



M P A
SINGAPORE

MARITIME AND PORT AUTHORITY OF SINGAPORE
SHIPPING CIRCULAR
NO. 15 OF 2012

MPA Shipping Division
460 Alexandra Road
21st Storey PSA Building
Singapore 119963
Fax: 63756231
<http://www.mpa.gov.sg>

18 September 2012

Applicable to: Ship owners, ship managers, ship operators, ship masters, crew and the shipping community.

This circular informs on the promulgation of the IMO document MSC.1/Circ.1405/Rev.2, which provides the interim guidance on the use of privately contracted armed security personnel on board ships in the high risk area.

GUIDANCE ON THE USE OF PRIVATELY CONTRACTED ARMED SECURITY PERSONNEL ON BOARD SINGAPORE-REGISTERED SHIPS IN THE HIGH RISK AREA

1 This circular serves to inform on the revised interim guidance being promulgated by IMO in the document MSC.1/Circ.1405/Rev.2 (**Annex A**) "Revised Interim Guidance to shipowners, ship operators, and shipmasters on the use of privately contracted armed security personnel (PCASP) on board ships in the high risk area". The purpose of the guidance is to assist ship owners, ship operators and ship masters considering the use of PCASP on board ships to provide additional protection against piracy.

2 Taking into account the guidance provided by the IMO for preventing and suppressing piracy and armed robbery against ships contained in MSC.1/Circ.1334 and also our advisory relating to adopting the latest Best Management Practices, there may be scenarios that ship owners are considering the use of armed guards for ships transiting the piracy High Risk Area due to the increased threat by Somalia-based pirates. However, the use of PCASP should not be considered as an alternative to Best Management Practices (BMP) and other protective measures.

3 Singapore law does not prohibit the use of armed security personnel on board Singapore-registered ships, although the carriage and use of firearms and ammunition on board Singapore-registered ships is not encouraged given the potential escalation of violence and increased risks of crew injury and fatality. While the crew of a Singapore-registered ship, or their hired armed security personnel may lawfully bear arms, they will still be liable under Singapore's laws if they use their arms on board the ship without lawful excuse, as a person on board is not exempted from criminal liability in respect of any offence that he commits on the ship.

4 Risk assessment. Whether to use PCASP within the High Risk Area is a decision for the individual ship owner after a thorough risk assessment and after ensuring all other practical means of self protection have been

employed. Paragraph 1.2 of the guidance lists the factors and considerations to include in the risk assessment prior to making the determination to use PCASP.

5 Selection criteria of Private Maritime Security Companies (PMSC). Paragraph 2 provides guidance on the PMSC's selection criteria, which include the assessment of the capabilities of the PMSC to carry out its intended task, the selection and vetting criteria as well as guidance on the verification that the PMSC have adequate training procedures in place.

6 Service Provision Considerations. Paragraph 3 provides guidance on ensuring that the PMSC possesses the necessary insurance, as well as for ship owners to consult with their insurers prior to contracting with and embarking PCASP on board their ships. It further provides guidance on defining the command and control relationship between the Master and the PMSC team members, the rules for the use of force, the management of arms and ammunition on board the ship, and the need to keep proper records. It also provides guidance on determining the size, composition and equipment of the proposed PCASP team. In the event that the size of the PCASP team plus the crew exceeds that specified in the Ship's Safety Certificate, ship owners are required to consult our Flag State Control Department (FSCD) via email: shipping@mpa.gov.sg. Ship owners of Singapore-registered ships embarking PCASP should keep the Singapore Registry of Ships (SRS) informed of their decision via email: marine@mpa.gov.sg.

7 This shipping circular supersedes Shipping Circular No. 11 of 2011. Any queries relating to this shipping circular should be directed to the Singapore Registry of Ships dedicated contact via email: marine@mpa.gov.sg and tel: (65) 6375 1932.

**CHEONG KENG SOON
DIRECTOR OF MARINE
MARITIME AND PORT AUTHORITY OF SINGAPORE**

Annex A – MSC.1/Circ. 1405/Rev.2