



The Bahamas Maritime Authority

BMA INFORMATION BULLETIN No. 128

GUIDANCE TO SHIPOWNERS ON CARRIAGE OF ARMED PERSONNEL FOR VESSEL PROTECTION

Instructions & Guidance for Shipowners, Managers, Masters, Bahamas Recognised Organisations and Bahamas Approved Inspectors

This bulletin should be read in conjunction with [MSC. Circ.1337](#), as amended, BMA Bulletin 119 ([Piracy and Armed Robbery against Ships in waters off the Coast of Somalia](#)) and related material such as the [International Code of Conduct for Private Security Service Providers](#)

1 Introduction

- 1.1 With the continuing prevalence of pirate activity off the Horn of Africa and into the wider Indian Ocean, some Shipowners are opting to carry armed personnel on board, sometimes without the knowledge or permission of the flag State, as a measure of vessel protection. The Bahamas Maritime Authority is concerned that such actions are not properly controlled and may result in unnecessary serious injury. Where armed security personnel are on board, the Shipowner may be placed in an unfamiliar position and unprepared to discharge his obligations to safety and security, without additional guidance from the flag State.
- 1.2 The Bahamas Maritime Authority neither recommends nor prohibits the use of armed guards. Noting the deteriorating situation and the recent changes by industry representative bodies towards carriage of arms on board in response to the pirate threat, BMA acknowledges that the decision to engage armed guards, whether military or private, is a decision to be made by the ship operator after due consideration of all of the risks. The decision must be subject to acceptance by the flag State and insurers.
- 1.3 The Bahamas Maritime Authority is also concerned that there is no internationally recognised standard for training and competence of persons carrying arms on board. There has been a proliferation of security providers who may, in some cases, not operate to any Code of Conduct or have in place robust procedures for safe firearms handling and operation.

- 1.4 The following guidance has been prepared in an effort to ensure that the carriage of armed personnel on board is carried out responsibly, with minimal effect on the well-being of the crew and efficient operation of the ship. The guidance should be taken into account by Shipowners, to ensure that appropriate measures are properly implemented for complete control over processes on board, in full compliance with national and international requirements.

2 Selection of Security Service Providers

- 2.1 The Company should be able to demonstrate that due diligence has been carried out when selecting the Security Service Provider. Security Service Providers should be selected against strict criteria, to ensure that the risks associated with the carriage and use of firearms on board are properly mitigated.
- 2.2 Security Companies should be licensed by their National Authorities and also have licenses from local Port Authorities to bring arms onboard.
- 2.3 The professional standing of a company should be ascertained. Security service providers may belong to a relevant industry organisation such as the British Association of Private Security Companies (BAPSC), Security Association for the Maritime Industry (SAMI), International Association of Maritime Security Professionals (IAMSP). These organisations support the [International Code of Conduct for Private Security Service Providers](#), signed in Geneva 9 November 2010.
- 2.4 Other evidence of professional standing may be verified, for example, by verification of documented transparent guidelines and procedures in accordance with an approved quality standard system. The security service provider should have clear guidelines and procedures which may include such items as control of actions in defending a ship, rules of engagement, firearms handling, maintenance in accordance with manufacturers' instructions, licensing of firearms and calibration records.
- 2.5 Fitness of the security operatives should be verified. Operatives should be certified as being medically fit and assessed to be psychologically fit to carry out their duties, having been subject to stringent security vetting.
- 2.6 Competence of security operatives should be verified. Operatives should be from a professional background involving disciplined use of firearms and have a relevant certificate of competence or similar attestation. Training for individuals in rules of engagement should be documented.

3 Obligations of the Shipowner

- 3.1 In all cases, the industry [Best Management Practices](#) should be implemented to the greatest extent possible when entering the extended piracy zone off the Horn of Africa, as set out in [MSC. Circ.1337](#), as amended or superseded. Attention is also drawn to [BMA Bulletin 119](#)
- 3.2 The Shipowner's obligations to safety and security on board remains directly with the Shipowner at all times. The Master's overriding authority should be established in any contract with Security Service Providers.
- 3.3 Procedures should be in place and properly implemented on board concerning the carriage, control and use of firearms. The Shipowner's policy on carriage of firearms is the prevailing authority and there should be documented procedures that, *inter alia*, cover:
- Master's notification of firearms being on board,
 - Safety briefing to the person(s) carrying the firearms,
 - Measures for the secure stowage of the firearms.
- 3.4 The Shipboard Security Plan or other relevant emergency response plan should include a clear decision tree to determine appropriate measures, when responding to a threat.
- 3.5 The Master should be cognizant with the agreed rules of engagement and able to give authority to the security operatives for specific measures to be taken.
- 3.6 It is the Shipowner's responsibility to ensure that carriage of firearms is acceptable to their own insurers.
- 3.7 Security operatives should be afforded the same protection under the Shipowner's health and safety policy as for the crew. Sufficient LSA is to be provided for all persons on board. In case of any shortfall in lifeboat capacity, the carriage of a liferaft in lieu is acceptable for the short duration of transit, with excess persons on board. Applications for such temporary LSA arrangements must be made [via the Recognised Organisation](#) in the usual way.
- 3.8 It is appropriate to provide personal protective equipment for crew, particularly those remaining in exposed areas such as on the bridge
- 3.9 Special consideration should be given to the use of firearms on vessels with dangerous cargoes, and mitigating measures put in place. Other vessel specific issues should be taken into account.

