



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

Rev. 0

MAIN CONTACT: SAN MARINO SHIP REGISTER

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San Marino Policy Letter

SMPL – 2023-SEC-004

09 May 2023

San Marino Ship Register SMSR

Maritime Security

TO: Recognised Security Organisations, Shipowners, Companies, Managers, Masters, Seafarers, SMSR partners, SMSR brokers, Surveyors, and the general public.



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1. Preamble

The Republic of San Marino is Member state of the International Maritime Organization (IMO) since March 2002.

According to law No. 120 on the 2nd of August 2019, the San Marino Civil Aviation and Maritime Navigation Authority (SM CAA MNA) is acting as the maritime Administration and is supported by the San Marino Ship Register (SMSR).

On the 9th of April 2021, the Republic of San Marino signed the instrument of accession, amongst the others, to the International Convention for the Safety of Life at Sea (SOLAS), 1974 as amended.

On the 26th of May 2021 SM MNA adopted the Large Yacht Safety Code (LYSC) SMPL which considers the application of the SOLAS Chapter XI-2 “Special measures to enhance maritime security” and the “International Code for the Security of Ships and Port Facilities” (ISPS Code) also to all commercial yachts ≥ 24 meters in load line length¹ and ≥ 500 GT and above engaged in international voyages.

2. Acronyms & definitions

- “Administration” (SM MNA): the San Marino Civil Aviation and Maritime Navigation Authority;
- “Audit” means a process of systematic and independent evaluation by obtaining objective evidence to determine whether the ship security related activities comply with the ISPS Code and the planned arrangements of the SSP and whether these arrangements are implemented effectively to achieve the objectives of the ISPS Code. Personnel conducting internal audits shall comply with section A/9.4.1 of the ISPS Code;
- “Auditor”: means a person trained, qualified and authorized by the RSO to carry out SSP approval and onboard ship verifications in accordance with this SMPL;
- “Company”: as defined by SOLAS regulation IX/1.2;
- CSO: Company Security Officer, as defined by ISPS Code section A/2.1.7;
- DAO: Officer Duly Authorised by one of the Contracting Government, as defined in

¹ In the case of yachts built before 21 July 1968, 150 gross tons and over, according to applicable tonnage measurement regulations.



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SOLAS regulation XI-2/9.1;

- DCSO: Deputy Company Security Officer;
- DoS: Declaration of Security, as defined by SOLAS regulation XI-2/1.15;
- “Failure”: means the non-fulfilment of a specific requirements that does not compromise the ship’s ability to operate at security level 1,2 and 3. It may also be referred to as a “Non-conformity”;
- IACS: International Association of Classification Societies;
- Interim ISSC: Interim International Ship Security Certificate, as identified in section A/19.4 of the ISPS Code;
- ISSC: International Ship Security Certificate, as identified in section A/19.2 of the ISPS Code;
- LYSC: Large Yacht Safety Code, SMPL-2021-TEC-008;
- “Major Failure”: means the non-fulfilment of a specified requirements that compromises the ship’s ability to operate at security levels 1,2 and 3. It may also be referred to as a “Major Non-conformity”;
- “Observation”: means a statement of fact made during a verification and substantiated by objective evidence. It may also be a statement made by the auditor referring to the SSP which, if not corrected, may lead to a Failure in the future;
- “QSCS certificate”: Quality System Certification Scheme – IACS;
- RSO: Recognised Security Organisation, as defined by SOLAS regulation XI-2/1.16;
- “Security Equipment”: an equipment used in the implementation of the security measures specified in the SSP;
- “Security incident”: as defined by SOLAS regulation XI-2/1.13;
- SMSR: the San Marino Ship Register;
- SL1, SL2, SL3: security levels, as defined by ISPS Code sections A/2.1.9 to A/2.1.11;
- SSAS: Ship Security Alert System, as defined by SOLAS regulation XI-2/6;
- SSA: Ship Security Assessment, as identified by ISPS Code section A/8;



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- SSO: Ship Security Officer, as defined by ISPS Code section A/2.1.6;
- SSP: Ship Security Plan, as defined by ISPS Code section A/2.1.4;
- “Security System”: the system in place on board the ship which implements the procedures, documentation and required records which are examined to verify compliance with the requirements of the ISPS Code;
- “Ship-to-ship activity”: as defined by SOLAS regulation XI-2/1.10;
- “Verification”: as defined in section A/19.1 of the ISPS Code.

