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Circular for P & I Clubs

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North of England (through Globalpandi), Steamship Mutual, British Marine Managers (through Globalpandi), Charterers Mutual Assurance Association Limited, Axa Corporate Solutions (through Globalpandi), Through Transport Club (TTC), ITIC, Raets P&I and InterCoastal P&I.

ISPS Code implementation in Venezuela

The implementation of the ISPS Code (International Ship and Port Facility Security Code) in Venezuela is vested with the National Institute of Aquatic Spaces, the so-called INEA, a national body in charge of shipping and port affairs nationwide. In order to comply with the requirements of the Code, the INEA has authorized, during the first half of this year, fifteen (15) Recognized Security Organizations (RSO) to undertake the security assessments and the elaboration of the security plans. On the other hand, certification will be carried out by the INEA itself, both in national flag vessels, as well as port facilities. It is important to point out that the state-owned oil company, PDVSA, chose to register itself as a RSO, for the purposes of elaborating security assessments and plans for ships and terminals belonging to the oil industry.

Although the INEA is working on the implementation of the ISPS Code since the beginning of this year, it was not until very recently when Executive Decree No. 2,920 published in the Official Gazette No. 37,943 dated 21st May 2004, legally empowers the aquatic authority as the only body to coordinate, supervise, control and certify all necessary actions leading to the application of the Code. (Article 1) The Decree further states in Articles 2 that the port administrators as well as port operators shall present to the INEA the port facility security plans prior the 1st May 2004; the same deadline is given for submission of ship and mobile platform security plans. Finally, the Decree states that the Ministries of Infrastructure (to which the INEA belongs) and Defense are in charge of the execution of it. It is curious to note that the Decree was published late

in May this year, and even so, it requires that the security plans be submitted prior to that month. To ensure the effective response of the different authorities and users involved in the shipping and port business, in the application of the mechanisms prescribed by the ISPS Code, the INEA has instructed to each Port Captaincy the elaboration of a specific Port Protection Plan, outlining the duties of each party according to the security level being applied. Particular reference has to be made in the case of the domestic public commercial ports such as Puerto Cabello, La Guaira, Guanta, etc. where private port operators perform cargo handling activities and managing container yards and other specialized facilities. In these cases, port administrators, i.e. Instituto Puerto Autónomo de Puerto Cabello or IPAPC (Puerto Cabello), Puertos del Litoral Central, S.A. (La Guaira), Secretaría de Puertos del Gobierno del Estado Anzoátegui, S.A. (Guanta), etc. are obliged to elaborate their Port Facility Security Plan in order to obtain the ISPS Code certification. Nevertheless, private port operators have been required to prepare their individual security assessments and security plans to be submitted directly to the port administrator. Therefore, it could be said that in the case of the commercial public ports, the certification is granted to the port administrator and not to the private port operator, although there may be exceptions. In the specific case of the Puerto Cabello area, the following terminals are required for certification: IPAPC, Borburata, Holcim (Cementos Caribe), Vopak (Ventterminales), Terquimca, Ocamar and El Palito.

According to recent press information issued by the INEA, Venezuelan ships and port facilities will be certified by 1st July 2004. Insofar as ships are concerned, M/T GUANOCO (PDVSA) was inspected on 2nd June by INEA auditors and was found in compliance with the requirements of the ISPS Code. Similarly, the principal port facilities throughout the country have been already inspected, some recommendations formulated, and they are now awaiting for the respective certification, something that should take place shortly.

Should you need any assistance or further information regarding the topic stated above, please feel free to contact:

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