FREQUENTLY ASKED QUESTIONS

What is the International Ship and Port Facility (ISPS) Code?

The International Ship and Port Facility (ISPS) Code was developed as an amendment to the 1974 Safety of Life at Sea Convention during a Diplomatic Conference at the London headquarters of the International Maritime Organization (IMO) in December 2001.

The ISPS Code - which came into effect on July 1, 2004 - is a comprehensive security regime seeking to establish an international framework of co-operation between governments, government agencies and the shipping and port industries. The Code has been established in an effort to detect and prevent security incidents affecting ships or port facilities involved in international trade.

To which port facilities and ships does the ISPS Code apply?

The ISPS Code applies to all ships engaged on international voyages (i.e. passenger ships including high-speed passenger craft, cargo ships of 500 gross tonnage and upwards, including high-speed craft and mobile offshore drilling units) have to have been issued with an International Ship Security Certificate (ISSC). Only cargo ships and high-speed non-passenger crafts of less than 500 gross tonnage do not have to carry an ISSC. The ISPS Code also applied to port facilities serving the above ships engaged in international voyages.

*Note: The ISPS Code does not apply to warships, naval auxiliaries or other ships owned or operated by a Government.

What is an International Ship Security Certificate (ISSC)?

An International Ship Security Certificate is issued after the initial or renewal verification. This certificate is valid for a maximum of five years, however, extensions can be granted in the case where:

- A renewal verification has been completed but a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate. The existing certificate could then be extended for a maximum of five months beyond the expiry date

- A certificate expires while a ship is in a port where verification cannot be conducted. The certificate could be extended for a maximum of three months, but only to allow the ship to complete its voyage to a port where it can be verified
A certificate issued to a ship engaged on short that has not been previously extended may be granted a period of grace of up to one month.

A certificate may cease to be valid in any of the following cases:

- If the relevant verifications are not completed within the period specified
- If the certificate is not properly endorsed
- When a ship owner assumes the responsibility for the operation of a ship not previously operated by that ship owner
- When a ship is transferred to the flag of another State.

What are the responsibilities of the Designated Authority?

Transport Canada is the Government of Canada's designated authority and as such, has the following responsibilities:

- Setting security levels;
- Ensuring the approval of Ship Security Plans and approving Port Facility Security Plans;
- Verifying compliance with the ISPS Code's requirements and issuing to ships the International Ship Security Certificate;
- Determining which port facilities are required to designate a Port Facility Security Officer;
- Ensuring the completion and approval of Port Facility Security Assessments;
- Exercising control and compliance measures;
- Communication with the International Maritime Organization and the shipping and port industries; and
- Determining when a Declaration of Security - which addresses the security requirements that could be shared between a port facility and a ship, or between ships - is required.
What is a Declaration of Security (DoS)?

A Declaration of Security addresses security measures and the respective responsibilities shared between the port facility and the ship.

What is a Port Facility Security Assessment?

The Port Facility Security Assessment is an essential part of the process of developing and updating the Port Facility Security Plan. The assessment will be periodically reviewed and updated; taking into account changing threats and/or minor changes in the port facility and will always be reviewed and updated when major changes to the port facility take place. The Port Facility Security Assessment includes the identification of:

- Important assets and infrastructure
- Possible threats to assets and infrastructure and the likelihood of their occurrence
- Counter measures and procedural changes and their level of effectiveness in reducing vulnerability
- Weaknesses in the infrastructure, policies and procedures

What is a Port Facility Security Plan?

A Port Facility Security Plan will be developed and maintained for each port facility, on the basis of a Port Facility Security Assessment. The plan will address, at least, the following:

- Measures designed to prevent unauthorized weapons or any other dangerous substances and devices intended for use against persons, ships or ports from being introduced into the port facility or on board a ship
- Measures designed to prevent unauthorized access to the port facility, to ships moored at the facility, and to restricted areas of the facility
- Procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the port facility or ship/port interface, evacuating and reporting on incidents
- Procedures for responding to any security instructions from Transport Canada
- Duties of port facility personnel assigned security responsibilities and of other facility personnel on security aspects
- Procedures for interfacing with ship security activities
- Procedures for auditing periodically reviewing and updating the Port Facility Security Plan
- Measures to ensure the security of the information contained in the plan
- Measures designed to ensure effective security of cargo and the cargo handling equipment at the port facility
- Procedures for responding in case the ship security alert system of a ship at the port facility has been activated; and
- 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.

What is a Ship Security Assessment?

The Ship Security Assessment is an essential and integral part of the process of developing and updating the Ship Security Plan. The assessment includes an on-scene security survey and, at a minimum, the following elements:

- Identification of existing security measures, procedures and operations
- Identification and evaluation of key ship board operations that it is important to protect
- Identification of possible threats to the key ship board operations and the likelihood of their occurrence, in order to establish and prioritize security measures
- Identification of weaknesses, including human factors in the infrastructure, policies and procedures.