3. Scope

- 3.1 This Policy Letter, which complement the SMPL-21-SEC014 dated 11 October 2021, aims at providing instructions for uniform methods and criteria for carrying out SSPs approvals and for issuing ISSCs to ships following the verification that their security systems and any associated security equipment comply with the requirements of the ISPS Code and the provisions of the corresponding approved SSPs. It establishes the procedures that RSOs shall adopt for:
- .1 Review and approval of SSPs;
 - .2 Verification of compliance with the requirements of the ISPS Code;
 - .3 Initial verification;
 - .4 Renewal verification;
 - .5 Intermediate verification;
 - .6 Additional verification;
 - .7 Issue of Interim, Initial and Renewal ISSCs;
 - .8 Withdrawal of certification.
- 3.2 The scopes of the verifications carried out in accordance with this SMPL shall be restricted to the requirements of the SOLAS Chapter XI-2 and the ISPS Code Part A, taking into account the guidance provided by paragraphs B/8 to B/13.8 of the Code.
- 3.3 This SMPL also aims at aligning the procedures in use among the RSOs identified by this Administration to the good practices adopted by IACS through the “Procedural Requirements for the ISPS Code Certification, No. 24/Rev2 May 2019”.
- 3.4 This SMPL also provides instructions and information to Companies, ships flying the flag of the Republic of San Marino, and to any relevant security service providers.



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4. Application

4.1 General for RSO

- .1 The following instructions applies to RSOs. More specifically, these instructions apply with the same latitude provided by:
 - (i) SOLAS chapters/regulations: XI-2/2; XI-1/3; XI-1/5; IX/1 and V/19-1.
 - (ii) ISPS Code section A/3.
 - (iii) LYSC article 15.
- .2 The RSO performing verification of compliance with the requirements of the ISPS Code shall meet the requirements of MSC/Circ. 1074, Appendix 1, paragraphs 3 to 5.
- .3 if a RSO has been involved in either the conduct of the SSA or the development of the SSP or any amendments for a specific ship shall not, due to potential conflict of interest, approve the SSP or conduct verifications for the certification of the ship.
- .4 The RSO that approves a SSP or issues an ISSC shall have implemented a documented system for the:
 - (i) Qualification and continuous updating of the knowledge and competence of auditors who perform such approvals or verifications;
 - (ii) Performance of the processes involved in accordance with this SMPL. This system shall, inter alia, include procedures and instructions for the following:
 - a) The establishment of contract agreements with Companies in respect of their ships;
 - b) The scheduling and performance of SSP approval and verification;
 - c) The reporting of the results of SSP approval and verification;
 - d) The issue of interim and full term ISSC certificates.
- .5 Only auditors who are qualified and authorized by the RSO shall carry out approvals and verifications.
- .6 The entire SSP approval and implementation process shall verify:
 - (i) That the SSP and any amendments are appropriate to the three security levels defined by the ISPS Code;
 - (ii) That the SSP is compliant with the ISPS Code;
 - (iii) That the SSP is being effectively implemented on board.

4.2 Obligations of the Company



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- .1 Where the verification of a SSP is to be carried out by a RSO that did not carry out the SSP approval, the Company shall provide, if requested by the RSO, a copy of the SSA report and the SSP prior to the verification on board.
- .2 The Company shall carry out internal audits and reviews of security activities at least once every twelve (12) months on board each ship.
- .3 The Company and the ship are to maintain records of external security verifications for a minimum period of five (5) years.
- .4 Any amendments made to the security system, the security equipment or the SSP and that are related to the requirements of the ISPS Code A/9.4.1 to A/9.4.18, must be submitted to the RSO for review and approval.
- .5 At the initial installation or reset of the SSAS, the Company, taking into account the provisions of section 4.1 of the SMPL-2021-SEC-014 dated 11 October 2021, shall arrange for an approved Radio Technician to test and issue a report on the equipment's compliance with the requirements of SOLAS Chapter XI-2, regulation 6.2 to 6.4.
- .6 Following the initial installation or reset of the SSAS, the Company is responsible for:
 - (i) Testing and maintaining the SSAS to satisfy operational requirements according to the approved SSP;
 - (ii) Maintaining on board the SSAS records specified in section A/10.1.10 of the ISPS Code as minimum for the period covering the last 10 calls at port facilities (section 4.6 of the SMPL-2021-SEC-014).

5. Ship Security Plan Approval

- 5.1 Each SSP shall be based on a specific SSA that shall be developed in accordance with the requirements of ISPS Code Part A, taking into account the requirements of paragraphs B/8.1 to B/13.8 of the code.
- 5.2 The CSO shall prepare and submit to the RSO a SSP for each ship he/she is responsible for. The SSP shall be written in the working language/s of the ship. If the working language/s used is not English, French or Spanish, a translation into one of these languages shall be included. The SSP shall be reviewed and approved by the RSO on behalf of the Administration.
- 5.3 Unless otherwise specified by this Administration, all changes to an approved SSP



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related to the requirements specified in section A/9.4.1 to A/9.4.18 of the ISPS Code shall be reviewed and approved by the RSO before their implementation. The CSO shall ensure that the proposed amendments to an approved SSP are accompanied by the SSA from which they are developed.

