

[OTS Memorandum Circular No. 04, s. 2015, July 31, 2015]

GUIDELINES IN THE DECLARATION OF SECURITY (DOS) BY SHIPS AND PORT FACILITIES

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Pursuant to E.O. No. 311 dated 26 April 2006; paragraph 5.1 in Part A of the International Ship and Port Facility Security (ISPS) Code stipulating that Contracting Governments shall determine when a Declaration of Security is required, the Office for Transportation Security (OTS) adopts the following guidelines pertaining to the Declaration of Security:

I. PURPOSE

To prescribe requirements and procedures in the Declaration of Security (DoS) in accordance with the set security level as provided for in MC No. 03, Series of 2015.

II. COVERAGE

This Memorandum Circular (MC) applies to all ports in the Philippines serving ships engaged in international voyage and Philippine flag ships.

III. DEFINITION

Declaration of Security (DoS) – an agreement reached between a ship and either a port facility or another ship with which it interfaces, specifying the security measures each will implement.

Designated Authority – refers to the Office for Transportation Security

Port Facility Security Officer (PFSO) – the person designated as responsible for the development, implementation, revision and maintenance of the port facility security plan and for liaison with the ship security officers and company security officers

Port Facility – an area within the port to be determined by the PFSO in consultation with OTS, where interfacing of ship to port and ship to ship takes place. It includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate

Port Facility Security Plan (PFSP) – 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

Security level 1 – the level for which minimum appropriate protective security measures shall be maintained at all times

Security level 2 – the level for which appropriate, additional protective security measures shall be maintained for a period of time, as a result of heightened risk of security incident

Security level 3 – 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 security threat

Security incident – any suspicious act or circumstance threatening the security of a ship, including a mobile offshore drilling unit and a high speed craft, or of a port facility or of any ship/port interface or any ship to ship activity.

Ship Security Officer (SSO) – the person on board the ship, accountable to the master, designated by the Company as responsible for the security of the ship, including implementation and maintenance of the ship security plan and for liaison with the company security officer and port facility security officers.

Ship – this includes mobile offshore drilling units and high-speed craft as defined in regulation XI-2/1.

Interfacing – the interaction that occurs 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.

IV. POLICIES

- A.** The need for a DoS shall be based on a PFSA and shall be provided in the PFSP.
- B.** A DoS is required when the PFSO deems it necessary in accordance with the security level set by OTS or when a ship deems it necessary. However, the port facility can refuse such ship requirements for DoS.

V. RESPONSIBILITIES

A. OTS

- 1. Determines when a DoS is required by assessing the risk that the ship to port or ship to ship interface poses to persons, property or the environment.
- 2. Sets security level as basis for DoS.

B. Port Facility Security Officer

- 1. Completes the DoS with SSO.
- 2. Initiates a DoS prior to ship/port interface in case of a Security Level 2 setting.
- 3. Acknowledges ship's request for a DoS but shall only agree if the circumstances relating to the request conform to those in the PFSP.
- 4. Retains DoS document for the period specified by the OTS.