures to ensure that temporary restricted areas are security swept before and after that area is established;

(*b*) ensure that all restricted areas have clearly established security measures to control —

(i) access by individuals;

(ii) the entry, parking, loading and unloading of vehicles;

(iii) movement and storage of cargo and ship's stores; and

(iv) unaccompanied baggage or personal effects;

(*c*) provide that all restricted areas shall be clearly marked, indicating that access to the area is restricted and that unauthorized presence within the area constitutes a breach of security.

(8) The purpose of restricted areas under sub-regulation (7) is to protect —

(*a*) passengers, ship's personnel, port facility personnel and visitors, including those visiting in connection with a ship;

(*b*) the port facility;

(*c*) ships using, and serving, the port facility;

(*d*) security-sensitive locations and areas within the port facility;

(*e*) security and surveillance equipment and systems; and

(*f*) cargo and ship's stores from tampering.

(9) When automatic intrusion-detection devices are installed they may alert a control center which can respond to the triggering of an alarm.

(10) Restricted areas under sub-regulation (7) may include —

(*a*) shore-side and water-side areas immediately adjacent to the ship;

(*b*) embarkation and disembarkation areas, passenger and ship's personnel holding and processing areas, including search points;

(*c*) areas where loading, unloading or storage of cargo and stores is undertaken;

(*d*) locations where security-sensitive information, including cargo documentation, is held;

(*e*) areas where dangerous goods and hazardous substances are held;

(*f*) vessel traffic management system control rooms, aids to navigation and port control buildings, including security and surveillance control rooms;

(*g*) areas where security and surveillance equipment are stored or located;

(*h*) essential electrical, radio and telecommunication, water and other utility installations; and

(*i*) other locations in the port facility where access by vessels, vehicles and individuals should be restricted.

(11) The security measures may be extended, with the agreement of the relevant authorities, to restriction on unauthorized access to structures from which the port facility can be observed.

(12) At security level 1, the port facility security plan shall establish the security measures to be applied to restricted areas, which may include —

(*a*) provision of permanent or temporary barriers to surround the restricted area, whose standard should be accepted by the Royal Saint Lucia Police Force;

(*b*) provision of access points where access can be controlled by security guards when in operation and which can be effectively locked or barred when not in use;

(*c*) providing passes which must be displayed to identify individual's entitlement to be within the restricted areas;

(*d*) clearly marking vehicles allowed access to restricted areas;

(*e*) providing guards and patrols;

(*f*) providing automatic intrusion-detection devices, or surveillance equipment or systems to detect unauthorized access into, or movement within, restricted areas; and

(*g*) control of the movement of vessels in the vicinity of ships using the port facility.

(13) At security level 2, the port facility security plan shall establish the enhancement of the frequency and intensity of the monitoring of, and control of access to, restricted areas and the port facility security plan shall establish the additional security measures, which may include —

(*a*) enhancing the effectiveness of the barriers or fencing surrounding restricted areas, including the use of patrols or automatic intrusion-detection devices;

(*b*) reducing the number of access points to restricted areas and enhancing the controls applied at the remaining accesses;

(*c*) restricting parking adjacent to berthed ships;

(*d*) further restricting access to the restricted areas and movements and storage within them;

(*e*) use of continuously monitored and recording surveillance equipment;

(*f*) enhancing the number and frequency of patrols, including water-side patrols, undertaken on the boundaries of the restricted areas and within the areas;

(*g*) establishing and restricting access to areas adjacent to the restricted areas; and

(*h*) enforcing restrictions on access by unauthorized craft to the waters adjacent to ships using the port facility.

(14) At security level 3, the port facility shall comply with the instructions issued by those responding to the security incident or threat and the port facility security plan shall detail the security measures which shall be taken by the port facility in close co-operation with those responding and the ships at the port facility, which may include —

(*a*) setting up of additional restricted areas within the port facility in proximity to the security incident, or the believed location of the security threat, to which access is denied; and

(*b*) preparing for the searching of restricted areas as part of a search of all, or part, of the port facility.

Handling of cargo

50.— (1) The security measures relating to cargo handling shall —

(*a*) prevent tampering; and

(*b*) prevent cargo that is not meant for carriage from being accepted and stored on board the ship.

(2) Inventory control procedures may be applied by the ship in liaison with the port facility.

(3) At security level 1, the ship security plan shall establish the security measures to be applied during cargo handling which may include —

(*a*) routine checking of cargo, cargo transport units and cargo spaces prior to, and during, cargo handling operations;

(*b*) checks to ensure that cargo being loaded matches the cargo documentation;

(*c*) ensuring, in liaison with the port facility, that vehicles to be loaded on board car carriers, ro-ro and passengers ships are subjected to search prior to loading, in accordance with the frequency required in the ship security plan;

(*d*) checking of seals or other methods used to prevent tampering; and

(4) Checking of cargo may be accomplished by the following means —

(*a*) visual and physical examination; and

(*b*) using scanning or detection equipment, mechanical devices or dogs.