- 5.4 The RSO shall ask for evidence that the CSO has received training in accordance with the ISPS Code section A/13.1 and the IMO Model Course 3.20. If evidence is not provided by the Company or if there is objective evidence that the CSO has not received such training, the RSO should notify the Company so that corrective actions can be taken. The RSO shall inform the Administration.
- 5.5 When approving or reviewing a SSP, the RSO shall verify that the CSO has taken into account relevant security-related guidance and best management practices, including the latest IMO Circulars concerning piracy, hijacking and armed robbery.
- 5.6 When the RSO approves the SSP and any amendments thereto, it should retain, as a minimum, a copy in electronic format of the SSP and of the letter of approval. The RSO shall consider that marking of SSP, following the first approval as well as the approvals of amendments, shall be handled in accordance with the RSO internal procedures. The RSO shall provide the Administration with one copy in electronic format of the approved/updated SSP and the related letter of approval. The CSO shall ensure that the evidence of the approval of the SSP and any amendments thereto is kept also on board of the relevant ship.
- 5.7 The RSO that approves an amendment to a SSP shall determine whether any additional verification is required relating to its implementation.
- 5.8 In case of the change of the RSO, if both organizations are members of the IACS, the ISPS certification is transferred in accordance with IACS PR 18 and if the gaining organization is requested to approve any amendments to the SSP by the CSO, the gaining RSO shall re-approve the entire SSP.

6. Verification of ships

- 6.1 Verifications for the issue or renewal of ISSCs shall consist of the following step:
 - (i) Verify that an approved SSP is on board;
 - (ii) Verify through a representative sample that the security system is being implemented effectively;
 - (iii) Verify that all security equipment specified in the SSP complies with applicable requirements;
 - (iv) Verify that all security equipment specified in the SSP, including the SSAS, is



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operational.

- 6.2 Initial, Intermediate and Renewal verifications shall be performed only under normal operating conditions and when the ship is fully manned in accordance with the Safe Manning Certificate.
- 6.3. The auditors shall verify the effective implementation of the approved SSP and its documented procedures based on objective evidence obtained by interviews, inspections, review of documents and examination of records.
- 6.4 Following the initial installation or reset of the SSAS, the RSO may approve the related provisions in the SSP and verify, by inspection and witnessing of a complete security alert test, the effective implementation of those provisions. Provisions provided by section 4.1 of SMPL-2021-SEC-014 shall be considered. Confirmation that the SSAS complies with the requirements of regulation 6.2 to 6.4 of SOLAS Chapter XI-2 will be found in the Radio Technician's report.
- 6.5 At each subsequent scheduled verification, the auditor shall examine the records of the testing of the SSAS, identify the SSAS activation points and check the effective implementation of the procedures, instructions and guidance relating to the SSAS as specified in section A/9.4.18 of the ISPS Code.
- 6.6 Intermediate, renewal and additional verifications shall include a review of the failures reported following previous verifications. The auditor shall select a sample of the reported failures and check that the Company is investigating, analyzing and resolving them effectively and in a timely manner.
- 6.7 The auditor has the authority to ask for information from any other RSO recognized by the Administration in order to check the accuracy of the information provided by the Company.
- 6.8 Where the verification of a ship is to be carried out by a RSO that did not carry out the SSP approval, the RSO may review the SSP either at, or prior to, the verification on board.
- 6.9 Minimum requirements for verification and certification processes are provided in Annex 1.

7. Failures and Corrective Action Follow-up

- 7.1 Verification findings shall be reviewed by the auditor(s) in order to determine



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whether they should be reported as Major Failures, Failures or Observations.

