Implementation of the ISPS Code

As we all are aware, the International Ship and Port Facility Security Code (ISPS Code) is a comprehensive set of measures to enhance the security of ships and port facilities. The ISPS Code is implemented through Chapter XI – 2 of the Convention for the Safety of Life at Sea 1974 (SOLAS) and it has two (2) parts: Part A is mandatory and Part B is recommendatory.

ISPS Code describes in details the measures that have to be carried out by maritime administrations, shipping companies and port facilities in order to implement a security regime. Generally speaking, ISPS Code is a rick assessment activities and the implementation of the Code would result in a standardised and consistent framework for evaluating risk. The ISPS Code entered into force on 01 July 2004.

Malaysia has implemented the ISPS Code as early as 2004. The Marine Department of Malaysia is the Designated Authority for administering and regulating the full and effective implementation of the ISPS Code in Malaysia. The Designated Authority has appointed 12 Recognised Security Organisation (RSO) to undertake certain security related activities for the Malaysian – flagged vessels. The Designated Authority retains full responsibility on security related activities for maritime facilities. The United States Coast Guard under the International Port Security Programme has audited the implementation of the ISPS Code in Malaysia.

Despite the worldwide success in the implementation of the ISPS Code, a number of related issues have been identified and should be given continued emphasis including the need to find the appropriate balance between security, the free flow of commerce and the freedom of navigation. Equally important, the effect of the implementation of the ISPS Code on the human element of shipping needs to be addressed as well. This would include the question of shore leave for seafarers which has been made more difficult in certain jurisdictions following the ISPS Code, and the minimum manning requirement onboard ship.