- 3.10 Where action has been taken which results in obvious injury of aggressors or incapacitation of their craft, assistance should be rendered, in accordance with SOLAS V/33. The Master's professional judgement should be exercised in ascertaining the necessary extent and type of assistance rendered, according to the circumstances prevailing, and must not put the crew's own safety at risk

4 Obligations of Shipowner and Security Service Provider

- 4.1 The Bahamas Government will not accept liability for any matter arising from the use of private armed security personnel on board. Any liability resulting from the carriage of armed security personnel on board is the sole responsibility of the Shipowner or agents contracting such services.
- 4.2 Where such liability is not accepted by the Shipowner, the Security Service Provider and its operatives must be insured for the carriage and use of weapons on board ship, for accident, injury and damage arising from the use of firearms, and the legal liability for such claims.
- 4.3 If force is used it shall be the minimum necessary in the circumstances and shall be in accordance with international law. Indemnity cannot be provided by The Bahamas Government against prosecution, as a result of action taken which is not in accordance with international law.
- 4.4 Where any response to a security threat involves use of force, such force shall be proportionate and escalating only according to the threat. Any action must be taken as a defensive measure only, in response to a direct threat and must not be disproportionate to the threat.
- 4.5 When in port, national requirements regarding firearms in host and destination countries must be complied with. Due account should be taken regarding laws concerning carriage and use of firearms when in territorial waters.

5 Applying for a Firearms License

- 5.1 [Part VIII – Legal Procedures of the Merchant Shipping Act](#) gives Bahamian courts jurisdiction over any act done on a Bahamian ship. It must be borne in mind that a ship is considered an extension territory of the flag state. Possession of firearms without a certificate may result in criminal prosecution and possible imprisonment for up to five years.
- 5.2 Under Bahamian Law, it is possible for firearms to be carried on board. In order to ensure that such carriage is regulated a firearms license is required to be issued by the Royal Bahamas Police Force (RBPF). Firearms licenses, when issued, are issued under limited circumstances and for specific purposes.
- 5.3 Vetting of all applicants is a part of the firearms license application process. Vetting is necessary for the assurance of all parties that the applicant has not been shown to be unfit to be issued with a firearms license. The process has already proved to be effective in identifying unsuitable individual who were proposed to be assigned to vessel protection.
- 5.4 Applications for firearms licenses may be made directly by the Security Service Provider for their own staff. Each application must be accompanied by a Declaration (also appended to this bulletin) with the relevant fields appropriately completed.
- 5.4 Anticipated turn round time for first time applications is five working days, Subsequent applications for the same person and weapon can be processed within 24 hours.
- 5.5 A block application may be made on the same application form for numerous individuals and firearms belonging to the same security team.
- 5.6 Applications must be sent to the RBPF, contact details as follows:

Mr. Ellison E. Greenslade, QPM, MBA
Commissioner of Police
Royal Bahamas Police Force
P.O. Box N-458
Nassau, New Providence
Bahamas.

Tel: +1 242 325-7601
Fax: +1 242 328-2644
Email: ellisongreenslade@bahamas.gov.bs
egreenslade@hotmail.com
Web: www.royalbahamaspolice.org

5.7 Applications must be copied to:

Superintendent Paul Rolle
Royal Bahamas Police Force
Central Detective Unit
Thompson Boulevard
Nassau
Bahamas

Tel: +1 2423411049
Mob: +1 242 357 9585
Email: paul@criminalist.org

5.8 In addition, applications must be copied to Bahamas Maritime Authority tech@bahamasmaritime.com for information only.

5.9 It should be noted that where a Firearms License is issued to a named individual, the right for the named individual to carry that firearm on-board a vessel remains with the Shipowner and Master.

5.10 For ease of reference, a firearms application form is appended to this guidance. Note that the form is primarily designed for domestic applications and individual attendance for interview is not normally required for applications for vessel protection purposes.

