

INTERNATIONAL SHIP AND PORT FACILITY SECURITY CODE
(ISPS Code)

CERTIFICATION REGULATIONS

(Information for the Owners)

2003



GDAŃSK

1. SUBJECT

The subject of the present Publication is to describe the process of certification of the ship security system for compliance with the requirements of the International Ship and Port Facility Security Code (ISPS Code) and to present the principles of the system supervision.

2. INTRODUCTION

In addition to other tasks realised for Maritime Administrations of many countries, PRS S.A. offers to the Polish and foreign Companies certification of ship security systems in accordance with ISPS Code.

The Code enters into force 1 July 2004 for the following types of ships engaged in international voyages:

- passenger ships, including high-speed passenger craft;
- cargo ships, including high speed craft, of 500 t gross tonnage and upwards; and
- mobile offshore drilling units.

Procedures for systems certification by PRS S.A. apply only to the ships.

PRS S.A. responsibility in this scope covers:

- impartial assessment of the documents constituting the Ship Security Plan;
- objective carrying out audit onboard a ship;
- continuous upgrading qualifications of the PRS's personnel participating in certification process.

It is achieved through:

- carrying out certification process using the most effective methods;
- ensuring PRS traditional impartiality of assessments, taking into account maintaining confidentiality of Client's information as well as findings and conclusions made;
- maintaining personal discipline and responsibility of the personnel performing the certification, conducting periodical trainings and encouraging additional education of ISPS auditors.

3. DEFINITIONS

Company – the owner of the ship or any other organization or person such as the manager, or the bare boat charterer, who has assumed the responsibility and any duties associated with operation of the ship from the owner and who has agreed to take over all the responsibilities imposed by the Code.

Administration – the Government of the State whose flag the ship is entitled to fly.

Recognised Security Organization (RSO) – an organization with appropriate expertise in security matters and with appropriate knowledge of ship authorized by the Administration to approve the Ship Security Plan, carry out audits and issue on its behalf International Ship Security Certificate.

Ship Security Plan – a plan developed to ensure the application of measures onboard a ship designed to protect persons onboard, cargo, cargo transport units, ship's stores or the ship itself from the risks of a security incident.

Ship Security System – organizational structure, distribution of responsibilities and authorisations, as well as procedures and resources, which make possible managing the security system.

Initial Audit – a complete verification of the ship security system and of technical security means for compliance with ISPS Code and an approved Ship Security Plan. The audit is aimed at issuance of International Ship Security Certificate.

Intermediate Audit – periodical examination aimed at ascertaining that the ship security system functions efficiently and is maintained in a state satisfactory for the intended operation of the ship. The audit performance is confirmed on the certificate.

Renewal Audit – a repeated complete assessment of the ship security system which leads to the issue of a new International Ship Security Certificate. The audit is performed not later than 5 years of the date of certificate issue.

Additional Audit – assessment of execution efficiency of corrective actions related to major nonconformities, nonconformities or changes introduced in Ship Security Plan. The audit may also be aimed at more thorough examination of selected fragments or the whole functioning ship security system and determination of corrective actions.

Nonconformity – a deviation which poses a serious threat to ship, persons or cargo security and requires immediate corrective action. The lack of effective and systematic implementation of a requirement of ISPS Code is also considered as a nonconformity.

Observation – an infringement substantiated by objective evidence, which is not a nonconformity. It may also be a statement made by the Auditor referring to the elements of Ship Security Plan which, if not corrected, may lead to a nonconformity in the future.

Objective Evidence – quantitative or qualitative information, records or statements of fact pertaining to the elements of implemented ship security system, which base on observation, measurement or test and which can be verified.

Technical Deficiency – a fault or an error in operation of technical security means.

4. APPLICATION FOR CERTIFICATION

A documented, in the form of Ship Security Plan, and implemented ship security system, complying with the requirements of the ISPS Code, can be presented for certification.

A system implemented and complying with the requirements of the ISPS Code means that:

- there is sufficient objective evidence documenting the functioning of the system;
- internal audits have been carried out.

A Company interested in certification should contact PRS Head Office or one of the Branch Offices to obtain necessary information and application forms. After application review, PRS prepares a Contract for Certification and Surveillance of Ship Security System or order acknowledgement and sends it to the Company.

5. DOCUMENTATION REVIEW

The Company submits to PRS the Ship Security Plan which is assessed for completeness and compliance with the requirements of the ISPS Code, additional flag Administration and port Administrations requirements.

PRS may request the Company to submit certain procedures if provisions of the Ship Security Plan are not sufficient to assess the ship security system. In the case the submitted documents are incomplete or do not comply with the ISPS Code requirements, they should be completed and sent for reassessment.

In case of any doubts relating to the assessed documents, a visit may be paid onboard a ship during which any questions arising in the course of the review of the Ship Security Plan will be cleared up.

The certification process proceeds after a positive assessment of the Ship Security Plan documents.

6. INITIAL AUDIT

An initial audit is carried out in order to examine compliance of the Ship Security System with the requirements of ISPS Code and the approved Ship Security Plan, the level of the system implementation and effective functioning.

The audit covers:

- checking that the Ship Security Plan is approved and takes into account the type of ship;
- checking that adequate required documents are available onboard ship;
- verification of the effective functioning of the ship security system, including collecting the objective evidence to confirm that the system is implemented. Objective evidence should include, among others, records of internal audits conducted by the Company.

