



Tonga

**SHIPPING (INTERNATIONAL SHIP AND
PORT FACILITY SECURITY)
REGULATIONS**

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SHIPPING (INTERNATIONAL SHIP AND PORT FACILITY SECURITY) REGULATIONS

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SHIPPING (INTERNATIONAL SHIP AND PORT FACILITY SECURITY) REGULATIONS

MADE UNDER SECTION 206 OF THE SHIPPING ACT¹

Commencement [1st July 2004]

1 Short title

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

2 Interpretation

In these regulations, unless the context otherwise requires —

“**company**” means a shipping company to which these Regulations apply;

“**company security officer**” means the person designated by the Company for ensuring that a ship security assessment is carried out;

“**Convention**” means the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;

“**facility operator**” means port facility to which these Regulation apply;

“**ISPS Code**” means the International Ship and Port Facility Security Code;

“**Maritime Security Committee**” means the committee constituted under Regulation 5 to provide advice to the national security assessment;

“**Minister**” means the Minister of Marine and Ports;

“**Ministry**” means the Ministry of Marine and Ports;

“**Ports Authority**” means the Ports Authority of Tonga or the agency responsible for the time being for the administration, management and operation of a Tongan port;

“**port facility operator**” means the manager of ship or port interface facility that provides for 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;

“**port facility security officer**” means a suitably qualified person designated by the facility operator responsible for the development, implementation, review and maintenance of the port facility security plan and for liaison with ship security officers, the company security officer and the port security officer;

“**port facility security**” means a plan developed to ensure the application of measures designed to protect the port facility and ships, persons, cargo, cargo transport units and ship's stores within the port facility from the risks of a security incident;

“**port security officer**” means a suitably qualified person designated by the Ports Authority or owner to facilitate the development, implementation, review and maintenance of the port security plan and for liaison with port facility security officers and ship security officers, where appropriate;

“**recognised security organisation**” means any suitably qualified organisation authorised by the Ministry to undertake certain security duties required under the ISPS Code;

“**restricted areas**” means areas on the ship to which access is restricted to crew, persons invited by the master or ship security officer and persons authorised under these Regulations;

“**restricted zone**” means land side areas to which access is restricted to persons authorised by the port facility operator or persons authorised under these Regulations;

“**Secretary**” means the Secretary for Marine and Ports;

“**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 risk 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;

“**ship security officer**” means the person on board a ship, accountable to the master, designated by the company as responsible for the security of the ship;

“**ship security plan**” means a plan 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;

“**sterile area**” means an area of the port approved under these Regulations to which persons, vehicles and goods are not permitted until given clearance, in relation to maritime security;

“**Tongan ships**” means those ships that are registered in Tonga; and

“**unlawful interference**” means any act committed by a person without lawful excuse —

- (a) seizing, or exercising control of, a ship by force, or threat of force, or any other form of intimidation;
- (b) damaging or destroying a ship that is in service;
- (c) placing, or causing to be placed, on board a ship in service a thing that is likely to —
 - (i) destroy the ship; or
 - (ii) endanger its safety;
- (d) communicating information, which is known to be false, thereby endangering the safety of a ship;
- (e) committing an act of violence against a person, property or the environment at a port, if the act —
 - (i) causes, or is likely to cause, injury or death; or
 - (ii) endangers, or is likely to endanger, the safe and efficient operation of the port or the safety of anyone at the port; and
- (f) attempting to commit an act described in any of the above paragraphs.

3 Application

- (1) These Regulations shall apply to —
 - (a) Tongan passenger ships, including high-speed craft, engaged on international voyages;
 - (b) Tongan cargo ships, of 500 gross tonnage and upwards, engaged on international voyages;
 - (c) ports and port facilities within ports in Tonga that serve vessels engaged on international voyages; and

- (d) all foreign vessels in Tongan waters to which the SOLAS Convention applies.
- (2) Notwithstanding Article 3 of the Convention, these Regulations shall apply to fishing vessels 12 metres in length and above fishing in the EEZ of Tonga and in international waters.

4 Minister's responsibility

The Minister shall be responsible for —

- (a) initiating, developing, promoting and reviewing maritime security policy, legislation, standards and procedures;
- (b) auditing and pursuing compliance with maritime security policy, legislation, standards and procedures;
- (c) approving security plans and issuing ship security certificates and port or port facility compliance certificate in the forms set out in Schedules I, II and III;
- (d) coordinating the maritime security policy response to a threat or act, which threatens the security of the maritime transport sector;
- (e) coordinating the provision of intelligence and information on threats to the maritime industry;
- (f) providing advice on maritime security to government, industry and the public; and
- (g) advising of the need for additional security measures.

5 Maritime security Committee

- (1) A Maritime Security Committee shall be constituted to co-ordinate and implement security controls and procedures and boundaries at the interface between ships and ports, which shall be chaired by the Minister.
- (2) The Maritime Security Committee shall comprise representatives from —
- (a) Marine and Ports;
 - (b) Foreign Affairs;
 - (c) Prime Minister's Office;
 - (d) Police;
 - (e) Tonga Defence Services;
 - (f) Agriculture (Quarantine);
 - (g) Crown Law;
 - (h) Health;
 - (i) Customs;

- (j) Ports Authority;
 - (k) Shipping Agents;
 - (l) Ship owners; and
 - (m) Bulk Fuel Depot.
- (3) The Chairman may co-opt members on an ad-hoc basis.
- (4) The secretary shall be the Secretary for Marine and Ports who shall ensure that a record of each meeting is kept and minutes are forwarded within one month of the meeting, either in written or electronic form, to all committee members.

