



Australian Government

Department of Infrastructure and Regional Development

Deputy Secretary

Senator Glenn Sterle
Chair
Senate Standing Committee on Rural and Regional Affairs and Transport
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Senator Sterle

Additional Information: Inquiry into increasing so-called flag of convenience shipping

In advance of the Department's appearance next week before the Committee, I wish to provide some additional information to assist the Committee in understanding the security status of the MV Portland.

The MV Portland is an Australian flagged ship. As it is a cargo ship of more than 500 gross tonnage used for interstate or overseas voyage, it falls within the definition of a security regulated ship under the *Maritime Transport and Offshore Facilities Security Act 2003* (the Act) and associated Regulations.

The Act requires operators of security regulated Australian ships to undertake a security assessment of the ship's operation and develop a Ship Security Plan (SSP). The SSP must outline the security measures the operator will implement and address a range of other regulatory requirements. The SSP is assessed by the Department and must be approved if it meets the requirements of the Act and Regulations. The MV Portland has an SSP approved by the Department. The plan is not publicly available given the nature of its contents.

Operators of security regulated Australian ships can use on-board security zones to subject areas on the ship to additional security requirements if deemed necessary. To do this a ship operator would outline this measure in their SSP and request the Secretary of the Department to establish an on-board security zone. If approved, the Department issues a Notice to the operator. The use of on-board security zones is not mandatory under the Act or Regulations. It is a decision for the operator whether to request an on-board security zone.

On-board security zones can be operational at different Maritime Security (MARSEC) levels. There are three MARSEC levels under the Act. MARSEC Level 1 is the normal operating environment. Higher MARSEC levels can only be declared by the Department on individual operators for a period of time should a threat to the operator be likely or imminent. Maritime Security Levels 2 and 3 have never been declared on an operator in Australia.

The MV Portland has approved on-board zones which come into effect only at MARSEC Levels 2 and 3. In the current (and normal) operating environment (MARSEC 1), the MV Portland does not have any active on-board security zones.

When an on-board security zone is active, there are tighter controls around who has access to the zone, and it can be an offence for an unauthorised person to access that zone. Persons needing to work unescorted in the zone must be background checked and hold and display a valid Maritime Security Identification Card (MSIC), or be escorted by someone who does. MSICs are not required if there is no active on-board security zone or zones. As the MV Portland does not have an active on-board security zone at MARSEC Level 1, there is no requirement for persons on-board the MV Portland to hold and display an MSIC.

Yours sincerely

Andrew Wilson

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