- 7.2 At the end of the verification, the auditor(s) shall hold a meeting with the senior management of the ship and those responsible for the functions concerned. The purpose is to present Major Failure, Failures and Observations to the ship's management in such a manner that they are clearly understood.
- 7.3 Failures shall be raised against the corresponding requirement of the ISPS Code, the relevant sections or paragraphs of the SSP and any specific Flag state requirements.
- 7.4 An ISSC is not to be issued or renewed if a Major Failure exists. Immediate action is required to restore compliance. The auditor shall verify the implementation of these measures before the ship sails and a schedule for the implementation of actions to prevent recurrence shall be agreed between the CSO and the auditor. At least one Additional verification shall be carried out within the period agreed to verify the implementation of the actions to prevent recurrence. The RSO shall inform the Administration.
- 7.5 An ISSC should not be issued or renewed until compliance has been restored for all identified Failures. In addition, a schedule for the implementation of action to prevent recurrence may be agreed between the CSO and the auditor. Additional verifications may be carried out as necessary. The RSO shall inform the Administration.
- 7.6 An ISSC shall not be endorsed if a Major Failure exists. Immediate actions is required to restore compliance, thereby permitting the Major Failure to be down-graded. The auditor shall verify the implementation of these measures before the ship sails and a schedule for the implementation of actions to prevent recurrence shall be agreed between the CSO and the inspector. At least one Additional verification shall be carried out within the period agreed to verify the implementation of the actions to prevent recurrence. The RSO shall inform the Administration.
- 7.7 An ISSC may be endorsed following identification of a Failure, provided that compliance has been restored, or a schedule has been agreed between the CSO and the auditor for the completion of corrective action to restore compliance and to prevent recurrence. Additional verifications may be carried out as necessary. The RSO shall inform the Administration.

8. Issuance and Endorsement of the International Ship Security Certificate (ISSC)



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- 8.1 The ISSC shall be issued after an Initial or Renewal verification in accordance with paragraph 6.1.
- 8.2 The “Type of ship” to be entered on the ISSC shall be selected from those defined in SOLAS regulation XI-2/1 or in the SM Large Yacht Safety Code .
- 8.3 The ISSC shall be endorsed at the Intermediate verification and at any Additional verification required by the Administration.
- 8.4 On completion of the verification, an ISSC with validity not exceeding five (5) years may be issued by the RSO or its authorized auditor. A certificate of shorter validity may be issued in accordance with the RSO procedures and after consultation with the Administration. When the Renewal verification is completed within three (3) months before the expiry of the existing certificate, the new certificate shall be valid until a date not exceeding five (5) years from the expiry date of the existing certificate.
- 8.5 If validity of the ISSC is extended in accordance with section A/19.3.5 of the ISPS Code, documentary evidence of the Administration approval must be sighted by the RSO.
- 8.6 At the request of the Company, the expiry date of the ISSC may be aligned with the expiry date on the Safety Management Certificate (SMC) provided that this does not exceed the five (5) year period specified in section A/13.3.1 of the ISPS Code.

9. Opening and Closing Meetings

- 9.1 Shipboard verifications and audits shall start with an opening meeting, the purpose of which is to:
 - (i) Introduce the auditor(s) to the ship’s management;
 - (ii) Explain the scope and purpose of the verification or audit;
 - (iii) Provide a short summary of the methods and procedures to be used;
 - (iv) Establish the official communication line between the auditor and the shipboard management;
 - (v) Confirm that the necessary resources, documentation and facilities are available;
 - (vi) Confirm the time and date of the closing meeting and any interim meetings.
- 9.2 On completion of each verification or audit, the auditor shall hold a closing meeting with the shipboard management, as appropriate, to present the findings so that they are fully understood.



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10. Reporting Plan Approvals and Shipboard Verifications

- 10.1 A report is to be produced after every SSP approval and verification.
- 10.2 In the case of a SSP approval, the Letter of Approval shall include the following wording. *“In the development of the Ship Security Plan, in accordance with ISPS Code A/9.4, the provisions of ISPS Code B/8.1 to B/13.8 have been duly taken into account and applied as appropriate for the ship”*.
- 10.3 The Letter of Approval shall be given to the CSO and retained on board the ship, together with a copy of the verification report.
- 10.4 In the case of a verification, the report must include the following:
 - (i) The date and time of completion of the verification;
 - (ii) The status of the implementation of the SSP;
 - (iii) Confirmation on the operational status of all security equipment and systems on board;
 - (iv) Report of any Failure found during the audit.

11. Responsibilities Pertaining to Verifications

- 11.1 Responsibilities of the RSO
The RSO is responsible for performing the verification and certification process in accordance with this SMPL and any other relevant Administration requirements.
- 11.2 Responsibilities of the Auditor
 - .1 The auditor is responsible for:
 - (i) Carrying out the verification effectively and efficiently;
 - (ii) Complying with the applicable procedural and regulatory requirements;
 - (iii) Noting in the report any obstacles to the effective conduct of the verification;
 - (iv) Organizing any special technical assistance required to verify compliance;
 - (v) Reporting the verification results clearly, concisely and without undue delay.
 - .2 Auditors shall treat all the information to which they have access during the course of SSP approvals and shipboard verifications in the strictest confidence.