6 Role of the Maritime Security Committee

The role of the Maritime Security Committee shall be to —

- (a) coordinate the implementation of national maritime measures in Tongan ports and on Tongan ships;
- (b) provide a forum for the discussion of maritime security matters affecting port tenants or users and ships visiting the ports;
- (c) draw up and maintain a list of vulnerable points of the ports, including essential equipment or facilities and review their security from time to time;
- (d) provide a forum for communication between port tenants or users and ship owners on issues of security and procedures in place to meet threats, providing for normal situations and contingencies for periods of heightened tension and emergency situations;
- (e) promote security awareness amongst port workers or users and ship owners; and
- (f) liaise, as considered appropriate, with external agencies to discuss security issues.

7 Support Team

- (1) In the event of a security incident the Ports Authority or ship owner shall contact the secretary or the Chairman who shall immediately convene a meeting of the Maritime Security Committee, along with other members as determined appropriate.
- (2) The Maritime Security Committee shall set up a Support team to —
- (a) provide technical and operational advice and assistance to the police in relation to operational matters and resources available at the port;
 - (b) consult with the police, ensure the orderly conduct of other operations on the port not associated with the incident; and

- (c) provide incident-related advice and information to their respective organisations and the Ministry.

8 Security levels

- (1) The Minister shall, with the assistance of the Maritime Security Committee, set security levels and provide guidance for protection from security incidents. Higher security levels indicate greater likelihood of occurrence of a security incident.
- (2) Factors to be considered in setting the appropriate security level include the degree that threat information is credible, corroborate specific and imminent and the potential consequences of such a security incident.

9 Instructions and security related information

The Minister shall, with the assistance of the Maritime Security Committee, issue appropriate instructions and provide security related information to the ships and port facilities that may be affected.

10 Additional preventative and protective security measures

- (1) Additional preventative and protective security measures will need to be considered. Such measures may be required in relation to an entire port, specific port operations and certain port facilities where there are higher levels of alert.
- (2) Additional security measures may be implemented either at the direction of the Ministry or on the initiative of the Ports Authority or ship owner.

11 Delegation of duties to a recognised security organisation

Minister may delegate duties under these Regulations to a recognised security organisation with the exception of —

- (a) setting of the applicable security level;
- (b) approving a port or port facility, ship security assessment and subsequent amendments to an approved assessment;
- (c) determining the port or port facilities that will be required to designate a port facility security officer; and
- (d) approving a port or port facility, ship security plan and subsequent amendments to an approved plan.

12 Declaration of security

- (1) A declaration of security shall be completed in respect of a port or port facility when the Minister deems it necessary.
- (2) The need for a declaration of security may be indicated by —
 - (a) the results of the port facility security assessment; and
 - (b) the reasons and circumstances in which a declaration of security is required should be set out in the port facility security plan.
- (3) The need for a declaration of security may be indicated by the maritime administration for ships entitled to fly its flag or as a result of a ship security assessment and should be set out in the ship security plan.
- (4) Declaration of security may be requested at higher security levels, when a ship has a higher security level than the port facility, or another ship with which it interfaces, and for ship or port interface or ship-to-ship activities that pose a higher risk to persons, property or the environment for reasons specific to that ship, including its cargo or passengers or the circumstances at the port facility or a combination of these factors.
- (5) Where a ship or a maritime administration, on half of ships entitled to fly its flag, requests completion of a declaration of security, the port facility security officer or ship security officer shall acknowledge the request and discuss appropriate security measures.
- (6) A port facility security officer may initiate a declaration of security prior to ship or port interfaces that are identified in the approved port facility security assessment as being of particular concern including the embarking or disembarking passengers, and the transfer, loading or unloading of dangerous goods or hazardous substances and facilities at or near highly populated areas or economically significant operations that warrant a declaration of security.

13 Requirements of a declaration of security

- (1) The declaration of security shall ensure agreement is reached between the ship and the port facility or with other ships with which it interfaces as to the respect security measures each will undertake in accordance with the provisions of their respective approved security plans.
- (2) The declaration of security shall be signed and dated by both the port facility and the ship, to indicate compliance with SOLAS chapter XI-2 and part A of the ISPS Code, duration, the relevant security level, or levels and the relevant contact details.
- (3) A change in security level may require that a new or revised declaration of security be completed.

- (4) The declaration of security shall be completed in English or in a language common to both the port facility and the ship or the ships, as applicable.
- (5) A declaration of security shall be in the form set out in Schedule IV to these Regulations between a ship and a port facility.

14 Issuance of a declaration of security

- (1) The Minister shall determine when a declaration of security is required, by assessing the risk the ship or port interface or ship-to-ship activity poses to persons, property or the environment.
- (2) A ship can request a declaration of security when —
 - (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, as applicable;
 - (d) the ship is at a port that 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.
- (3) Requests for the completion of a declaration of security, under this regulation, shall be acknowledged by the applicable port facility or ship.
- (4) The declaration of security shall —
 - (a) be developed in accordance with the guidelines set put [sic] in Schedules V and VI;
 - (b) be completed by the master or the ship security officer on behalf of the ship and the port facility security officer or, if the Contracting Government determines otherwise, by any other body responsible for shore-side security, on behalf of the port facility;
 - (c) address the security requirements that could be shared between a port facility and a ship (or between ships) and shall state the responsibility for each; and
 - (d) specify the minimum period for which it shall be kept by the port facilities located within Tonga.
- (5) The Ministry shall specify the minimum period for which declaration of security shall be kept by ships entitled to fly the Tongan flag.

15 Ports Authority responsibility

- (1) All employees and agents of a Ports Authority whose duties require them to implement security controls at the port or routinely access a restricted zone at the port have a responsibility to ensure that the protective security arrangements covered by ports security plan are observed at all times.
- (2) Any employee or agent on becoming aware of a —
 - (a) a breach or suspected breach of security arrangements;
 - (b) any deficiency in the port security plan; or
 - (c) activities of a suspicious nature;shall report the matter immediately to the port security officer.
- (3) The Ports Authority shall, in conjunction with the Maritime Security Committee, ensure compliance with the provision of the port security plan and for the implementation of complementary additional security measures as required by the Ministry.
- (4) The Ports Authority shall, in conjunction [sic] the Maritime Security Committee, initiate periodic internal audits or reviews of the port security plan to ensure compliance with, and appropriateness of, existing security measures.

