



RESOLUTION NUMBER (0502-2023) MD-DIMAR-ASIMPO JULY 28, 2023

By means of which Chapter 4 is added to Title 6 “Protection of ships and port facilities” and article 4.2.9.1.27 is added to Chapter 1 of Title 9 of Part 2 of REMAC 4 “Maritime Activities”, in regarding the reception at the national level of Resolution MSC 147(77) adopted on May 29, 2003, by the Maritime Safety Committee of the International Maritime Organization (IMO).

THE MARITIME DIRECTOR GENERAL

In exercise of its legal powers granted in numerals 5 and 6 of article 5 of the Decree Law 2324 of 1984, in paragraphs 2, 4 and 12 of article 2 of Decree 5057 of 2009 and in Decree 1070 of 2015, and

WHEREAS

That Colombia adhered by Law 8 of 1980 to the International Convention for the Safety of Life at Sea of 1974 and its Protocol of 1978 (SOLAS 78/Amended), by which it accepted both the text of the agreement and all the annexes technicians.

That Article VIII of said Convention determines that the amendments to Chapters II to VIII of the Annex - which contain the technical provisions of the Convention - will be considered accepted after a period of two years (or at the end of a different period established in the approval) unless they are rejected, within a specified period, by one third of the Contracting Governments or by a number of Contracting Governments whose combined merchant fleets represent at least 50% of the gross tonnage of the world merchant fleet.

That article 25 of Law 2133 of 2021 establishes that ships and naval devices must meet the safety conditions provided for in national legislation and international conventions, as appropriate to the scope of their operation.

That the General Maritime Directorate is the National Maritime Authority that executes the Government's policy on maritime matters and has as its objective the direction, coordination and control of maritime activities, in the terms indicated in Decree-Law 2324 of 1984.

That numeral 5 of article 5 of Decree-Law 2324 of 1984 determines that the General Maritime Directorate has the function of regulating, directing and controlling activities related to the safety of navigation in general and the safety of human life at sea. .



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That numeral 6 of article 5 of the decree in question assigns to the General Maritime Directorate the function of authorizing the operation of ships and naval devices in Colombian waters.

That numeral 4 of article 2 of Decree 5057 of 2009 establishes the function of the General Maritime Directorate to dictate technical regulations related to maritime activities and the safety of human life at sea.

That in exercise of the provisions contained in numeral 12 of article 2 of the Decree 5057 of 2009, the General Maritime Directorate is the authority designated by the national government for the implementation and compliance of international instruments. seafarers.

That in the same sense, numeral 10 of article 3 of the aforementioned norm, provides as functions of the Port Captaincies the coordination, execution and control of maritime traffic; maritime safety and security; search and rescue; protection of the marine environment in accordance with current regulations.

That Title 6 “Maritime Security and Protection” of Decree 1070 of 2015 regulates the Chapter XI-2 of the SOLAS-74 Convention, International Code for the Protection of Ships and Port Facilities - ISPS

That according to Resolutions MSC77/26/Add.1 and Resolution MSC.147 (77) of the International Maritime Organization (IMO), adopted on May 29, 2003, it is indicated that a ship protection alert system will be provided. ship on board to transmit security alerts to shore indicating to the competent authority that the security of the ship is threatened or has been impaired.

That within this same Resolution it is established that the transmission of these protection alerts must be directed to a coast station.

That it is necessary to establish a mechanism where ships can alert the traffic control and maritime surveillance stations in Colombia in real time when a security event occurs on board, in order to be assisted by the competent authorities.

Likewise, timely and agile information is required to be able to activate the protocols and procedures by the attention authorities in the event of possible protection events in Colombian ports of international maritime traffic.

That in compliance with the provisions of article 5 of Resolution number 135 of February 27, 2018, it is necessary to add chapter 4 to Title 6 “Protection of ships and port facilities” and add article 4.2.9.1.27 to Chapter 1 of Title 9 of Part 2 of REMAC 4 “Maritime Activities”, regarding the reception at the national level of MSC Resolution 147(77) adopted on May 29, 2003 by the Maritime Safety Committee of the Maritime Organization International (IMO).