(5) Where there are regular or repeated cargo movements, the company security officer or the ship security officer may, in consultation with the port facility, agree arrangements with shippers or others responsible for such cargo covering off-site checking, sealing, scheduling, supporting documentation, etc. and such arrangements shall be communicated to and agreed with the port facility security officer.

(6) At security level 2, the ship security plan shall establish the additional security measures to be applied during cargo handling, which may include —

(*a*) detailed checking of cargo, cargo transport units and cargo spaces;

(*b*) intensified checks to ensure that only the intended cargo is loaded;

(*c*) intensified searching of vehicles to be loaded on car carriers, ro-ro and passenger ships; and

(*d*) increased frequency and detail in checking of seals or other methods used to prevent tampering.

(7) Detailed checking of cargo under sub-regulation (6) may be accomplished by the following means —

(*a*) increasing the frequency and detail of visual and physical examination;

(*b*) increasing the frequency of the use of scanning or detection equipment, mechanical devices, or dogs; and

(*c*) co-ordinating enhanced security measures with the shipper or other responsible party in accordance with an established agreement and procedures.

(8) At security level 3, the ship shall comply with the instructions issued by those responding to the security incident or threat and the ship security plan shall detail the security measures which could be taken by the ship, in close co-operation with those responding and the port facility, which may include —

(*a*) suspending the loading or unloading of cargo; and

(*b*) verifying the inventory of dangerous goods and hazardous substances carried on board, if any, and their location.

(9) The security measures in relation to the port facility shall include inventory control procedures at access points to the port facility.

(10) Once within the port facility, cargo shall be capable of being identified as having been checked and accepted for loading onto a ship or for temporary storage in a restricted area while awaiting loading.

(11) It may be appropriate to restrict the entry of cargo to the port facility that does not have a confirmed date for loading.

(12) At security level 1, the port facility security plan shall establish the security measures to be applied during cargo handling, which may include —

(*a*) routine checking of cargo, cargo transport units and cargo storage areas within the port facility prior to, and during, cargo handling operations;

(*b*) checks to ensure that cargo entering the port facility matches the delivery note or equivalent cargo documentation;

(*c*) searches of vehicles; and

(*d*) checking of seals and other methods used to prevent tampering upon entering the port facility and upon storage within the port facility.

(13) Checking of cargo in sub-regulation (5), may be accomplished by some or all of the following means —

(*a*) visual and physical examination; and

(*b*) using scanning or detection equipment, mechanical devices, or dogs.

(14) Where there are regular or repeated cargo movements, the company security officer or the ship security officer may, in consultation with the port facility, agree arrangements with shippers or others responsible for such cargo covering off-site checking, sealing, scheduling, supporting documentation, etc. and such arrangements shall be communicated to and agreed with the port facility security officer concerned.

(15) At security level 2, the port facility security plan shall establish the additional security measures to be applied during cargo handling to enhance control, which may include —

(*a*) detailed checking of cargo, cargo transport units and cargo storage areas within the port facility;

(*b*) intensified checks, as appropriate, to ensure that only the documented cargo enters the port facility, is temporarily stored there and is then loaded onto the ship;

(*c*) intensified searches of vehicles; and

(*d*) increased frequency and detail in checking of seals and other methods used to prevent tampering.

(16) Detailed checking of cargo may be accomplished by some or all of the following means —

(*a*) increasing the frequency and detail of checking of cargo, cargo transport units and cargo storage areas within the port facility, visual and physical examination;

(*b*) increasing the frequency of the use of scanning or detection equipment, mechanical devices, or dogs; and

(*c*) co-ordinating enhanced security measures with the shipper or other responsible party in addition to an established agreement and procedures.

(17) At security level 3, the port facility shall comply with the instructions issued by those responding to the security incident or threat and the port facility security plan shall detail the security measures which could be taken by the port facility in close co-operation with those responding and the ships at the port facility, which may include —

(*a*) restriction or suspension of cargo movements or operations within all, or part, of the port facility or specific ships; and

(*b*) verifying the inventory of dangerous goods and hazardous substances held within the port facility and their location.

Delivery of ship's stores

51.— (1) The security measures by the ship relating to the delivery of ship's stores shall —

(*a*) ensure checking of ship's stores and package integrity;

(*b*) prevent ship's stores from being accepted without inspection;

(*c*) prevent tampering; and

(*d*) prevent ship's stores from being accepted unless ordered.