16 Appointment of port security officer

- (1) The Ports Authority shall appoint a port security officer who, with the authority of management, shall administer the day-to-day operations of the port security plan at the port.
- (2) The duties and responsibilities of the port security officer shall include —
 - (a) consultation with port facility security officers;
 - (b) ensure that appropriate security measures are maintained at the port;
 - (c) maintain and supervise the implementation of the port security plan, including any amendments to the Plan;
 - (d) propose modifications to the port security plan;
 - (e) report to management any deficiencies and non conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance and implementing any corrective actions;
 - (f) attend port security committee meeting;
 - (g) enhance security awareness and vigilance by all staff;
 - (h) ensure adequate security training has been provided to port employees and agents with regard to their security roles and responsibilities and maintenance of training records;

- (i) ensure that security equipment is appropriately operated, tested, calibrated and maintained, if any;
- (j) ensure effective communication and cooperation between the port and members of the port security committee;
- (k) report all security incidents to the Ministry; and
- (l) oversee the issue of copies of the port security plan and maintain a record of all authorised holders.

17 Port Security Plans

- (1) The Ports Authority shall, following discussion with the Maritime Security Committee conduct a port security assessment and produce a port security plan, issued under the authority of the Chief Executive Officer.
- (2) The Ministry shall review and approve the draft port security plan prior to its circulation and to their being put into effect.
- (3) The port security officer subject to approval by the Ministry may in consultation with the Maritime Security Committee amend the port security plan as necessary.
- (4) Subject to authorisation from the Minister, the completed port security plan is “CONFIDENTIAL”.
- (5) No part of the port security plan may be reproduced or transmitted, or by any means, without the written consent of the port security officer.
- (6)
 - (a) The port security officer may, review the port security plan.
 - (b) In reviewing the port security plan the port security officer may have regard to —
 - (i) developments in relation to human and other resources used and procedures followed concerning security; and
 - (ii) experience gained in relation to security by other port authorities.
- (7) If the port authority or port facility operator, in consultation with the Maritime Security Committee, is satisfied that —
 - (a) the approved port security plan is no longer adequate for any one or more of its purposes; or
 - (b) the effectiveness of the port security plan for those purposes could be substantially improved,

the port security officer shall prepare and submit to the Ministry for approval, proposals for any variation of the port security plan considered necessary.

18 Port Facility Operation Responsibility

- (1) The port facility operator shall, in co-operation with the Ports Authority and Maritime Security Committee conduct a port facility security assessment and produce a port facility security plan, issued under the authority of port facility security officer.
- (2) The port facility security plan shall be incorporated into the overall port security plan where appropriate.
- (3) The Ministry shall review and approve the draft port facility security plan prior to its circulation and being put into effect.
- (4) Subject to approval by the Ministry, the port security officer may, in consultation with the Maritime Security Committee amend the port facility security plan as necessary.
- (5) Port facility operators, lessees and tenants are responsible for —
 - (a) the security of their facilities and areas specifically allocated for their use;
 - (b) maintaining access control procedures as they apply to any of their facilities; and
 - (c) ensuring that any staff or other persons, such as contractors, who enter restricted zones or sterile areas do so only on current essential duties related to that area.
- (6) Port facility operators, lessees and tenants shall be required by the Ports Authority or the Ministry, to comply with security systems or procedure variations resulting from increases in maritime security threats.
- (7) Security exercises, to test measures and response arrangements, shall be conducted by the Ports Authority or owner at a frequency agreed with the Ministry in the form of —
 - (a) theoretical or desktop exercises; or
 - (b) simulated incidents to practice response and handling arrangements.
- (8) The object of the exercises is to not only test response arrangements to a simulated act of unlawful interference but to also —
 - (a) practice call out of all involved elements;
 - (b) test the adequacy of facilities;
 - (c) exercise members of the port security committee in the provision of effective support to police operational elements; and
 - (d) test the adequacy of appropriate contingency plans.
- (9) The port security officer and appropriate port facility security officers shall review each security exercise and within two months of the completion of the

exercise submit a formal report to the Ministry, and the Maritime Security Committee.

19 Other port users

Persons who enter the port are required to comply with all regulatory provisions brought to their notice by any means including public notices, signs, announcements, publications or oral messages.

20 Shipping organisation and responsibility

The company shall ensure compliance with the provisions of the ship security plan and implementation of complementary additional security measures as required by the Ministry.

21 Responsibilities of the company

The company shall —

- (a) initiate periodic internal audits or reviews of the ship security plan to ensure compliance with, and appropriateness of, existing security measures;
- (b) appoint a company security officer, who, with the authority of management, shall administer the overall operations of the ship security plan on all the company's ships; and
- (c) appoint a ship security officer for each ship, who, with the authority of management, shall administer the day-to-day operations of the ship security plan on the company's ships.

22 Duties of the company

The duties and responsibilities of the company security officer shall include, but not be 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 and regularly reviewed;
- (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 amended, as appropriate, to correct perceived shortcomings and satisfy the security requirements of the individual ship;
- (e) arranging for internal audits and reviews of security activities;

- (f) ensuring that deficiencies and non-conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance are promptly addressed and dealt with;
- (g) enhancing security awareness and vigilance;
- (h) ensuring adequate training for personnel responsible for the security of the ship;
- (i) ensuring effective communication and cooperation between the ship security officer and the relevant port facility security officers;
- (j) ensuring consistency between security requirements and safety requirements;
- (k) ensuring that, if sister-ship or fleet security plan for are used, the plan for each ship reflects the ship-specific information accurately;
- (l) ensuring that any alternative or equivalent arrangements approved for a particular ship or group of ships are implemented and maintained; and
- (m) authorising the issue of copies of the ship security plan and maintaining a record of all authorised holders.

