

Marine Notice No. 02 of 2007

Advisory notice of application of:

**EU Regulation 725 /2004 providing for Security Measures,
and
EU Regulation 336/2006 on International Safety Management
Code**

**To Vessels operating solely on domestic voyages within Irish
waters**

**For attention of all Owners, Operators, and Masters, of Irish
Passenger and Cargo Vessels engaged solely on domestic
voyages, Harbour Masters, and Port Facility owners /
operators.**

The purpose of this Marine Notice is to alert owners/operators of Irish flagged vessels, engaged solely in trading on domestic voyages, to the imminent application of the above EU Regulations in 2007/2008, and their potential implications for such vessels.

"Domestic shipping" means any transport service by ship in sea areas from a port facility of a Member State to the same port facility or another port facility within that Member State.

EU Regulation 725/2004 - Security measures for Ships and Port facilities:

Regulation 725/2004 is based primarily on the International Ship and Port Facility Security Code (ISPS), and Chapter II-2 of the Safety of Life at Sea Convention (SOLAS)

It was introduced by the EU, in 2004 to put into place throughout the Community, security measures for the maritime transport industry, including ships, shipping companies, and port facilities.

National legislation S.I 413 of 2004, provides powers for implementation of, and penalties for breach of this Regulation

While primarily directed at International trade, Art 3.3 of the Resolution, also requires Member States in relation to Domestic Shipping to:

- Conduct a mandatory security risk assessment,
and
- Decide the extent they will apply the requirements of the Regulation to different categories of ships operating domestic services, their companies, and port facilities servicing them.

These measures must be in place by 1st July 2007.

Domestic shipping **proceeding to sea** within Irish waters, which must comply with this Regulation include:

- All passenger vessels certified to carry more than 12 passengers engaged on domestic voyages. (EU Class A, B,C,D, Class IIA, III, VI)
- Cargo vessels greater than 500t, engaged solely on domestic voyages between ports in the State.
- Cargo vessels of less than 500t, engaged solely on Domestic voyages

The Marine Survey Office (MSO) has been tasked with undertaking national compliance for shipping engaged on domestic shipping, and in relation to article 3.3 of Regulation 725, and intends to proceed as follows:

- Identify and contact the owners of those vessels the regulation will apply to.
- Undertake a Security Risk assessment of such companies and their vessels, based on a questionnaire completed by them.
- Decide on security measures that may be applied to such vessels, and their companies, based on the security assessment. Such decisions will be advised in a subsequent Marine Notice.

Port facilities servicing such domestic ships will be subject to a similar security assessment.

Any security measures that may be applied, will be of a practical, sustainable and proportionate nature, and will be based on risk assessment and potential threat analysis.

To assist owners, Vessel Security Assessment Questionnaires, and subsequent security guidance for vessel operators, in addition to a Model Security Plan template, will be issued by the MSO in the form of Marine Notices.

EU Regulation 336/2006 – Implementation of the International Safety Management Code

The purpose International Safety Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM) Code, is to establish a management system within shipping companies to ensure the safe operation of their vessels, and the prevention of pollution by ships.

The Code is produced by the International Maritime Organisation (IMO) and included in chapter IX of the International Convention for the Safety of Life at Sea (SOLAS). Implementation of the code is obligatory for all member states, the code was adopted in 1993, and became mandatory on all international shipping by 2002.

EU regulation 336/2006, now requires that the ISM code be implemented on vessels operating domestically within the Community. It repeals the previous regulation EC 3051/95, which applied to companies trading vessels over 500 gross tonnage on international services.

The new regulation extends its scope, to cover Cargo and passenger ships operating exclusively on domestic voyages regardless of their flag.

The implementation date for domestic shipping is 24th March 2008.

There are some exceptions however the following type of vessels engaged on domestic voyages, **MUST** comply:

- Cargo vessels greater than 500 gross tonnage
- Passenger Vessels operating in Class A and B sea areas as defined in EU Directive 98/18/EC
- Class IIA, III, & Class IV Passenger vessels
- Ro – Ro Passenger Ferries operating on domestic route in sea areas A, B, C, D, as defined in 98/18/EU

The Marine Survey Office (MSO) has been tasked with undertaking national compliance for shipping engaged on domestic shipping, with Regulation 336/2006.

The MSO intends in consultation with the industry, develop a Safety Management System for such vessels, recognising the broad variety of vessel type, size, operating areas and conditions, that trade domestically in National waters.

Director General
Maritime Safety Directorate
Department of Transport,
Leeson Lane,
Dublin 2.

09/01/2007

For any technical assistance in relation to this Marine Notice please contact
The Marine Surveyors' Office, Leeson Lane, Dublin 2 +353 1 678 3400

For information in relation to technical specification/type approval of radio equipment contact the Radio Surveyors on
+353 1 678 2363 / 2364 / 2365 / 2367.

For general enquiries please contact the Maritime Safety Division at +353-1-678 3418

Any enquiries concerning Marine Notices should be addressed to:
Maritime Safety Directorate, Department of Transport, Leeson Lane, Dublin 2

Email: marinenotices@transport.ie

Or visit us at: www.transport.ie