(2) Stores presented for delivery shall be accompanied by evidence that they have been ordered by the ship.

(3) At security level 1, the ship security plan shall establish the security measures to be applied during delivery of ship's stores, which may include —

(*a*) checking to ensure stores match the order prior to being loaded on board; and

(*b*) ensuring immediate secure stowage of ship's stores.

(4) At security level 2, the ship security plan shall establish the additional security measures to be applied during delivery of ship's stores by exercising checks prior to receiving stores on board and intensifying inspections.

(5) At security level 3, the ship shall comply with the instructions issued by those responding to the security incident or threat and the ship security plan shall detail the security measures which could be taken by the ship, in close co-operation with those responding and the port facility, which may include —

(*a*) subjecting ship's stores to more extensive checking;

(*b*) preparation for restriction or suspension of handling of ship's stores; and

(*c*) refusal to accept ship's stores on board the ship.

(6) The security measures by the port facility relating to the delivery of ship's stores shall —

(*a*) ensure checking of ship's stores and package integrity;

(*b*) prevent ship's stores from being accepted without inspection;

(*c*) prevent tampering;

(*d*) ensure searching the delivery vehicle; and

(*e*) ensure escorting delivery vehicles within the port facility.

(7) At security level 1, the port facility security plan shall establish the security measures to be applied to control the delivery of ship's stores, which may include —

(*a*) checking of ship's stores;

(*b*) advance notification as to composition of load, driver details and vehicle registration; and

(*c*) searching the delivery vehicle.

(8) Checking of ship's stores under sub-regulation (2), may be accomplished by some or all of the following means —

(*a*) visual and physical examination; and

(*b*) using scanning or detection equipment, mechanical devices or dogs.

(9) At security level 2, the port facility security plan shall establish the additional security measures to be applied to enhance the control of the delivery of ship's stores, which may include —

(*a*) detailed checking of ship's stores;

(*b*) detailed searches of the delivery vehicles;

(*c*) co-ordination with ship personnel to check the order against the delivery note prior to entry to the port facility; and

(*d*) escorting the delivery vehicle within the port facility.

(10) Detailed checking of ship's stores under sub-regulation (4), may be accomplished by some or all of the following means —

(*a*) increasing the frequency and detail of searches of delivery vehicles;

(*b*) increasing the use of scanning or detection equipment, mechanical devices, or dogs; and

(*c*) restricting, or prohibiting, entry of stores that will not leave the port facility within a specified period.

(11) At security level 3, the port facility shall comply with the instructions issued by those responding to the security incident or threat and the port facility security plan shall detail the security measures which could be taken by the port facility, in close co-operation with those responding and the ships at the port facility, which may include preparation for restriction, or suspension, of the delivery of ship's stores within all, or part, of the port facility.

Handling unaccompanied baggage

52.— (1) The ship security plan shall establish the security measures to be applied to ensure that unaccompanied baggage, such as,baggage, including personal effects, which is not with the passenger or member of ship's personnel at the point of inspection or search, is identified and subjected to appropriate screening, including searching, before it is accepted on board the ship.

(2) Where the ship and the port facility are both suitably equipped, the responsibility for screening shall rest with the port facility.

(3) Close co-operation with the port facility is essential and steps shall be taken to ensure that unaccompanied baggage is handled securely after screening.

(4) At security level 1, the ship security plan shall establish the security measures to be applied when handling unaccompanied baggage to ensure that unaccompanied baggage is screened or searched up to and including one hundred percent, which may include use of x-ray screening.

(5) At security level 2, the ship security plan shall establish the additional security measures to be applied when handling unaccompanied baggage, which may include one hundred percent x-ray screening of all unaccompanied baggage.

(6) At security level 3, the ship shall comply with the instructions issued by those responding to the security incident or threat and the ship security plan shall detail the security measures which may be taken by the ship, in close co-operation with those responding and the port facility, which may include —

(*a*) subjecting baggage to more extensive screening, for example x-raying it from at least two different angles;

(*b*) preparation for restriction or suspension of handling of unaccompanied baggage; and

(*c*) refusal to accept unaccompanied baggage on board the ship.

(7) The port facility security plan shall establish the security measures to be applied to ensure that unaccompanied baggage, that is, any baggage, including personal effects, which is not with the passenger or member of ship's personnel at the point of inspection or search, is identified and subjected to appropriate screening, including searching, before it is allowed in the port facility and, depending on the storage arrangements, before it is transferred between the port facility and the ship.

(8) Where both the port facility and the ship are both suitably equipped for screening, the responsibility for screening shall rest with the port facility.