23 Duties of the ship security officer

The duties and responsibilities of the ship security officer shall include, but not be 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 port security plan;
- (c) coordinating 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;
- (g) ensuring adequate training has been provided to shipboard personnel with regard to their security roles and responsibilities and maintenance of training records;
- (h) reporting all security incidents;
- (i) coordinating 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.

24 Duties of employees and agents of a company

All employees and agents of the company, including crew, have a responsibility to ensure that the protective security arrangements covered by the ship security plan are observed at all times. Any employee or agent becoming aware of —

- (a) breach or suspected breach of security arrangements;
- (b) any deficiency in the ship security plan; or
- (c) activities of a suspicious nature;

shall report the matter immediately to the company security officer or ship security officer as appropriate.

25 Authority of the master

Nothing in these Regulations removes from the master the overriding authority and responsibility to make decisions with respect to the safety and security of the ship and to request the assistance of the company or of any government as may be necessary.

26 Ship security plans

- (1) Companies owning ships that are registered in Tonga or operating in Tongan waters shall, in accordance with the requirements of these Regulations and following discussion with the Maritime Security Committee, conduct a ship security assessment and produce a ship security plan, issued under the authority of company security office.
- (2) The Ministry shall review and approve the draft ship security plan prior to its circulation and being put into effect.

27 Requirements of ship security plans

- (1) Subject to approval by the Ministry the company security officer may with the consent of the Maritime Security Committee amend the ship security plan.
- (2) The completed ship security plan shall be “CONFIDENTIAL”.
- (3) No part of the ship security plan may be reproduced or transmitted, by any means, without the written consent of the company security officer.
- (4) The company security officer may, review the ship security plan have regard to —

- (a) developments in relation to human and other resources used procedures followed concerning ship security; and
- (b) experience gained in relation to ship security by other ship operators.

28 Variation of plan ship security plan

The company security officer may prepare and submit to the Ministry for approval, proposals for any variation of the ship security plan where the company security officer is satisfied that —

- (a) the approved ship security plan is no longer adequate for any one or more of its purposes; or
- (b) the effectiveness of the ship security plan for those purposes could be substantially improved.

29 Contingency procedures-Port

- (1) In the event of an employee or agent of the Ports Authority or port facility operator becoming aware of a significant act of unlawful interference which involves the use of weapons or force or an unlawful threat which involves bomb or sabotage threat, that person shall report the threat as soon as practicable to the port security officer.
- (2) Where the threat directly or indirectly impacts upon an organisation the port security officer shall relay details of the threat to the organisation concerned as soon as possible.

30 Assessment and classification of threats

- (1) The assessing and classifying of all threats, such as bomb or sabotage threats, against any of the port's amenities shall rest with the Ports Authority, whereas assessing and classifying facility operator's amenities shall rest with the company concerned.
- (2) Threats shall be classified as either “GENUINE”, in which case appropriate response procedures are to be enacted, or “HOAX”, in which case no further action is necessary.
- (3) Where the search of a building or facility is considered necessary, the threat shall be considered to remain genuine until the port security officer advises that the threat has been reclassified as a hoax, or any suspicious object discovered during the search has been removed or declared safe.
- (4) The port security officer shall report to the police details of significant breaches of security or threats impacting upon the operations of the Ports Authority or port facility operator involving violence.

- (5) The port security officer is to report to the Chief Executive Officer and the Ministry, at the earliest opportunity, all security related incidents as well as actual or suspected acts of terrorism impacting upon the operations of the Ports Authority or port facility operator such as —
- (a) discovery of weapons or prohibited item (including explosive devices) within the port or port facility;
 - (b) unauthorised access to restricted areas;
 - (c) unauthorised access to a ship;
 - (d) bomb or sabotage threats;
 - (e) disruptive or abusive passengers or stevedores; and
 - (f) incidents that have attracted media attention.

31 Development of contingency procedures

- (1) Contingency procedures shall be developed and maintained to provide for situations that could present a threat to the security of the port or port facility.
- (2) Procedures under sub-regulation (1) shall form part of the port security plan or port facility security plan.

32 Emergencies

- (1) Other types of emergencies that should be provided in the port security plan or port facility security plan include —
 - (a) bomb search routine;
 - (b) evacuation procedures;
 - (c) security equipment failure; and
 - (d) action to be taken in respect of a major security incident at the port.
- (2) A preliminary report shall be forwarded where it may not be possible to provide a full report within a reasonable time frame, due to the need to investigate certain aspects.
- (3) The port security officer shall include in any report to the Ministry the type of information under Schedule VII to these Regulations.

33 Report of unlawful interference

- (1) Any person who is aware of a significant act of unlawful interference on board a ship at sea or in port which includes the use of weapons or force or an unlawful threat which includes a bomb or sabotage threat, shall report details on the threat as soon as practicable to the master, ship security officer, or company security officer.

- (2) Where the threat directly impacts upon another organisation, the master or the company security officer shall relay details of the threat to the other organisation concerned as soon as possible.

34 Classification of threats

- (1) The company shall assess and classify all threats, such as bomb or sabotage threats, against the ship or other facilities as “GENUINE”, in which case appropriate response procedures are to be enacted or “HOAX”, in which case no further action is needed.
- (2) Where a search is considered necessary, the threat shall be considered to remain genuine until the master or company security officer advises that the threat has been reclassified as a hoax, or any suspicious object discovered during the search has been removed or declared safe.
- (3) The master or the company security officer shall report to the police details of significant breaches of security or threats impacting upon the operations of the ship involving violence.

35 Report of incidents

- (1) The master or the company security officer shall report to the company, and the Ministry all incidents as well as actual or suspected acts of terrorism or other acts of unlawful interference that may affect the security of the ship, such as —
 - (a) discovery of weapons or prohibited items (including explosive devices) aboard the ship;
 - (b) unauthorised access to restricted areas;
 - (c) unauthorised access to the ship;
 - (d) bomb or sabotage threats;
 - (e) disruptive or abusive passengers; and
 - (f) incidents that have attracted media attention.
- (2) A preliminary report shall be forwarded where it may not be possible to provide a full report within a reasonable time frame, due for example to the need to investigate certain aspects.
- (3) The ship security officer shall include in any report to the company security officer the information under Schedule VIII. Upon receipt of the report the company security officer shall forward a copy to the Ministry, which may contain supplementary information.

