

OP NOTICE TO SHIPPING No. N-13-2024



Implementation of ISPS
Code Requirements at
the Panama Canal

January 1, 2024

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To: Shipping Agents, Owners and Operators

Subject: Implementation of ISPS Code Requirements at the
Panama Canal

1. Effective Date and Cancellation

This notice is effective on the date of issue and cancels OP Notice to Shipping No. N-13-2023. A revised Notice will be issued in January of each year or when otherwise required.

2. Purpose and Scope

a. The purpose of this Notice to Shipping is to present the security requirements which were incorporated in the Panama Canal Authority (ACP) maritime regulations, and which became applicable to all vessels arriving at Canal waters since July 1, 2004.

b. The ACP, conscious of the international threat of terrorism against the safety of vessels and the security of crews and passengers, voluntarily adopted the security requirements established by the International Ship and Port Facility Security Code (ISPS) even though the definition of a Port Facility contained in the ISPS Code does not include canals and locks. The Panama Canal security requirements are contained in Chapter X of the ACP Regulation on Navigation in Panama Canal Waters, and definitions regarding security are contained in Article 9 of Chapter I. For your information, these definitions and Chapter X appear in the annex at the end of this Notice.

c. Vessels unable to fully comply with these requirements or that arrive at Canal waters without providing proper notification, as required, shall be considered in violation of Panama Canal Regulations and, as such, will be subject to control and compliance measures. These measures may include the assignment of additional resources, at the vessel's expense, or a more detailed inspection, which may result in delays or denial of transit. Vessels may also be subject to fines and/or other additional control and compliance measures, as deemed appropriate by the Canal Authority.

d. Due to the complexities of Panama Canal operations, the ACP is unable to provide advance notice of the names of ACP personnel who may board while the vessel remains in Canal waters. Nevertheless, appropriate security measures have been implemented to ensure that all persons proceeding to a vessel from an ACP facility have been properly cleared and that they will not pose a security risk to the vessel or its crew. ACP personnel will carry official identification cards to be presented upon the vessel's request; however, these cards will not be surrendered.

e. Local vessels involved in commercial activities in Panama Canal waters are required to maintain updated lists of their crew and submit them to the ACP. To ensure that appropriate security measures are in place, ACP security personnel may board these vessels at any time.

f. The Panama Canal Security Officer (PCSO) is Mr, Boris Moreno Vásquez Deputy Administrator and Vice President for Operations. Additional questions or concerns may be addressed to the following points of contact, available on a 24-hour basis:

Protection and Emergency Response Division:

Jaime Owens, Division Manager

Ricardo Flores, Seccion Manager

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ORIGINAL SIGNED

Boris Moreno Vásquez

Vice President for Operations

ANNEX

NEW PANAMA CANAL AUTHORITY SECURITY REGULATIONS

1. Definitions added to Article 9 of Chapter I of the Regulation on Navigation in Panama Canal Waters:

ISPS Code: International Ship and Port Facility Security Code.

International Ship Security Certificate (ISSC): Certificate issued by the Ship's Registry or by a Recognized Security Organization acting on behalf of the Registry, in accordance with the ISPS Code. If the certificate is issued by a Recognized Security Organization, the Vessel's Registry must validate it after it verifies implementation of the vessel's protection plan. The original certificate must be kept aboard and made available to the Authority upon request.

Panama Canal Security Officer (PCSO): Person designated by the Authority with functions equivalent to those of the Port Facility Security Officer (PFSO), as defined by the ISPS Code.

Panama Canal Security Plan: Refers to the set of regulations and procedures of the Authority, similar to those set out in Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974/78 (SOLAS 74/78), as amended, and in the International Ship and Port Facility Security Code (ISPS Code). This plan applies to the facilities of the Authority and at those under its exclusive administration, which are essential for Canal operations.

Security Level: Qualification of the degree of risk that a security incident affecting maritime security will be attempted or will occur, as established by the ISPS Code.

The definition of Boarding Officer is as follows:

Boarding Officer: A qualified employee of the Authority who is assigned inspection and admeasurement duties, with the purpose of ensuring compliance by the vessels with the Regulations of the Authority, as well as with the Advisories and Notices to Shipping.