(9) Close co-operation with the ship is essential and steps shall be taken to ensure that unaccompanied baggage is handled securely after screening.

(10) At security level 1, the port facility security plan shall establish the security measures to be applied when handling unaccompanied baggage to ensure that unaccompanied baggage is screened or searched up to and including one hundred percent which may include use of x-ray screening.

(11) At security level 2, the port facility security plan shall establish the additional security measures to be applied when handling unaccompanied baggage which may include one hundred percent x-ray screening of all unaccompanied baggage.

(12) At security level 3, the port facility shall comply with the instructions issued by those responding to the security incident or threat and the port facility security plan shall detail the security measures which shall be taken by the port facility in close co-operation with those responding and the ships at the port facility, which may include —

(*a*) subjecting such baggage to more extensive screening, for example x-raying it from at least two different angles;

(*b*) preparations for restriction or suspension of handling of unaccompanied baggage; and

(*c*) refusal to accept unaccompanied baggage into the port facility.

Monitoring security

53.— (1) The ship shall have the capability to monitor the ship, the restricted areas on board and areas surrounding the ship and such monitoring capabilities may include use of —

(*a*) lighting;

(*b*) watchkeepers, security guards and deck watches, including patrols; and

(*c*) automatic intrusion-detection devices and surveillance equipment.

(2) Where automatic intrusion-detection devices are used pursuant to sub-regulation (1), such devices shall activate an audible or visual alarm at a location that is continuously attended or monitored.

(3) The ship security plan shall establish the procedures and equipment needed at each security level and the means of ensuring that monitoring equipment will be able to perform continually, including consideration of the possible effects of weather conditions or of power disruptions.

(4) At security level 1, the ship security plan shall establish the security measures to be applied, which may be a combination of lighting, watchkeepers, security guards or use of security and surveillance equipment to allow ship's security personnel to observe the ship in general, and barriers and restricted areas in particular.

(5) The ship's deck and access points to the ship shall be illuminated during hours of darkness and periods of low visibility while conducting ship/port interface activities or at a port facility or anchorage when necessary.

(6) When necessary, ships shall use the maximum lighting available consistent with safe navigation, having regard to the provisions of the International Regulations for the Prevention of Collisions at Sea in force.

(7) The following shall be considered when establishing the appropriate level and location of lighting —

(*a*) the ship's personnel shall be able to detect activities beyond the ship, on both the shore side and the water side;

(*b*) coverage should include the area on and around the ship;

(*c*) coverage should facilitate personnel identification at access points; and

(*d*) coverage may be provided through co-ordination with the port facility.

(8) At security level 2, the ship security plan shall establish the additional security measures to be applied to enhance the monitoring and surveillance capabilities, which may include —

(*a*) increasing the frequency and detail of security patrols;

(*b*) increasing the coverage and intensity of lighting or the use of security and surveillance equipment;

(*c*) assigning additional personnel as security look-outs; and

(*d*) ensuring co-ordination with water-side boat patrols, and foot or vehicle patrols on the shore side, when provided.

(9) Additional lighting may be necessary to protect against a heightened risk of a security incident and when necessary, the additional lighting requirements may be accomplished by co-ordinating with the port facility to provide additional shoreside lighting.

(10) At security level 3, the ship shall comply with the instructions issued by those responding to the security incident or threat and the ship security plan shall detail the security measures which could be taken by the ship, in close co-operation with those responding and the port facility which may include —

(*a*) switching on of all lighting on, or illuminating the vicinity of, the ship;

(*b*) switching on of all on-board surveillance equipment capable of recording activities on, or in the vicinity or, the ship;

(*c*) maximizing the length of time such surveillance equipment can continue to record;

(*d*) preparation for under water inspection of the hull of the ship; and

(*e*) initiation of measures, including the slow revolution of the ship's propellers, if practicable, to deter underwater access to the hull of the ship.

(11) The port facility security organization shall have the capability to monitor the port facility and its nearby approaches, on land and water, at all times, including the night hours and periods of limited visibility, the restricted areas within the port facility, the ships at the port facility and areas surrounding ships.

(12) Monitoring under sub-regulation (1), may include use of —

(*a*) lighting;

(*b*) security guards, including foot, vehicle and waterborne patrols; and

(*c*) automatic intrusion-detection devices and surveillance equipment.

(13) When used, automatic intrusion-detection devices shall activate an audible or visual alarm at a location that is continuously attended or monitored.

(14) The port facility security plan shall establish the procedures and equipment needed at each security level and the means of ensuring that monitoring equipment will be able to perform continually, including consideration of the possible effects of weather or of power disruptions.