36 Contingency procedures-ships

Contingency procedures shall —

- (a) be developed and maintained to provide for situations that could present a threat to the security of the ship; and
- (b) form part of the ship security plan.

37 Other emergencies

The ship security plan shall include the following types of emergencies —

- (a) bomb search routine in port;
- (b) bomb search routine at sea;
- (c) repelling unsolicited boarders at sea;
- (d) evacuation of the vessel;
- (e) security equipment failure; and
- (f) security procedures while in dry-dock or extended maintenance.

38 Security Training-Ports

- (1) The Ports Authority shall be responsible for developing and maintaining security awareness and training of its employees and agents.
- (2) The port security officer shall ensure that relevant employees and agents of the Ports Authority are given a minimum level of training to establish a rudimentary level of security awareness.
- (3) The minimum level of training referred to in sub-regulation (2) shall include —
 - (a) port layout and organisations;
 - (b) the role of the Ports Authority, the Ministry, Police and other government agencies;
 - (c) basic port security procedures;
 - (d) access control;
 - (e) threat response; and
 - (f) other training specific to their duties.
- (4) The port security officer shall ensure that employees and agents of the Ports Authority engaged in port security activities undertake more advanced training, which as a minimum shall include the following —
 - (a) principles of protective maritime security;
 - (b) legislation;
 - (c) IMO standards;

- (d) Maritime Security Committee;
 - (e) law enforcement interface;
 - (f) passenger and baggage screening (where applicable);
 - (g) bomb threat assessment; and
 - (h) search and evacuation guidelines.
- (5) Training modules shall be reviewed periodically, as shall the need for refresher training, with regard being given to developments in equipment used and procedures.
- (6) The port security officer shall ensure that records on content, duration and dates of training activities undertaken by employees and agents of the Ports Authority are retained for the previous five years.
- (7) The port facility operator shall be responsible for —
- (a) port facility security training; and
 - (b) developing and maintaining security awareness and training of the its employees and agents, and it shall follow the procedures required in sub-regulations (1) - (5).

39 Security Training-Ships

- (1) The company shall provide crew members with sufficient training to understand and carry out security responsibilities.
- (2) Training shall consist of initial training in procedures and practices applicable to their position and, as appropriate, refresher training, which takes into account developments in relation to the equipment used and procedures followed relative to maritime security.
- (3) The company shall ensure that records of the content, duration and dates of training activities undertaken by crew members are retained for the previous five years.
- (4) The Ministry of Foreign Affairs shall provide crew members with current travel advice information prepared for those foreign ports they will operate to or from and the potential impact that any special port security procedures in place may have.

40 Role of the Police

Any acts of terrorism or any other act of unlawful interference to maritime operations shall be reported to the police.

41 Role of Government Ministries and Agencies

Government ministries and agencies shall comply with these Regulations and with any port security plan or ship security plan.

42 Offences

- (1) Any person who contravenes these Regulations, is guilty of an offence and shall be liable upon conviction to a fine not exceeding \$100,000.
- (2) Any person found on a restricted area without authorisation, is guilty of an offence and shall be liable upon conviction to a fine not exceeding \$10,000.

SCHEDULE I
KINGDOM OF TONGA
INTERNATIONAL SHIP SECURITY CERTIFICATE

(Regulation 4)

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 Tonga
by the Minister of Marine and Ports

Name of ship:.....

Distinctive number or 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

This Certificate is valid until subject to verifications in accordance with section 19.1.1 of part A of the ISPS Code.

Issued at Nuku'alofa by the Minister of Marine and Ports _____(signature)

Issued on the day of 20.... _____(Seal or Stamp)

ENDORSEMENT FOR INTERMEDIATE 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 Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(Seal or Stamp of the authority, as appropriate)

ENDORSEMENT FOR ADDITIONAL VERIFICATIONS^[*]

Additional verification —

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(Seal or Stamp of the authority, as appropriate)

Additional verification —

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(Seal or Stamp of the authority, as appropriate)

Additional verification —

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(Seal or Stamp of the authority, as appropriate)

* This part of the certificate shall be adapted by a maritime administration to indicate whether it has established additional verifications as provided for in section 19.1.1.4.

ADDITIONAL VERIFICATION IN ACCORDANCE WITH SECTION A/19.3.7.2 OF THE ISPS CODE

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.

Additional verification —

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(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, the Certificate shall, in accordance with section 19.3.3 of part A of the ISPS Code, be accepted as valid until the day of 20.....

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on theday of..... 20.....

(Seal or Stamp of the authority, as appropriate)

ENDORSEMENT WHERE THE RENEWAL VERIFICATION 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 the Certificate shall, in accordance with section 19.3.4 of part A of the ISPS Code, be accepted as valid until the day of 20.....

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(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

This Certificate shall, in accordance with section 19.3.5/19.3.6^[*] of part A of the ISPS Code, be accepted as valid until the day of 20.....

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(Seal or Stamp of the authority, 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 the day of 20.....

Signed

(Signature of Minister of Marine and Ports)

At Nuku'alofa on the day of 20.....

(Seal or Stamp of the authority, as appropriate)

* Delete as appropriate.

** In case of completion of this part of the certificate the expiry date shown on the front of the certificate shall also be amended accordingly.

SCHEDULE II

INTERIM INTERNATIONAL SHIP SECURITY CERTIFICATE

(Regulation 4)

Certificate No.

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 Tonga

by the Minister of Marine and Ports

Name of ship:.....

Distinctive number or 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.

Date of initial / renewal verification on which this certificate is based

This Certificate is valid until subject to verifications in accordance with section 19.1.1 of part A of the ISPS Code.