As a rule the audit is to be carried out onboard ship in a port.

7. ADDITIONAL AUDIT

An additional audit may be performed before issue or validity confirmation of International Ship Security Certificate if nonconformities were raised during initial, periodical or renewal audits.

The additional audit is aimed at verification whether nonconformities raised during one of the a.m. audits were closed out.

An additional audit may be deemed necessary to confirm the validity of International Ship Security Certificate when substantial modifications to the Ship Security Plan were introduced or where, in the opinion of the Auditor, the number of nonconformities ascertained onboard ship during the last audit require such an audit to be performed.

8. INTERMEDIATE AUDIT

An intermediate audit onboard ship is carried out between the second and third anniversary date from the issue of International Ship Security Certificate. In order to harmonise the system of surveys and audits carried out onboard ship, it is recommended that intermediate audits be carried out at the terms of periodical surveys/ISM intermediate audits.

9. RENEWAL AUDIT

A renewal audit is carried out before the expiry date of International Ship Security Certificate. The audit may not be carried out earlier than half a year before the expiry of the certificate and not later than the expiry date.

The renewal audit is subject of a new agreement.

10. ISSUE OF INTERNATIONAL SHIP SECURITY CERTIFICATE

International Ship Security Certificate is issued in English, after verifying compliance of the ship security system with the requirements of ISPS Code. A copy of International Ship Security Certificate should be available in Company's Head Office.

International Ship Security Certificate will not be issued, confirmed or renewed if nonconformities are not closed up and these actions are not verified by the Auditor.

The International Ship Security Certificate is valid for a period of 5 years.

11. ISSUE OF INTERIM INTERNATIONAL SHIP SECURITY CERTIFICATE

An Interim International Ship Security Certificate may be issued for the ship which:

- has not a certificate, on delivery or prior to its entry or re-entry into service;
- is transferred from the flag of a Contracting Government to the flag of another Contracting Government;
- is transferred to the flag of a Contracting Government from a State which is not a Contracting Government;
- the Company/Operator assumes the responsibility for the operation of a ship not previously operated by that Company.

The Interim International Ship Security Certificate is valid for a period of 6 months or until the International Ship Security Certificate is issued. The validity of Interim Certificate may not be extended.

12. CERTIFICATE RENEWAL

If 3 months prior to expiry of International Ship Security Certificate the Company does not dispense with its renewal, PRS S.A. will carry out the renewal audit at the agreed date.

13. WITHDRAWAL OF INTERNATIONAL SHIP SECURITY CERTIFICATE

The International Ship Security Certificate may be withdrawn in the following cases:

- major nonconformities occurred, affecting safety of people, ship, etc., which are considered by PRS a basis for certificate invalidation;
- corrective actions were not carried out;
- due intermediate or renewal audit has not been carried out;
- amendments to the ISPS Code have not been taken into consideration in developing the Ship Security Plan;
- the Company assumes the responsibility for the operation of a ship not previously operated by that Company;
- the ship changed its flag.

PRS S.A. will notify the Company of intended invalidation of International Ship Security Certificate, giving reasons thereof. If the Company does not appeal, in writing, against PRS S.A. decision, PRS will withdraw the certificate and in the case it has been issued on behalf of Administration or by Administration, will notify appropriate authorities thereof.

International Ship Security Certificate, the validity of which has expired or which has been withdrawn may be recovered only after reassessment of the Ship Security Plan carried out in accordance with the initial audit principles.

14. CHANGES TO THE CERTIFICATION SYSTEM

In the case any changes are to be made to the certification system, PRS S.A.:

- will enable the Company to assume an attitude towards proposed changes;
- will define the term of introducing the changes; the term will be agreed upon with the Company and will be sufficient to enable the Company to correct the Ship Security Plan.

15. COMPANY RESPONSIBILITIES

The Company maintains Ship Security Plans in conformity with the requirements of ISPS Code. In case of any changes introduced in the Plan, the Company notifies immediately PRS thereof, in order to assess these changes.

The Company registers and maintains records associated with any claims related to Ship Security Plans.

The Company carries out corrective actions to remove any nonconformities and their causes and notifies PRS thereof.

The Company is obliged to render available means necessary for efficient performance of the audit.

16. FEES

The fees include:

- initial Audit onboard ship, including audit preparation and conclusion (Company's application analysis, review of Ship Security Plan documents, assessment of audit results, preparation of audit report, transferring a letter to Administration requesting issue of (Interim) International Ship Security Certificate);
- intermediate audit.

17. USE OF PRS ISPS CODE CERTIFICATION MARK

The presented below "ISPS Code Certification Mark" of Polski Rejestr Statków S.A. denotes that ship security system certification has been performed by Polski Rejestr Statków.

PRS S.A. allows the Company to use the Certification Mark on its own documents under the following conditions:

- the Company may use the mark on receipt of the International Ship Security Certificate;
- the Company may use the mark in its business, promotion and advertising documents, exclusively in relation to such field of activity which is defined by the scope of the PRS S.A. certification;
- the Company may not alter the original form of the mark, the pattern of which is furnished by PRS;
- the mark must be used in original colour or in black on the white background.

The pattern of the Certification Mark in black on the white background is attached to the Contract for Certification and Surveillance of the Ship Security System. The pattern in original, blue colour may be delivered in a form of a computer file.