(15) At security level 1, the port facility security plan shall establish the security measures to be applied, which may be a combination of lighting, security guards or use of security and surveillance equipment to allow port facility security personnel to —

(*a*) observe the general port facility area, including shore-side and water-side accesses to it;

(*b*) observe access points, barriers and restricted areas; and

(*c*) allow port facility security personnel to monitor areas and movements adjacent to ships using the port facility, including augmentation of lighting provided by the ship itself.

(16) At security level 2, the port facility security plan shall establish the additional security measures to be applied, to enhance the monitoring and surveillance capability, which may include —

(*a*) increasing the coverage and intensity of lighting and surveillance equipment, including the provision of additional lighting and surveillance coverage;

(*b*) increasing the frequency of foot, vehicle or waterborne patrols;

(*c*) assigning additional security personnel to monitor and patrol.

(17) At security level 3, the port facility shall comply with the instructions issued by those responding to the security incident or threat and the port facility security plan shall detail the security measures which shall be taken by the port facility in close co-operation with those responding and the ships at the port facility, which may include —

(*a*) switching on all lighting within, or illuminating the vicinity of, the port facility;

(*b*) switching on all surveillance equipment capable of recording activities within, or adjacent to, the port facility; and

(*c*) maximizing the length of time such surveillance equipment may continue to record.

Differing security levels

54.— (1) The ship security plan shall establish details of the procedures and security measures the ship could adopt if the ship is at a higher security level than that applying to a port facility.

(2) The port facility security plan shall establish details of the procedures and security measures the port facility may adopt if the port facility is at a lower security level than that applying to a ship.

Powers of inspection

55.— (1) An authorized officer shall have power, on production of his or her credentials, to inspect any —

(*a*) Saint Lucian ship;

(*b*) other ship while in a port facility;

(*c*) part of any port facility; or

(*d*) land outside a port facility which is occupied for the purposes of a business by a person who —

(i) carries on, or appears to the authorized officer to be about to carry on, harbour operations in a port facility for the purposes of that business, or

(ii) is permitted, or appears to the authorized officer to be about to be permitted, to have access to a restricted zone of a port facility for the purposes of the activities of that business.

(2) Subject to sub-regulation (3) an authorized officer inspecting a ship or any part of a port facility or any land outside a port facility under sub-regulation (1) above shall have power to —

(*a*) subject any property found by him or her on the ship or, any part of the port facility or on any land outside a port facility to such tests as he or she may determine;

(*b*) take all necessary steps —

(i) to ascertain what practices or procedures are being followed in relation to security; or

(ii) to test the effectiveness of any practice or procedure relating to security; or

(*c*) require the owner, charterer, manager or master of the ship, the port facility operator or the occupier of the land to furnish to him or her with the necessary information for the purpose for which the inspection is carried out;

(*d*) go on board the ship and to take all steps necessary to ensure that it is not moved, or

(*e*) enter any land building or works in the port facility; or

(*f*) enter upon the land and to enter any building or works on any land outside the port facility.

(3) The powers conferred by sub-regulation (3) shall not include power for an authorized officer to use force for the purpose of going on board any ship, entering any building or works or entering upon any land.

(4) Any person who —

(*a*) without reasonable excuse, fails to comply with a requirement imposed on him or her under sub-regulation (2)(*c*), or;

(*b*) in furnishing any information required, makes a statement which he or she knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

commits an offence.

(5) Nothing in this regulation derogates from any power of inspection given under any other enactment.

Additional security

56.— (1) The ship security plan shall establish details of the procedures and security measures the ship may apply when it is —

(*a*) at a port of a State which is not a Contracting Government;

(*b*) interfacing with a ship to which these Regulations does not apply;

(*c*) interfacing with fixed or floating platforms or a mobile drilling unit on location; or

(*d*) interfacing with a port or port facility which is not required to comply with chapter XI-2 of the Convention and Part A of the ISPS Code.

(2) The port facility security plan shall establish details of the procedures and security measures the port facility shall apply when it is —

(*a*) interfacing with a ship which has been at a port of a State which is not a Contracting Government;

(*b*) interfacing with a ship to which the ISPS Code does not apply; and

(*c*) interfacing with fixed or floating platforms or mobile offshore drilling units on location.

Audit and review and amendment

57.— (1) The ship security plan shall establish how the company security officer and the ship security officer intend to audit the continued effectiveness of the ship security plan and the procedure to be followed to review, update or amend the ship security plan.

