RESOLUTION No. 048/2004

DIRECCIÓN GENERAL DE LA MARINA MERCANTE NACIONAL (GENERAL DIRECTORATE OF THE MERCHANT MARINE). Tegucigalpa, Municipality of the Central District on the sixth day of the month of May of the year two thousand and four.

CONSIDERING that the National Organic Law of the Merchant Marine has the aim to establish the institution's regulatory framework and that of the maritime activities in general, as well as the regulation of the administration to which it is a subject of;

CONSIDERING that the Dirección General de la Marina Mercante is in charge of the administration, control and coordination of all activities related with the merchant marine and maritime transportation, maritime safety and marine environmental protection;

CONSIDERING that it is the attribution of the Dirección General de la Marina Mercante to comply with and enforce the international conventions of which Honduras is a party of;

CONSIDERING that Regulation I/6 of the SOLAS Convention states that "...the Administration may entrust on her behalf the inspections and surveys on inspectors assigned respectively or on Recognized Organizations." In this same way the Organic Law empowers the General Directorate of the Merchant Marine to authorize through a delegation contract, that specilized entities of an honorable and international recognized prestige, carry out on its behalf, inspections to ships flying the flag of Honduras, and likewise empower them to issue the corresponding Certificates.

CONSIDERING that the amendments of the Safety of Life at Sea (SOLAS) Convention adopted on December 12, 2002 during the Contracting Governments Conference in its Chapter XI-2 which refers to the International Code for the Security of Ships and Port Facilities (ISPS Code), requires that all ships comply with the pertaining prescriptions no later than July 1st of the year two thousand and four;

CONSIDERING that Section 4.3 Part A of the ISPS Code states that "Contracting Governments [of the SOLAS Convention] may delegate to a **Recognized Security Organization (RSO)**, certain of their security-related duties under Chapter XI-2 and this Part of the Code" with the exception of certain duties which can not be delegated contained in this same Section.

CONSIDERING that the Classification Societies members of the **"INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES LTD. (IACS)",** authorized to issue certificates on behalf of the Government of Honduras are: American Bureau of Shipping **(ABS)**, Bureau Veritas **(BV)** China Classification Society **(CCS)**, Det Norske Veritas **(DNV)**, Germanischer Lloyd **(GL)**, Korean Register of Shipping **(KR)**,

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Lloyd´s Register of Shipping **(LR)**, Nippon Kaiji Kyokai **(NK)**, Registro Italiano Navale **(RINA)**, Russian Maritime Register of Shipping **(RS)**, and its two associate members: Hrvartski Registar Brodova **(CRS)** and Indian Register of Shipping **(IRS)**;

THEREFORE The Dirección General de la Marina Mercante, in use of its faculties conferred to by Law, and in application of Articles: 9 of the Reglamento de Inspección, Reconocimiento y Expedición de Certificados de Seguridad Marítima a Buques de Registro Hondureño (Inspection, Recognition and Expedition of Maritime Safety Certificates to Ships under the Honduran Registry); 30 number 4 of the Reglamento de Organización, Funcionamiento y Competencia del Poder Ejecutivo (Rules of Organisation, Functioning and Competency of the Executive Power); 116 and 120 of the Ley General de Administración Pública (Public Administration Law); 1, 91 reformed, 92 and others applicable of the Organic Law of the Merchant Marine; the Safety of Life at Sea Convention 1974 (SOLAS), its amendments; and the International Code for the Security of Ships and of Port Facilities (ISPS);

RESOLVES

FIRST: Authorise the following Classification Societies, members of the **"INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES LTD. (IACS)":** American Bureau of Shipping **(ABS)**, Bureau Veritas **(BV)** China Classification Society **(CCS)**, Det Norske Veritas **(DNV)**, Germanischer Lloyd **(GL)**, Korean Register of Shipping **(KR)**, Lloyd´s Register of Shipping **(LR)**, Nippon Kaiji Kyokai **(NK)**, Registro Italiano Navale **(RINA)**, Russian Maritime Register of Shipping **(RS)**, and its two associate members: Hrvartski Registar Brodova **(CRS)** and Indian Register of Shipping **(IRS),** to act as **"RECOGNIZED SECURITY ORGANIZATIONS" (RSO´s),** provide services of approval of the Ship Security Plans for ships registered under the Honduran Maritime Registry, and the verification and certification that such ships comply with what's prescribed on Chapter XI-2 and Part A of the International Code for the Security of Ships and of Port Facilities (ISPS):

SECOND: These recognized organizations authorized by the Honduran Maritime Authority, will keep their **"OPR"** status as long as they belong to the **"IACS"** and shall maintain a close communication with this General Directorate, providing on a monthly basis copies of all assessments and plans of the ships they certify.

THIRD: At no time will Contracting Governments delegate to the RSO's the following security related duties under Part A section 4.3 of the Code:

1. Setting of the applicable security level
5. Exercising control and compliance measures pursuant to regulation XI-2/9; and
6. Establishing the requirements for a Declaration of Security.

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FOURTH: The present Resolution will enter in force on this date and it shall be notified to the **International Maritime Organization (IMO),** to Ship Owners and Shipping Companies which fall under the ISPS Code through their duly accredited legal representatives and shall be published in **"LA GACETA"**, Official Gazette. **COMPLY.**

MARCO AUGUSTO HERNÁNDEZ ESPINOZA
DIRECTOR GENERAL

OSCAR ALEXIS PONCE SIERCKE
SECRETARY GENERAL