

CAYMAN ISLANDS SHIPPING REGISTRY

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Shipping Notice - CISN 03/03 - ISPS

Implementation of SOLAS 1974 as amended, Chapters XI-1 & XI-2 and the International Ship & Port Facility Security (ISPS) Code

*TO: OWNERS, MANAGERS, OPERATORS, MASTERS AND ISPS RELATED PERSONNEL OF
CAYMAN ISLANDS REGISTERED VESSELS*

1. Introduction

Following the tragic events of September 11, 2001 in the United States, the issue of maritime security rose in importance to such an extent that it became the IMO's third mandate, alongside safety and pollution prevention. On December 12, 2002, the International Ship and Port Facility Security (ISPS) Code, ('Code'), was adopted by a Diplomatic Conference of the Contracting Governments to the IMO with a view to implementing measures and procedures to prevent acts of terrorism that threaten the security of passengers, crews, ships and port facilities.

In order to implement these measures expediently, they are being given effect mainly through amendments to SOLAS 74. Chapter XI was modified to create chapter XI-1, dealing with the existing provisions, and a new chapter XI-2, "Special Measures to Enhance Maritime Security", was created to give effect to the Code. Chapter V now provides for the early implementation of Automatic Identification Systems (AIS) on ships.

The above maritime security measures will come into force on July 01, 2004. There are **no** provisions either for exemption from the requirements or for extension to the implementation date. AIS applies to commercial vessels of 300GT and above. All other provisions apply to commercial vessels of 500GT and above. These measures apply equally to pleasure yachts when engaged in trade by carrying fare-paying passengers.

2. Implementation for Cayman Islands Registered Vessels

Keeping in line with UK Government policy for all British ships, compliance with the Code for Cayman Islands registered vessels will be dealt with exclusively by the Cayman Islands Maritime Administration, the CISR. Work relating to the approval of the Ship Security Assessment (SSA), the Ship Security Plan (SSP), onboard verifications and the statutory certification will not be delegated to any Recognised Security Organisation (RSO). However, a security organisation may assist ship owners or operators in the preparation of their SSA and SSP, which shall then be submitted to the CISR for review and approval. In selecting a security organisation, the criteria laid down in Section 4.5, Part B, of the ISPS Code should be taken into account.

3. Ship Security Assessment (SSA) and Ship Security Plan (SSP)

The CISR strongly advises owners of Cayman Islands registered vessels to:

1. Undertake a Ship Security Assessment by persons with appropriate skills to evaluate the ship security, in accordance with Part A of the Code (Section 8), taking into account the guidance given in Part B (Section 8).
2. Develop a Ship Security Plan in accordance with Section 9 of Part A, taking into account the guidance given in Part B, especially Sections 8.1 to 13.8.
3. Ensure that the SSP is written in the working language of the ship. If the working language is not English, a translation into English shall be included.
4. Submit the SSP and supporting SSA for review and approval to CISR as soon as practicable but no later than January 31, 2004 so as to allow time for the initial verification audit on board the ship and issue of the International Ship Safety Certificate prior to the deadline.

4. Plan Approval

For each ship, two copies of the SSP and the SSA written in English should be submitted to the CISR for approval. One copy of each approved SSP and SSA will be returned to the company and the other will be retained by the CISR for record purposes.

5. Verification and Issue of International Ship Security Certificate (ISSC)

Following approval of the SSP, for each ship to which the Code applies, the owner/operator shall inform the CISR when ready for an initial verification audit. The CISR shall then conduct a complete verification of ship's security system and all associated security equipment covered both by the relevant provisions of the Code and by the approved SSP. In order to conduct a meaningful initial audit, it is expected that the security system implemented on board a ship (in compliance with its approved SSP) shall have matured for a period of at least two months to provide sufficient objective evidence. Accordingly, owners must consider this factor prior to making a request for the initial verification audit for certification.

On conclusion of a satisfactory verification audit, an International Ship Security Certificate (ISSC) will be issued in accordance with Section 19.2 of the ISPS Code. ISSC's issued prior to July 01, 2004 will be subject to the provisions of Resolution 6 of the Diplomatic Conference on maritime security, adopted on December 12, 2002. Resolution 6 invites contracting Governments to recognise and accept such certificates as valid, and as meeting the requirements of chapter XI-2 of the Convention and Part A of the Code, when the relevant amendments to SOLAS enter in to force on July 01, 2004.

However, should there be changes to any relevant IMO instrument or the Cayman Islands maritime legislation in the interim, it will be necessary to review and possibly address the situation accordingly.

6. Further Guidance

Further guidance and specific requirements relating to maritime security matters, including the ISPS code, will be posted on the CISR web-site "www.caymarad.org" in due course.

In the meantime, all parties should review the following documentation concerning maritime security:

- Regulation V/19: Carriage of Automatic Identification Systems (AIS);
- Regulation XI-1/3, Ship identification number;
- Regulation XI-1/5: Continuous synopsis record;
- Chapter X1-2: Special measures to enhance Maritime Security; and
- MSC Circulars 1067, 1072, and 1097 available on the IMO website: www.imo.org