(2) The port facility security plan —

(*a*) shall establish how the port facility security officer intends to audit the continued effectiveness of the port facility security

plan and the procedure to be followed to review, update or amend the port facility security plan;

(b) shall be reviewed —

(i) at the discretion of the port facility security officer;

(ii) if the port facility security assessment relating to the port facility is altered;

(iii) if an independent audit of the port facility security plan or the Royal St. Lucia Police Force's testing of the port facility security organization identifies failings in the organization or questions the continuing relevance of significant elements of the approved port facility security plan;

(iv) following security incidents or threats involving the port facility; and

(v) following changes in ownership or operational control of the port facility;

(*c*) may recommend appropriate amendments to the approved plan following any review of the plan and amendments to the port facility security plan relating to —

(i) proposed changes which could fundamentally alter the approach adopted to maintaining the security of the port facility; and

(ii) the removal, alteration or replacement of permanent barriers, security and surveillance equipment and systems, etc., previously considered essential in maintaining the security of the port facility.

Recognized security organizations

58.— (1) Contracting Governments may authorize a recognized security organization to undertake certain security-related activities, including —

(*a*) approval of ship security plans or amendments thereto, on behalf of the Director;

(*b*) verification and certification of compliance of ships with the requirements of chapter XI-2 of the Convention and Part A of the ISPS Code on behalf of the Director; and

(*c*) conducting port facility security assessments required by the Royal Saint Lucia Police Force.

(2) A recognized security organization may also advise or provide assistance to companies or port facilities on security matters, including ship security assessments, ship security plans, port facility security assessments and port facility security plans.

(3) Where a recognized security organization has completed any of the assessments referred to in sub-regulation (2) that recognized security organization shall not be authorized to approve the plan.

(4) When authorizing a recognized security organization, Contracting Governments should give consideration to the competency of such an organization.

(5) A recognized security organization should be able to demonstrate —

(*a*) expertise in relevant aspects of security;

(*b*) appropriate knowledge of ship and port operations, including knowledge of ship design and construction if providing services in respect of ships and of port design and construction if providing services in respect of port facilities;

(*c*) their capability to assess the likely security risks that could occur during ship and port facility operations, including the ship/port interface, and how to minimize such risks;

(*d*) their ability to maintain and improve the expertise of their personnel;

(*e*) their ability to monitor the continuing trustworthiness of their personnel;

(*f*) their ability to maintain appropriate measures to avoid unauthorized disclosure of, or access to, security-sensitive material;

(*g*) their knowledge of the requirements of chapter XI-2 of the Convention and part A of the ISPS Code and relevant national and international legislation and security requirements;

(*h*) their knowledge of current security threats and patterns;

(*i*) their knowledge of recognition and detection of weapons, dangerous substances and devices;

(*j*) their knowledge of recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security;

(*k*) their knowledge of techniques used to circumvent security measures; and

(*l*) their knowledge of security and surveillance equipment and systems and their operational limitations.

(6) A recognized organization, as referred to in regulation I/6 of the Convention and fulfilling the requirements of regulation XI-1/1 of the Convention may be appointed as a recognized security officer provided it has the appropriate security-related expertise listed in sub-regulation (4).

(7) A port or harbour authority or port facility operator may be appointed as a recognized security organization provided the port or harbour authority or port facility operator has the appropriate security-related expertise listed in sub-regulation (4).

General powers of exemption

59. The Director or Royal Saint Lucia Police Force may exempt any ship or port facility respectively from any provision under these Regulations.

SCHEDULE

FORM A

(Regulation 15)

FORM OF THE INTERNATIONAL SHIP SECURITY CERTIFICATE

INTERNATIONAL SHIP SECURITY CERTIFICATE

(Official seal) (State)

Certificate Number ……..

Issued under the provisions of the

INTERNATIONAL CODE FOR THE SECURITY OF SHIPS AND OF PORT FACILITIES

(ISPS CODE)

under the authority of the Government of

_____

(name of State)

by _____

(person(s) or organization authorized)

Name of ship ……

Distinctive number of letters ……

Port of registry ……

Type of ship ……

Gross tonnage ……

IMO Number ……

Name and address of the Company ……

THIS IS TO CERTIFY:

1. that the security system and any associated security equipment of the ship has been verified in accordance with section 19.1 of part A of the ISPS Code;
2. that the verification showed that the security system and any associated security equipment of the ship is in all respects satisfactory and that the ship complies with the applicable requirements of chapter XI-2 of the Convention and Part A of the ISPS Code;
3. that the ship is provided with an approved ship security plan.

Date of initial/renewal verification on which this Certificate is based

…...../…...../…....

(Day/month/year)

This Certificate is valid until …....…/…....…/…..…. Subject to verifications in accordance with section 19.1.1 of Part A of the ISPS Code.

Issued at ……..……

(Place of issue of certificate)

Date of issue …… ……..……..

