

	<p align="center">GOVERNMENT OF ANTIGUA AND BARBUDA</p> <p align="center">DEPARTMENT OF MARINE SERVICES AND</p> <p align="center">MERCHANT SHIPPING (ADOMS)</p> <p align="center">Circular 02-001-05</p> <p align="center">Maritime Security</p> <p align="center">- Security Level - Declaration of Security (DoS)</p>	Document	Circ. 02-001-05
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		Reference	SOLAS XI-2 ISPS Code Circular 02-003-04

Circular letter to:

- 1. All companies having registered their ships under the flag of Antigua and Barbuda W.I.**
- 2. All ships registered under the flag of Antigua and Barbuda W.I.**
- 3. All CSOs and SSOs involved in Maritime Control- and Compliance Measures**

This guidance addresses a series of issues which have arisen , following the entry into force of SOLAS XI-2 on 1 July 2004 as a result of the implementation or interpretation of the special measures to enhance maritime security and which have been discussed and agreed at the IMO Maritime Safety Committee in December 2004 (MSC 79).

1. Setting and responding to Security Levels

- .1 As already laid down in A&B SOLAS Circular 02 003-04 paragraph 1, the security level can only be set by a SOLAS Contracting Government (Contracting Government).
- .2 This Administration has to ensure that security – level information is provided to ships entitled to fly the flag of Antigua and Barbuda and the Contracting Government of Antigua and Barbuda has to ensure that security – level information is provided to port facilities located within the territory of Antigua and Barbuda and to ships prior to entering a port in Antigua and Barbuda and when in a port within the territory of Antigua and Barbuda.
- .3 SOLAS XI-2/4.3 requires a ship prior to entering a port or when in a port to comply with the security level set by that Contracting Government if the security level is higher than that set by the ship’s Administration. Under ISPS-A/7.6, prior to entering a port or whilst in a port within the territory of a Contracting Government, ships shall confirm to the port facility security officer (PFSO) the initiation of the implementation of the appropriate measures and procedures according to its SSP. A ship can never have a security level lower than that applying to the port facility the ship is entering or is in.
- .4 If a ship entering a port or within a port, is operating at a security level set by its Administration which is higher than that set by the port’s Contracting Government, arrangements have to be agreed with the PFSO to allow the ship to continue to operate at the security level set by this Administration. A Contracting Government or PFSO cannot require a ship to reduce that ship’s security level.
- .5 Notwithstanding the set security level applying to a ship, to a port or a port facility or to a territorial sea, if a threat emerges or an incident occurs, the ship or port facility will have to respond to the security threat as it develops, without waiting for the Administration or the Contracting Government to set a higher security level, in accordance with the ship- or port facility security plan.

2. Declaration of Security (DoS)

- .1 In addition to paragraph 2 of the A&B SOLAS Circular 02 003-04, ISPS-A/5.2 specifies when a ship can request a DoS from a port facility. SOLAS XI-2/10.3 determine when the submission of a DoS from a ship is to be required by a port facility. The practice of requiring or responding to requests for a DoS should be set out in the Port Facility Security Plan (PFSP) and/or in the Ship Security Plan (SSP).
- .2 Though a ship has to comply with a request from a port facility to complete a DoS, a port facility does not have to comply with a request for the completion of a DoS from a ship, though a request from a ship to complete a DoS has to be acknowledged by the port facility (ISPS-A/5.3). In the same way another ship does not have to comply with the request for a DoS though it should acknowledge receipt of the request.
- .3 There should be a security-related reason relating to the specific ship/port interface or ship-to-ship activity for requiring or requesting completion of a DoS. The DoS is intended to be used only in exceptional cases usually related to higher risk, when there is a need to reach an agreement between the port facility and the ship.
- .4 Unless there are specific security reasons for doing so relating to the specific ship/port interface or ship-to-ship activity, on an A&B flagged ship should not request a DoS. The circumstances specified in ISPS-A/5.2 should apply. A DoS should not normally be completed if both the ship, port facility or other ship covered by the ISPS Code are operating at security level one.
- .5 Duly authorized officers can inspect those DoS that have been completed during the last ten calls at port facilities and any evidence that the request by an A&B flagged ship for a DoS during the period of the last ten calls at port facilities, where applicable, was acknowledged by a port facility or another ship even though the port facility or the other ship did not comply with the request. Duly authorized officers should not expect A&B flagged ships to have DoS covering all previous port calls or ship-to-ship activities.