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12. Withdrawal of Certification

- 12.1 An Interim ISSC shall not be issued to a ship from which a full-term ISSC has been withdrawn.
- 12.2 When an ISSC has been withdrawn, a new certificate may be issued only after the successful completion of a verification of scope equivalent to an Initial verification. The RSO shall inform the Administration.
- 12.3 The new certificate shall have the same expiry date as the certificate that was withdrawn. The RSO shall inform the Administration.

13. Actions Following Port State Control Detentions

- 13.1 When an Officer Duly Authorised (DAO) imposes to a ship control measures such as detention of the ship, restriction of operations including movement within the port, or expulsion of the ship from the port, the CSO shall inform the RSO and the Administration. In such a case, the RSO shall carry out, at the earliest favorable occasion, an Additional verification keeping the Administration informed.
- 13.2 Any Failure shall be dealt with in accordance with the relevant requirements of paragraph 7 above.
- 13.3 If the auditor disagrees with the conclusions of the DAO, the reasons for the disagreement shall be documented in the verification report. The DAO, the CSO and the Administration must be aware of the auditor's comments in this respect.

14. Entry into force

- 14.1 These instructions shall enter into force and shall apply from 15 June 2023.



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Annex 1

ISPS CODE CERTIFICATION SCENARIOS - MINIMUM REQUIREMENTS

	Scenario	Condition	Action required	Ship Security Plan	Scope of Verification and Certification
1	Change of Ship's name.	Check conducted by a surveyor or auditor.	Check on board.	1. Check correct ship's name on the title page, index page and revision page of SSP. 2. Amend SSP Approval Letter with the ship's new name.	1. Check correct ship's name on all Certificates and Documents. 2. Check that SSAS has been reprogrammed with the ship's new name. 3. Amend/reissue ISSC with the ship's new name. Note: ISSC must be amended by issuing organization or by special arrangement ² . Replacement ISSC shall have the same expiry date as the current ISSC.
2	Change of flag.	1. SSP has not approved yet by the new flag: Verification conducted by an auditor.	Interim verification on board.	1. Verify that the SSP is on board. 2. Verify that SSP addresses ISPS Code sections A/9.4.1 to A/9.4.18. 3. Verify that a copy of the SSP has been submitted to the RSO for approval.	1. Interim verification as required by ISPS Code A/19.4.2. 2. Issue Interim ISSC.
		2. SSP has already been approved for the new flag: Verification conducted by an auditor.	Additional verification on board.		1. Verify the ship's implementation of the new requirements, if any, of the approved SSP and reprogramming of the SSAS. 2. Issue a replacement ISSC with same expiry date as the current ISSC.

² The RSO may with permission from the Administration authorize a surveyor from the ship's Classification Society, if other than the ISPS organization, to amend the documentation.



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3	Change in IMO ship type.	Verification conducted by an auditor.	Interim verification on board.	Verify that amendments to SSP, if any, have been submitted for approval.	<ol style="list-style-type: none"> Interim verification as required by ISPS Code A/19.4.2. Issue Interim ISSC with new ship type.
4	Takeover of certification from a RSO not holding a QSCS certificate.	Verification conducted by an auditor.	Initial verification on board		<ol style="list-style-type: none"> Verification to address all elements of the ISPS Code. Issue ISSC.
5	Ship out of service between three (3) and six (6) months ³ .	Verification conducted by an auditor.	Additional verification if required by the Administration.		Endorse ISSC as appropriate.
6	Ship out of service more than six (6) months ³ .	Verification conducted by an auditor.	Interim verification on board.		<ol style="list-style-type: none"> Interim verification as required by ISPS Code A/19.4.2. Issue Interim ISSC.
7	Intermediate verification requested after the end of the visit time window.	Verification conducted by an auditor.	Intermediate verification on board.		<ol style="list-style-type: none"> If reinstated, ISSC to be endorsed with a statement (e.g. Validity reinstated with scope as initial). If re-issued, ISSC must have same expiry date as previous certificate. Issue a specific report (e.g. IACS-PR 17)⁴ if ISM audit is not held at the same time.
8	Change of Company name and/or address.	Verification conducted by an auditor.	Additional verification if required by the Administration.	1. Approve SSP amendments to reflect new Company name and address.	1. Verify that DOC has been reissued with new Company name and address.

³ These instructions do not apply to ship for which seasonal lay-ups are a normal part of their operational routine. Refer to MSC-MEPC./7 Circ.9.

⁴ Reporting on deficiencies possibly affecting the implementation of the ISM Code on board: Annex1 – Minimum contents of the Report.



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				2. Reissue approval letter.	2. Issue replacement ISSC with same expiry date as previous ISSC:
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