(Signature of the duly authorized official issuing the Certificate)

(Seal or stamp of issuing authority, as appropriate)

(Overleaf) Endorsement for immediate verification

THIS IS TO CERTIFY that at an intermediate verification required by section 19.1.1 of Part A of the ISPS Code the ship was found to comply with the relevant provisions of chapter XI-2 of the Convention and Part A of the ISPS Code.

Intermediate verification

Signed: ……..……

(Signature of authorized official)

Place: ……..……..

Date: ……..……..

(Seal or stamp of the authority, as appropriate)

Endorsement for additional verifications

Additional verification

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

(Seal or stamp of the authority, as appropriate)

Additional verification

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

(Seal or stamp of the authority, as appropriate)

Additional verification

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

(Seal or stamp of the authority, as appropriate)

THIS IS TO CERTIFY that at an additional verification required by section 19.3.7.2 of Part A of the ISPS Code the ship was found to comply with the relevant provisions of chapter XI-2 of the Convention and Part A of the ISPS Code.

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the certificate if valid for less than 5 years where section A/19.3.3 of the ISPS Code applies

The ship complies with the relevant provisions of part A of the ISPS Code, and the Certificate shall, in accordance with section 19.3.3 of Part A of the ISPS Code, be accepted as valid until ……

Signed: ……..……
(Signature of authorized official)

Place: ……..……..

Date: ……..……..

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal verification has been completed and section A/19.3.4 of the ISPS Code applies

The ship complies with the relevant provisions of part A of the ISPS Code, and the Certificate shall, in accordance with section 19.3.3 of part A of the ISPS Code, be accepted as valid until ……..……..

Signed: ……..……
(Signature of authorized official)

Place: ……..……..

Date: ……..……..

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the certificate until reaching the port of verification where section A/19.3.5 of the ISPS Code applies or for a period of grace where section A/19.3.6 of the ISPS Code applies

The Certificate shall, in accordance with section 19.3.5/19.3.6* of part A of the ISPS Code, be accepted as valid until ……..……

Signed: ……..……
(Signature of authorized official)

Place: ……..……..

Date: ……..……..

(Seal or stamp of the authority, as appropriate)

*** Delete as appropriate**

Endorsement for advancement of expiry date where section A/19.3.7.1 of the ISPS Code applies

In accordance with section 19.3.7.1 of part A of the ISPS Code, the new expiry date is……..……..……..

FORM B

(Regulation 19)

FORM OF THE INTERIM INTERNATIONAL SHIP SECURITY CERTIFICATE

INTERIM INTERNATIONAL SHIP SECURITY CERTIFICATE

(Official seal) (State)

Certificate Number ……..

Issued under the provisions of the

INTERNATIONAL CODE FOR THE
SECURITY OF SHIPS AND OF PORT FACILITIES
(ISPS CODE)

under the authority of the Government of

_____

(name of State)

by _____

(person(s) or organization authorized)

Name of ship ……
Distinctive number of letters ……
Port of registry ……
Type of ship ……
Gross tonnage ……
IMO Number ……
Name and address of the Company ……

Is this a subsequent, consecutive Interim Certificate? Yes/No

If Yes, date of issue of initial Interim Certificate ……

THIS IS TO CERTIFY THAT the requirements of section A/19.4.2 of the ISPS Code have been complied with.

This Certificate is issued pursuant to section A/19.4 of the ISPS Code.

This Certificate is valid until ……

Issued at ……

(Place of issue of the Certificate)

(Date of issue) …….. ……
(Signature of the duly authorized official issuing the Certificate)

(Seal or stamp of the authority, as appropriate)

FORM C

(Regulation 35)

FORM OF A STATEMENT OF COMPLIANCE OF A PORT FACILITY

STATEMENT OF COMPLIANCE OF A PORT FACILITY

(Official seal) (State)

Statement Number ……..

Issued under the provisions of part B of the

INTERNATIONAL CODE FOR THE SECURITY OF SHIPS AND OF PORT FACILITIES

(ISPS CODE)

The Government of

_____

(name of State)

Name of the port facility ……..……
Address of the port facility ……..……..

THIS IS TO CERTIFY That the compliance of this port facility with the provisions of chapter XI-2 of the Convention and Part A of the International Code of the Security of Ships and of Port Facilities (ISPS Code) has been verified and that this port facility operates in accordance with the approved port facility security plan. This plan has been approved for the following specify the types of operations, types of ship or activities or other relevant information (delete as appropriate):

Passenger ship
Passenger high-speed craft
Cargo high-speed craft
Bulk carrier
Oil tanker
Chemical tanker
Gas carrier
Mobile offshore drilling units
Cargo ships other than those referred to above
This Statement of Compliance is valid until ……..….. subject to verifications (as indicated overleaf)

Issued at ……
(place of issue of the statement)

Date of issue …… ……
(Signature of the duly authorized official issuing the document)

(Seal or stamp of the authority, as appropriate)

Endorsement for verifications

The Government of insert name of the State has established that the validity of this Statement of Compliance is subject to insert relevant details of the verifications (e.g. mandatory annual or unscheduled).