Issued at Nuku'alofa by the Minister of Marine and Ports _____(signature)

Issued on the day of 20..... (Seal or Stamp)

*Delete as appropriate

SCHEDULE III

STATEMENT OF COMPLIANCE OF A PORT OR PORT FACILITY

(Regulation 4)

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 Tonga

by the Minister of Marine and Ports

Name of Facility:.....

Address:.....

Telephone:..... **Fax:**.....

.....**Chief Executive Officer E-mail**

Port Facility Security Officer and Contact Details

..... **Harbour Master E-mail**.....

Telephone:..... **Fax:**..... **Mobile**

THIS IS TO CERTIFY THAT the requirements of the provisions of SOLAS Chapter XI-2 and part A of the ISPS Code have been complied with.

Date of initial/renewal verification on which this certificate is based

This Certificate is valid until

Issued at Nuku'alofa by the Minister of Marine and Ports _____ (signature)

Issued on the day of 20..... _____

(Seal or Stamp)

SCHEDULE IV

Form of a Declaration of Security between a ship and a port facility^[*]

(Regulation 13(5))

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 ship security officer or port facility security officer under these columns indicates that's the activity will be done, in accordance with 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 | | |

* This form of Declaration of Security is for use between a ship and a port facility. If the Declaration of Security is to cover two ships this model should be appropriately modified.

SCHEDULE V**GUIDELINES FOR THE DEVELOPMENT OF PORT AND PORT FACILITY SECURITY PLANS****(Regulation 14(4))**

The following is for the guidance of ship owners and operators of ships to whom these Regulations apply.

1. Facility Access Control Measures

(1) Peripheral protection of the restricted zone is provided by intrusion protection and detection equipment. It is normally achieved by installing security barriers (fencing), which can be complemented by installing peripheral or close intrusion detection equipment or intrusion display equipment. Openings in security barriers should be kept to a minimum and secured when not in use. Security barriers should accomplish the following:

- (a) define the area to be protected;
- (b) create a physical and psychological deterrent to persons attempting or contemplating unauthorised entry;
- (c) delay intrusion, enabling operating personnel and security guards to detect and apprehend intruders; and
- (d) provide designated and readily identifiable places for entry of personnel and vehicles into areas where access is controlled.

(2) Where feasible, buildings and other suitable permanent obstacles should be used as part of the physical barrier, provided that access through the buildings used is controlled. If buildings are used as part of the security barrier, they should be inspected to ensure that windows, roofs, ventilation openings do not provide for unauthorised access, with consideration being given to the fitting of bars, grills or screens.

2. Access Control Measures: Staff

Only those employees/agents who have a legitimate need to access the facility operator's restricted zone their need to access the area shall be verified with the requesting organisation.

3. Access Control Measures: Service Providers & Visitors

(1) Where a service provider, such as a maintenance contractor or a ship's provider, requires access to a restricted zone their need to access the area shall be verified with the requesting organisation.

(2) Where that need can be established the person may be authorised to enter the restricted zone. However, where the need cannot be established the person is to be denied entry and the matter brought to the attention of the port facility security officer, who in turn may consider it appropriate to inform the police.

- (3) Visitors with a legitimate requirement for access to a restricted zone shall remain under supervision by their sponsor at all times during the visit.
- (4) The identity of each non-employee or non-agent provided access to the restricted zone is to be recorded, for each visit, in a visitor's register. The minimum detail to be recorded shall comprise their name, organisation represented, arrival time, departure time, who sponsored their visit. The register is to also show the signature of the person authorising their access to the restricted zone.
- (5) Records of those persons authorised to access the restricted zone will be retained by the port facility security officer for a period of twelve months.

4. Access Control Systems

- (1) Where access points into the restricted zone are key-controlled a restricted key system is to be used.
- (2) Keys will only be issued, by the port facility security officer, to authorised persons (e.g. staff and regular contractors) who have a valid reason to access to the restricted zone in the course of their duties.
- (3) A key register will be maintained detailing to whom specific keys have been issued as well as the date of issue and return (where appropriate). Recipients are to sign the register for each key issued.
- (4) Change of coding should be considered where control of any key is lost. Coding must be changed when 5% or more of the keys to any particular lock cannot be accounted for.
- (5) Where an electronic access control system is fitted access rights will only be provided, by the port facility security officer, to authorised persons who have a valid reason to access the restricted zone in the course of their duties.
- (6) A register of those with access rights will be maintained detailing to whom specific rights have been provided as well as the date granted, date withdrawn (where appropriate), the areas into which the holder has access and any prohibitions that may apply (e.g. access limited certain hours).
- (7) The port facility security officer shall audit bi-annually the manual and electronic systems registers and ensure that any deficiencies are rectified within one month of the audit.
- (8) Keys and access cards, or changes to access cards, will only be where the applicant has requested the issue/change in writing and the request is approved by their supervisor/manager.

5. Electronic Surveillance

Enhanced surveillance over specific facilities installations or specific areas may be determined essential to guard against a perceived threat and could involve the use of the following types of equipment: CCTV or intruder detection systems.

SCHEDULE VI

GUIDELINES FOR THE DEVELOPMENT OF SHIP SECURITY PLANS

(Regulation 14(4))

The following is for the guidance of ship owners and operators of ships to whom these Regulations apply.

1. Restricted Areas

- (1) Ship Security Plans shall show the following —
 - (a) the location of restricted areas which includes bridge, engine room, steering gear compartments, officers' cabins and crew accommodation;
 - (b) the location and function of actual or potential access points which includes ladders, gangways, scuttles, mooring lines and cranes; and
 - (c) spaces with security and surveillance equipment, cargo space, spaces containing ship's stores or hazardous substances.
- (2) A sign advising those areas that are restricted to authorised personnel shall be prominently displayed on those doors providing initial access to each restricted area. These signs shall be maintained in good condition and be clearly legible.