CHAPTER X

Security Regulations Applicable to Vessels in Panama Canal Waters or Installations

Article 154: The security requirements of the Authority contained in this chapter shall apply to all vessels that arrive in Canal waters, for the purpose of proceeding to their anchorages or port facilities located in Canal waters, or of transiting the Panama Canal. These requirements shall equally apply to vessels conducting commercial activities in Canal waters.

Article 155: Any vessel flying the flag of a country that is not a signatory of the SOLAS Convention, any vessel with less than 500 registered gross tons, and any vessel belonging to and operated by a state that is a signatory to the above mentioned Convention that is solely used for government non-commercial service, shall provide proof that it has implemented security measures on board equivalent to those required by the ISPS (International Ship and Port Facility Security) Code.

Article 156: A vessel that fails to comply with the security requirements contained in this chapter shall be subject to the control and compliance measures the Authority may determine. Applicable measures may include the assignment of additional resources at the vessel's expense and a more thorough inspection, which may result in a delay or denial of the vessel's transit.

Article 157: A vessel on an international voyage and underway to the Canal shall, at least ninety-six (96) hours prior to its arrival:

1. Inform the Authority about its intentions to proceed to a Canal anchorage, transit the Canal, or call at port facilities located in Canal waters.
2. Report the security level at which the vessel is currently operating, according to the ISPS Code.
3. Confirm that it holds a valid International Ship Security Certificate (ISSC).
4. Provide the Authority with the details of the last ten (10) port calls it made, as well as the security level under which the vessel operated at each of one of these port calls.
5. Report any special security measures implemented during the the abovementioned port calls.
6. Confirm whether the appropriate security measures were maintained during ship-to-ship activities during the period covering its previous ten (10) calls at port facilities.
7. Identify the port of destination upon departing Canal waters.
8. Provide the Authority with the crew list the time of transiting the Canal, which shall include full name, type and number of the personal identification document, date of birth, nationality and post for each crewmember aboard the vessel.

9. Provide the Authority with a passenger list aboard the vessel while transiting the Canal, including the full name, type and number of the personal identification document, date and place of birth, and nationality of each passenger.

10. Provide the Authority with a general description of the cargo on board.

Any vessel whose voyage time from her last port of call prior to entering Canal waters is less than ninety - six (96) hours shall provide to the Authority, immediately after departing said port, the information indicated in this Article. In the event there are any changes to the information previously provided, the vessel must update the required information prior to its arrival in Canal waters.

Article 158: Yachts and small craft on local or international voyages shall report the following information to the Authority through the signal stations at Flamenco Island or Cristobal upon reaching a distance not less than 12 nautical miles from the sea buoys at both ends of the Canal:

1. Name of the yacht or small craft.
2. Type and service of the yacht or small craft.
3. Dimensions.
4. Flag of registry.
5. The last ten port calls prior to its arrival at the Canal and next destination.
6. A crew list as it was at the time of transiting the Canal, which shall include full name, type and number of the personal identification document, date of birth, nationality and post of each crewmember aboard the vessel.
7. A list of the passengers aboard the vessel at the time it transits the Canal, which shall include full name, type, and number of the personal identification document, and the date and place of birth and nationality of each passenger.
8. Its purpose for entering Canal waters.

Article 159: A vessel in Canal waters shall keep a security level equal to or higher than the security level of the Canal.

Prior to the vessel's arrival in Canal waters, the Authority shall inform the vessel of the current security level of the Canal, for the vessel to adjust its security level, in case it is operating at a security level lower than that of the Canal.

Article 160: A vessel arriving in Canal waters shall establish and identify access points on the vessel with an efficient access control procedure.

Article 161: The control procedure for access to or from the vessel shall allow an expeditious handling of the embarkation and disembarkation of duly identified Authority personnel. At no time may this procedure affect the safe navigation in Canal waters.

Any delays caused to a vessel caused by the control procedures at its points of access shall be taken into consideration for the scheduling of its Canal transit.

Article 162: The Authority shall be notified immediately upon the discovery of an incident in which a crew member or any other person on board jumps from a transiting vessel into Canal waters, at the locks, or at any other structure or equipment of the Authority.

Such a person shall be taken into the custody of the Authority, which shall be responsible to communicate with the vessel's agent, who shall return the person back to the vessel or turn him/her over to the competent authorities.