THIS IS TO CERTIFY that, during a verification carried out in accordance with paragraph B/16.6.62.4 of the ISPS Code, the port facility was found to comply with the relevant provisions of chapter X1-2 of the Convention and Part A of the ISPS Code.

1st VERIFICATION

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

2nd VERIFICATION

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

3rd VERIFICATION

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

4th VERIFICATION

Signed: ……
(Signature of authorized official)

Place: ……

Date: ……

FORM D

(Regulation 47)

Form of a Declaration of Security Between a ship and a port facility

DECLARATION OF SECURITY

Name of ship:	
Port of registry:	
IMO Number:	
Name of port facility:	

This Declaration of Security is valid from …….. until ……. for the following activities:

…….
(list the activities with relevant details)

under the following security levels

Security level(s) for the ship:	
Security level(s) for the port facility:	

The port facility and ship agree to the following security measures and responsibilities to ensure compliance with the requirements of part A of the International Code for the Security of Ships and of Port Facilities.

	The affixing of the initials of the SSO or PFSO under these columns indicates that the activity will be done, in accordance with the relevant approved plan, by	
Activity	**The port facility:**	**The ship:**
Ensuring the performance of all security duties		
Monitoring restricted areas to ensure that only authorized personnel have access		
Controlling access to the port facility		
Controlling access to the ship		
Monitoring of the port facility, including berthing areas and areas surrounding the ship		
Monitoring of the ship, including berthing areas and areas surrounding the ship		
Handling of cargo		
Delivery of ship's stores		
Handling unaccompanied baggage		
Controlling the embarkation of persons and their effects		
Ensuring that security communication is readily available between the ship and the port facility		

This signatories to this agreement certify that security measures and arrangements for both the port facility part A of the Code that will be implemented in accordance with the provisions already stipulated in their approved plan or the specific arrangements agreed to and set out in the attached annex.

Dated at …… on the ……

Signed for and on behalf of	
the port facility:	the ship:
(Signature of port facility security officer)	(Signature of master or security officer)

Name and title of person who signed	
Name:	Name:
Title:	Title:

Contact details (to be completed as appropriate) (indicate the telephone numbers or the radio channels or frequencies to be used)	
for the port facility:	for the ship:
Port facility	Master
Port facility security officer	Ship security officer
	Company
	Company security officer

FORM E

(Regulation 47)

Form of a Declaration of Security Between a ship and another ship

DECLARATION OF SECURITY

	Ship-A	**Ship-B**
Name of ship:		
Port of registry:		
IMO Number:		
Name of port facility:		

This Declaration of Security is valid from …….. until ……. For the following activities:

…….
(list the activities with relevant details)

under the following security levels

Security level(s) for the ship-A:	
Security level(s) for the ship-B:	

Ship-A and Ship-B agree to the following security measures and responsibilities to ensure compliance with the requirements of part A of the International Code for the Security of Ships and of Port Facilities.

	The affixing of the initials of the SSO,s under these columns indicates that the activity will be done, in accordance with the relevant approved plan, by	
Activity	**Ship-A:**	**Ship-B:**
Ensuring the performance of all security duties		
Monitoring restricted areas to ensure that only authorized personnel have access		
Controlling access to Ship–A		
Controlling access to Ship-B		
Monitoring of Ship-A, including areas surrounding Ship		
Monitoring of ship-B, including areas surrounding the ship		
Handling of cargo		
Delivery of ship's stores		
Handling unaccompanied baggage		
Controlling the embarkation of persons and their effects		
Ensuring that security communication is readily available between the ships		

This signatories to this agreement certify that security measures and arrangements for both ships part A of the Code that will be implemented in accordance with the provisions already stipulated in their approved plan or the specific arrangements agreed to and set out in the attached annex.

Dated at …… on the ……

Signed for and on behalf of	
Ship-A:	**Ship-B:**

(Signature of master or ship security officer)

Name and title of person who signed	
Name:	Name:
Title:	Title:

Contact details (to be completed as appropriate) (indicate the telephone numbers or the radio channels or frequencies to be used)	
for ship-A:	for ship-B:

Master	Master
Ship security officer	Ship security officer
Company	Company
Company security officer	Company security officer

Made, this 21st day of June, 2004.

FELIX FINISTERRE,
Minister responsible for Shipping.

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