2. Access Control

- (1) It is company policy that all entrances to the ship are closed unless the master decides there are operational reasons to have one or more of these open. All open access points must be protected to the same standard.
- (2) The master shall consider all operational and potential security impacts when deciding how many gangways are rigged at each port and the security level and allocation of crew for security surveillance activities.
- (3) While in port no shell door may be opened under any circumstances without the express permission of the officer on watch. At sea, no shell door may be opened without permission of the master. Where a shell door is to remain open a member of crew shall be placed on guard duty to prohibit unauthorised entry.
- (4) All doors allowing access to restricted areas shall be secured, controlled and regularly inspected to establish secure areas that unauthorised persons will find difficult to penetrate while being cognisant of other requirements, such as the need to provide for emergency egress.
- (5) Where an access point is via a gangway, ram or ladder and is used at night, the area surrounding that access point shall be adequately illuminated.
- (6) All persons, other than crew, proposing to board the ship may need to have a justifiable reason to access the ship prior to entry being authorised.

(7) Crew members shall challenge all persons, other than authorised crew, in a restricted area should the person not be displaying an appropriate form of company identification or is not under escort by another member of the crew.

(8) The identity of those persons authorised to access a restricted area shall be recorded in a visitor's register. The minimum detail to be recorded shall comprise their name, organisation represented, arrival time, departure time, who sponsored their visit. The register shall show the signature of the person authorising their access to the restricted area.

(9) Records of those persons authorised to access the restricted area shall be retained by the ship security officer for a period of twelve months.

(10) Visitors, other than service providers such as an accredited maintenance contractor or ship's provider, with a legitimate requirement to access a restricted area shall remain under supervision of the ship security officer, or someone nominated by the ship security officer, while within a restricted area.

3. Access Control Systems

(1) Where access points into the restricted area are key-controlled a restricted key system is to be used.

(2) Keys shall only be issued, by the ship security officer, to crew members who have a valid reason to access to the restricted area in the course of their duties.

(3) A key register shall be maintained detailing to whom specific keys have been issued and the date of issue and return. Recipients shall sign the register for each key issued.

(4) Where an electronic access control system is fitted, access rights shall be provided only by the ship security officer, to crew members with a valid reason to access the restricted area in the course of their duties.

(5) A register of those with access rights will be maintained detailing to whom specific rights have been provided and the date granted, date withdrawn, the areas into which the holder has access and any prohibitions that may apply which includes access limited to certain hours.

(6) The ship security officer shall audit bi-annually the manual and electronic systems registers and ensure that any deficiencies are rectified within an agreed timeframe.

(7) Keys and access cards, or changes to access cards, will only be effected where the applicant has requested the issue or change in writing and the request is approved by their supervisor or manager.

4. Restricted Area Breach

(1) In the event of a detected breach of security in a restricted area, the ship security officer shall arrange for the incident to be investigated and conduct a sweep of the affected area, to determine the method of unauthorised access, check for evidence of tampering to commodities and locate any suspicious objects prior to the recommencement of operations in the area.

(2) Security measures and procedures breached shall be re-evaluated to remedy any inherent or perceived weaknesses.

5. Screening of Passengers and their Baggage

- (1) For the purposes of this Schedule —
- (a) “*screener*” means a person, approved by the Ministry, who screens people or goods for disallowed items, such as a weapon or a dangerous good, which is not allowed aboard a ship; and
 - (b) “*screening procedures*” means those measures involved in —
 - (i) the inspection of people, which includes a passenger, visitor, industry personnel;
 - (ii) the inspection of goods; and
 - (iii) checking for disallowed items to ensure that these items are not carried into sterile areas where established or onto the ship.
- (2) On each occasion that a prospective passenger presents for boarding, the company will ensure that —
- (a) the passenger has valid travel documentation;
 - (b) baggage is only accepted from ticketed passengers;
 - (c) baggage is only accepted at a designated check-in point;
 - (d) a tag displaying the relevant passenger's name and the total number of items checked in, at that time, by that passenger is securely attached to each item of baggage accepted for carriage; and
 - (e) prior to the baggage being loaded, baggage accepted for carriage will not be accessible by a person other than a person authorised by the port facility operator or company, the owner of the item, and those involved in loading of the item aboard the ship.
- (3) The company will ensure that all passengers and their possessions are, prior to their entering any sterile area used for departing passengers, subject to screening procedures by an approved screener unless specifically exempted under these Regulations.
- (4) The company shall ensure that screened passengers pass to a sterile area which is properly secured against unauthorised entry and exit.
- (5) Where there is no sterile area, the company shall ensure that all passengers and their possessions are, prior to their being provided access to the ship, subject to screening procedures by an approved screener unless specifically exempted under these Regulations.
- (6) The company shall ensure that passengers or intending passengers, of the ship who have been screened do not make physical contact with persons, vehicles or goods that have not been screened or cleared for purposes of maritime security unless the persons, vehicles or goods are specifically exempted under these Regulations.
- (7) When a weapon or other disallowed item is detected during the screening process it shall be surrendered if the passenger wishes to travel. Surrendered weapons or disallowed items may be

carried aboard the ship in a secure manner and returned to the passenger at his or her destination point.

(8) An approved screener shall not screen a passenger, other than by a physical search, should the passenger elect to be screened by means of a physical search.

(9) The tag attached to unaccompanied baggage is to be checked prior to the baggage being loaded aboard the ship. Any unaccompanied baggage that is not tagged shall not be loaded until the legitimacy of the baggage can be verified by the ship security officer.

(10) Strict control shall be exercised over tags used to identify authorised baggage to limit the likelihood of rogue bags being introduced into the baggage stream.

(11) When in an overseas port, prior to allowing any passengers and their baggage aboard, the ship security officer or company security officer shall be satisfied that security measures, in relation to the handling of passengers and their baggage, are consistent with the ISPS Code.