What is a Ship Security Plan?

The Ship Security Plan is developed to ensure the application of measures on board the ship designed to protect persons on board, cargo, cargo transport units, ship’s stores or the ship from the risks of a security incident. The plan must address, at least, the following:
- Measures designed to prevent unauthorized weapons, dangerous substances and devices intended for use against persons, ships or ports from being taken on board

- Identification of the restricted areas and measures for the prevention of unauthorized access to them

- Procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the ship or ship/port interface, evacuating persons on board, and reporting on incidents

- Procedures for responding to any security instructions from Transport Canada

- Duties of shipboard personnel assigned security responsibilities and of other shipboard personnel on security aspects

- Procedures for auditing the security activities, and for ensuring the inspection, testing, calibration, and maintenance of any security equipment provided on board

- Procedures for training, drills and exercises associated with the plan

- Procedures for interfacing with port facility security activities

- Procedures for the periodic review of the plan and for updating

- 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

- Instructions indicating that the master has overriding authority and responsibility to make decisions with respect to the safety and security of the ship and to request assistance as may be necessary.

- Records of the following activities addressed in the Ship Security Plan will be kept on board:

  - Training, drills and exercises
  - Security threats and security incidents
  - Breaches of security
  - Changes in security level
Communications relating to the direct security of the ship such as specific threats to the ship or to port facilities

Internal audits and reviews of security activities

Periodic reviews of the Ship Security Assessment and the Ship Security Plan

Implementation of any amendments to the plan

Maintenance, calibration and testing of any security equipment provided on board including testing of the ship security alert system.

What are the responsibilities of the Company Security Officer?

The Company Security Officer is designated by the ship owner, and is responsible for:

- Ensuring that Ship Security Assessments are carried out
- Ensuring the development, submission for approval, implementation and maintenance of Ship Security Plans
- Arranging for internal audits and reviews of security activities, and ship verifications, as well as ensuring that deficiencies and non-conformities identified are promptly addressed
- Advising on the level of threats likely to be encountered by the ship, using appropriate security assessments and other relevant information
- Ensuring adequate training for personnel responsible for the security of the ship
- Ensuring effective communication and co-operation between the Ship Security Officer and the relevant Port Facility Security Officers

What are the responsibilities of the Ship Security Officer?

The Ship Security Officer is designated by the ship owner as the person onboard each ship responsible for:

- Undertaking regular security inspections of the ship to ensure that appropriate security measures are maintained
- Maintaining and supervising the implementation of the Ship Security Plan, in coordination with the Company Security Officer and the relevant Port Facility Security Officer

- 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 Officer(s)

- 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

- Enhancing security awareness and vigilance on board

- Ensuring that adequate training has been provided to shipboard personnel

**What are the responsibilities of the Port Facility Security Officer?**

A Port Facility Security Officer will be designated for each port facility, and will be responsible for:

- Conducting an initial comprehensive security survey of the port facility taking into account the relevant Port Facility Security Assessment

- Developing, maintaining, implementing, exercising and recommending changes to the Port Facility Security Plan

- Undertaking regular security inspections of the port facility to ensure the continuation of appropriate security measures

- Enhancing security awareness and vigilance of the port facility personnel

- Ensuring adequate training has been provided to personnel responsible for the security of the port facility

- Reporting to the relevant authorities and maintaining records of occurrences which threaten the security of the port facility

- Co-ordinating implementation of the Port Facility Security Plan with the appropriate ship owner and Ship Security Officer(s)

- Co-ordinating with security services, as appropriate
- Ensuring that security equipment is properly operated, tested, calibrated and maintained

- Assisting Ship Security Officers in confirming the identity of those seeking to board the ship when requested

A person may be designated as the Port Facility Security Officer for one or more port facilities.

What are the responsibilities of the Port Facility Operator?

Port facility operators are required to act upon the security levels set by Transport Canada. In order to identify and take preventive measures against security incidents, the following activities will be carried out through appropriate measures in all port facilities at all times:

- Ensuring the performance of all port facility security duties
- Controlling access to the port facility
- Monitoring of the port facility, including anchoring and berthing area(s)
- Monitoring restricted areas to ensure that only authorized persons have access
- Supervising the handling of cargo supervising the handling of ship’s stores
- Ensuring that security communication is readily available

At heightened security levels, additional protective measures specified in the Port Facility Security Plan will be implemented, and port facilities may be required to respond to and implement any security instructions given by Transport Canada.

When advised that a ship is encountering difficulties in complying with the requirements the ISPS Code, its own Ship Security Plan, or any security instructions given by Transport Canada, the Port Facility Security Officer and Ship Security Officer will co-ordinate appropriate actions.

When advised that a ship is at a security level higher than that of the port facility, the Port Facility Security Officer will report to the appropriate authority and maintain a liaison with the Ship Security Officer as required.