That in merit of the above, the Maritime Director General,



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SOLVE

Article 1.- Add Chapter 4 “ Ship Protection Alert Systems” to Title 6 “Protection of Ships and Port Facilities” of REMAC 4 “Maritime Activities” in the following terms:

TITLE 6**PROTECTION OF SHIPS AND PORT FACILITIES****CHAPTER 4****Ship Protection Alert Systems**

Article 4.2.6.4.1.- Foreign flag vessels, in Colombian jurisdictional waters, must carry out the necessary configuration so that the equipment for transmitting protection alerts through the SSAS system is harmonized with the systems' reception equipment. monitoring and maritime traffic in Colombia, in order to guarantee maritime protection and, in turn, assist and mitigate protection events on board.

Article 4.2.6.4.2.- Colombian flag vessels that carry out international traffic must implement, configure and use protection alert transmission equipment for the Ship Protection Alert System – SSAS, which must be harmonized with the reception equipment of the maritime traffic and monitoring systems in Colombia, within the Colombian territorial sea and in the States where they are located, in order to guarantee maritime security and mitigate security events on board, as well as Carry out corrective actions as warranted.

Article 4.2.6.4.3.- The reports of the vessels mentioned in articles 4.2.6.4.1 and 4.2.6.4.2 must be transmitted directly to the Traffic Control and Maritime Surveillance Stations of the areas where they carry out operations in Colombia, according to the prescriptions of the ISPS Code.

PARAGRAPH. The systems used for said report must be programmed and configured with the email addresses (when appropriate and applicable due to the type of system) of the contact points on land for this purpose, with the objective that the ship protection alert of the SSAS system reaches the Coastal State immediately and in a timely manner.

Article 4.2.6.4.4.- The owners, maritime companies or shipowners of Colombian vessels, through the Company's Maritime Protection Officer and the Vessel Protection Officer, must comply with the following responsibilities:

1. Guarantee that ships certified under the ISPS Code implement and configure



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on board the equipment for transmitting protection alerts for the Ship Security Alert System – SSAS.

2. Ensure that ships certified under the ISPS Code comply with the general requirements established for the correct functioning of the SSAS Ship Security Alert System, especially all the requirements of Annex 7 of Resolution MSC.147(77), adopted on May 29, 2003, by the Committee of IMO Maritime Safety.
3. Configure the radioelectric equipment and systems used for the Ship Protection Alert System - SSAS, so that they comply with the provisions of the relevant international and national Colombian standards.
4. Guarantee that the Ship Protection Alert System – SSAS is powered by a constant energy source, either with the ship's main or alternate source.

Article 4.2.6.4.5.- Passenger ships, including high-speed passenger ships, cargo ships, including high-speed ships, of gross tonnage equal to or greater than 500 and mobile offshore drilling units, They must comply with the communications protocol established in the ISPS Code, in order to verify the configuration of mandatory notification equipment.

Article 2.- Add article 4.2.9.1.27 to Chapter 1 of Title 9 of Part 2 of REMAC 4 “Maritime Activities”, regarding the reception at the national level of MSC Resolution 147(77) adopted on the 29th. May 2003 by the IMO Maritime Safety Committee, relating to the Operating Guidelines for Ship Security Alert Systems, in the following terms:

TITLE 9

INTERNATIONAL INSTRUMENTS OF THE MARITIME ORGANIZATION INTERNATIONAL (IMO)

CHAPTER 1

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE HUMAN IN THE SEA

(...)

Article 4.2.9.1.27. Accept at the national level MSC Resolution 147(77) adopted on May 29, 2003 by the Maritime Safety Committee of the IMO, referring to the “Guidelines for the operation of Ship Security Alert Systems”

PARAGRAPH. MSC Resolution 147(77) adopted on May 29, 2003 issued by the IMO Maritime Safety Committee, contained in this article forms an integral part of this Resolution.



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Article 3.- Validity. This Resolution comes into force from the date of its publication in the Official Gazette.

PUBLISH AND COMPLY.

Given in Bogotá


Vice Admiral JOHN FABIO GIRALDO GALLO
Director General Maritime (E)



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