

Review of Passenger Vessel Security Plans

Procedure Number: H2-27

Revision Date: 4/08/02

Purpose

This procedure establishes a consistent process for the review of Passenger Vessel Security Plans. In light of the recent changes to the Coast Guard's Passenger Vessel Security program, this document is provided for interim guidance in explaining how the Marine Safety Center will process Vessel Security Plans, assess the adequacy of those plans, establish requirements for updating plans, and provide documentation for approved interim and final plans.

Applicability

Title 33 CFR Part 120 applies to all passenger vessels over 100 gross tons, carrying more than 12 passengers for hire; making voyages lasting more than 24 hours, any part of which is on the high seas; and for which passengers are embarked or disembarked in the United States or its territories; except, ferries that hold Coast Guard Certificates of Inspection endorsed for "Lakes, Bays, and Sounds", and that transit international waters for only short periods of time on frequent schedules.

References

- a. 33 CFR 120 - Security of Passenger Vessels
 - b. 33 CFR 128 - Security of Passenger Terminals
 - c. NVIC 4-02 – Security for Passenger Vessels and Terminals
 - d. IMO MSC/Circ.443 – Measures to Prevent Unlawful Acts Against Passengers and Crews On Board Ships
 - e. IMO Resolution A.545 – Measures to Prevent Acts of Piracy and Armed Robbery Against Ships
 - f. IMO Resolution A.584 – Measures to Prevent Unlawful Acts Which Threaten the Safety of Ships and the Security of Their Passengers and Crews
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Correspondence Handling

Depending upon the results and type of review, an appropriate letter will be sent by the MSC directly to the operator. Such letters will normally be one of the following:

1. Returning the plan for required amendments and approval prior to embarkation of passengers for any voyage from the U.S.
2. Preliminary approval of a submitted plan. Vessel operations are permitted indefinitely, while the MSC completes the final review of the plan.
3. Preliminary approval of a submitted plan, but deficiencies exist in the plan that must be addressed prior to final approval. Such deficiencies will be noted in the MSC letter and an amended plan should be submitted to the MSC within 60 days.
4. Final approval of a submitted plan. No further actions are necessary, until amendments and routine annual surveys are completed and amended versions are forwarded to the MSC.

In each case, one copy of the plan will be returned to the operator, and the corresponding MSC letter will be included into the Coast Guard's vessel database (MISLE) for use and verification by the Captains of the Port. A specific note for each vessel will be included to alert these offices of the status of the security plan approval.

During this interim scheme, the MSC will maintain the second copy of the Vessel Security Plan.

Timetable for Submission and Review

All vessel operators are responsible for preparing and submitting 2 copies of the vessel security plan to the MSC prior 29 April 2002.

The MSC will provide documentation for all plans submitted and approved using either the preliminary approval scheme described in Enclosure 2 of NVIC 4-02 or a complete plan approval. Due to the foreseen backlog of plans to be submitted, the Marine Safety Center will make every effort to complete at least a preliminary review within ten business days. Vessel operators should plan accordingly.

If the MSC determines that the security plan does not meet the minimum requirements and must be returned for revision, the MSC shall return the plan with an explanation of its deficiencies to the vessel operator. If the plan meets the requirements for an interim security plan, the MSC will note the plan is preliminarily approved and embarkation of passengers is permitted.

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If the Captain of the Port (COTP) determines that implementation of the plan is not providing effective security, the COTP shall advise the MSC. The MSC will evaluate the plan based on the COTPs report, and, except in an emergency, will issue to the vessel operator a written notice of matters to address and will allow the vessel operator up to 60 days to submit proposed amendments.

Preliminary Review

This level of review assumes a vessel security plan developed in accordance with NVIC 3-96 has previously been submitted and approved by the Coast Guard. Preliminary reviews will ensure the items noted in Enclosure 2 of NVIC 4-02 are now included into a revision of the existing plan.

Based upon the submissions timetable, we don't envision many new vessels without previously approved security plans submitting security plans. Such cases where a vessel without a previously approved plan submits one in accordance with NVIC 4-02 will be handled on a case-by-case basis, with the MSC's goal to complete an appropriate review without undue delay upon the operator. Early communication with the MSC of specific situations will be critical in these cases.

Complete Review

Final approval of security plans will be based upon direct comparison of the plan and the specific requirements detailed in NVIC 4-02. All plans submitted should clearly describe the actions required and measures in place for each circumstance, or provide justification in areas where specific deviations from the guidance are intended. Manuals or instructions referenced to in the security plan (and not included in the "References" section of this guidance) should be included in the submission for their review as well. More detailed guidance about final review procedures is pending and will be published in revisions to this document.