6. Screening of Ship's Crew and Visitors

(1) All crew, guests of crew and service providers, which includes maintenance contractors and providers, and goods in their possession will be screened should they board the ship via an active passenger screening point, unless specifically exempted pursuant to the Ministry's maritime security regulations.

(2) Crew, guests of crew and service providers who enter the ship via an alternate means, separate from the sterile area, need not be subject to screening.

7. Crew Baggage

(1) Until baggage is checked in or taken aboard the ship, crew members are at all times responsible for the security integrity of their baggage.

(2) Where crew baggage is consolidated prior to check-in or being stowed aboard the ship, the baggage is to be kept under constant surveillance by a crew member or other authorised person.

8. Cargo Handling

(1) Cargo accepted for export from Tonga shall comply with Tonga Customs Service requirements. This recognises that all goods for export come under Customs control and also recognises the established preventive security measures, both physical and procedural, that Tonga Customs Service has in place with regard to those goods.

(2) Prior to loading packaged and containerised export or domestic cargo there shall be a cursory inspection to ensure no obvious signs of tampering.

(3) Any obvious signs of tampering or damage shall be referred to the ship security officer and the cargo handler. If a satisfactory explanation cannot be established the cargo shall not be accepted. Should there be a satisfactory reason for the loss of integrity then the damage shall be made good before acceptance.

(4) The ship security officer shall contact the police or the Tonga Customs Service in suspicious circumstances.

(5) For both export and domestic cargo, where a cargo handler, which includes a stevedore, who is challenged by a crew member is unable to produce appropriate identification, those goods shall not be accepted.

(6) When the ship is in an overseas port, prior to accepting goods the ship security officer or company security officer will need to be satisfied that security measures, in relation to the handling of cargo, are consistent with the ISPS Code.

9. Ship's Stores

(1) All stores are to be individually accepted by a member of the ship's crew, with evidence that they were ordered made available prior to their being loaded aboard the ship.

(2) Prior to acceptance, the goods are to undergo a cursory inspection by crew to ensure that there are no obvious signs of tampering.

(3) Any signs of obvious tampering or damage must be referred to the ship security officer and the port facility operator or transporter. If a satisfactory explanation cannot be established the goods shall not be accepted. Should there be a satisfactory reason for the loss of integrity then the damage shall be made good before acceptance.

(4) For passenger ships, and where X-ray equipment is in use, the stores should be "broken down" and screened via the use of the X ray equipment, which is to be operated by an approved screeners.

(5) For passenger ships, where X-ray equipment is not available, or the item is too large to fit through the frame of the X ray equipment, those stores are to be subject to a detailed physical search by approved screeners.

(6) In a limited number of cases those screening the stores may be satisfied that the goods do not contain a weapon or disallowed item, based on other considerations, such as the surrounding circumstances of the arrival of the goods at the ship. Such as goods transported within a pre-existing and secure scheme known to the screener.

SCHEDULE VII

THREAT OR INCIDENT REPORT PORT OR PORT FACILITY

(Regulation 32(3))

General information

Name of Port or Facility:.....

Person providing Report:.....

Date:..... Time:..... Location:.....

Type of occurrence (e.g. bomb or sabotage threat, unauthorised entry, suspect device or extortion)

.....

Description of threat or incident

.....
.....
.....
.....
.....
.....

Alleged offender(s)

Name:..... Nationality:.....

Name:..... Nationality:.....

Name:..... Nationality:.....

Name:..... Nationality:.....

Nature and severity of any injuries sustained by others

Name: link to port: Injury:

Name: link to port: Injury:

Name: link to port: Injury:

Name: link to port: Injury:

Circumstances surrounding device(s) used

Type of Device(s):.....

..... Method
of introduction (e.g. passenger, baggage, cargo, stores):

.....
.....

Security measures circumvented:

.....

.....

Proposed measures and procedures to prevent recurrence of a similar event?

.....
.....
.....

Other pertinent details

.....
.....
.....
.....
.....
.....
.....

Reporting Officer

Signature: Name (printed):.....

Designation:..... Date:.....

Upon receipt of this report the port security officer shall forward a copy to the Ministry.

SCHEDULE VIII
THREAT OR INCIDENT REPORT SHIP
(Regulation 35(3))

General information

Name of Ship:.....

Person providing Report:.....

Date:..... Time:..... Location.:

Type of occurrence (e.g. bomb or sabotage threat, unauthorised entry, passenger incident or suspect device)

.....

Description of threat or incident

.....
.....
.....
.....
.....
.....
.....

Alleged offender(s)

No. Passengers: No. Crew:..... Other:

Name: Nationality:..... Embarked:.....

Name:..... Nationality:..... Embarked:.....

Name:..... Nationality:..... Embarked:.....

Nature and severity of any injuries sustained by passengers, crew or others

Name: Crew/ Pass/ Other: Injury:

Name: Crew/ Pass/ Other: Injury:

Name: Crew/ Pass/ Other: Injury:

Name: Crew/ Pass/ Other: Injury:

Circumstances surrounding device(s) used

Type of Device(s):.....

.....

Method of introduction (e.g. passenger, baggage, cargo or stores):.....

.....
.....

Security means circumvented:.....

.....
.....

Proposed measures and procedures to prevent recurrence of a similar event?

.....
.....
.....

Other pertinent details

.....
.....
.....
.....
.....
.....
.....
.....
.....

Reporting Officer

Signature:..... Name (printed):.....

Designation:..... Date:.....

Upon receipt of this report the company security officer shall forward a copy to the Minister.

[*] This part of the certificate shall be adapted by the maritime administration to indicate whether it has established additional verifications as provided for in section 19.1.1.4.

[*] Delete as appropriate.

[**] In case of completion of this part of the certificate the expiry date shown on the front of the certificate shall also be mended accordingly.

[*] Delete as appropriate

[*] This form of Declaration of Security is for use between a ship and a port facility. If the Declaration of Security is to cover two ships this model should be appropriately modified.

ENDNOTES

¹ GS 11/2002-A, commencement 1 July, 2004