6 Military Armed Guards

6.1 The Bahamas has previously agreed to boarding by foreign troops in specific circumstances for escort duties on our registered ships, when in piracy prone areas. Where it is intended to utilise the services of foreign military services, careful planning with adequate lead time prior to the intended voyage(s) is imperative. It is necessary to arrange these agreements at the Diplomatic level and can take some time.

7 Reporting to BMA

7.1 Shipowners' attention is drawn to [BMA Information Bulletins No.4 \(Incident Reporting\)](#) and [No.119 \(Piracy and Armed Robbery against Ships in waters off the Coast of Somalia\)](#).

Any incident on board should be reported to BMA at the earliest opportunity.

FIREARMS LICENSING

Application forms for Firearms Licence may be downloaded from
http://forms.bahamas.gov.bs/dp_form.asp?fid=303

Form Title: Gun Licence Application

Description: Procedures for Applying for Firearms Licence in The Bahamas

Prerequisite: See instructions below for acceptable form of valid identification and required documents. Application forms must be completed in detail and signed.

Instructions:

1. Applicant must be eighteen (18) years or older. Application forms must be completed in detail and signed.
2. Applicants must present the completed forms to Firearms Licensing Office, along with two (2) colour passport size photographs, bill of sale for the firearm and gun safe, driver's license and identifying documents.
3. The information on the application form will be verified with the document produced.
4. Non-Bahamian applicants in addition to the above procedures, are required to produce a copy of the first four (4) pages of their passport and driver's license.
5. In the case where proof of firearm purchase cannot be obtained, a letter must be written stating where the firearm was purchased and how long the firearm was in your possession.

Fee: Shotgun \$50.00 Rifle \$100.00

[FAQs](#)

Contact: ROYAL BAHAMAS POLICE FORCE
HEADQUARTERS
EAST STREET
P. O. Box N 458
NASSAU, BAHAMAS
info@rbpf.org

APPLICATION# _____

Rule 12 Form xi



ROYAL BAHAMAS POLICE FORCE
APPLICATION FOR A GUN LICENCE
UNDER
THE FIREARMS ACT (213)

PLACE PHOTOS HERE

PERSONAL INFORMATION

SURNAME	FIRST NAME	
MIDDLE NAME	MAIDEN NAME:	
ADDRESS		
P.O. BOX	PHONE (HM)	PHONE(WK)
D.O.B. (mm/dd/yyyy):	AGE (at last birthday)	
PLACE OF BIRTH	NATIONALITY	
PASSPORT#	DRIVER'S LICENCE#	NATIONAL INSURANCE#

OCCUPATION/EMPLOYMENT INFORMATION

OCCUPATION:	EMPLOYER
EMPLOYER ADDRESS	EMPLOYER PHONE

PARTICULARS OF FIREARM

MAKE:	MODEL	
SERIAL #	CALIBER/BORE	LENGTH OF BARREL
DESCRIPTION		
WHERE OBTAINED/ PURCHASED	DATE OBTAINED	

SPOUSAL INFORMATION

SURNAME	FIRST NAME
MIDDLE NAME	MAIDEN NAME:
ADDRESS	

P.O. BOX	PHONE (HM)	PHONE(WK)
D.O.B. (mm/dd/yyyy):	AGE (at last birthday)	
OCCUPATION:	EMPLOYER	
EMPLOYER ADDRESS		EMPLOYER PHONE

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SURNAME	FIRST NAME	
MIDDLE NAME	RELATIONSHIP	
ADDRESS		
P.O. BOX	PHONE (HM)	PHONE(WK)
OCCUPATION:	EMPLOYER	
EMPLOYER ADDRESS		EMPLOYER PHONE
MOTHER'S NAME	FATHER'S NAME	

PARTICULARS OF APPLICANT

HAVE YOU EVER APPLIED FOR A GUN LICENCE BEFORE? YES NO

IF YES, WHEN

ARE YOU THE HOLDER OF A FIREARM LICENCE? YES NO

IF YES, GIVE DETAILS OF SAME:

REASON FOR REQUESTING FIREARM:

HOW MANY FIREARMS DO YOU OWN

GIVE INFORMATION ON THEM:

GIVE THE FOLLOWING INFORMATION OF TWO PERSONS NOT LIVING WITH YOU:

NAME	ADDRESS	PHONE

HAVE YOU BEEN TO COURT FOR ANY CRIMINAL OFFENCE? YES NO

IF YES, GIVE DETAILS OF



The Bahamas Maritime Authority

DECLARATION OF AGREEMENT

(To accompany an application for firearms licence in association with protection of a Bahamian registered vessel)

The Security Service Provider named below has signed an agreement with the Owner or Manager of the named vessel for the purposes of vessel protection as follows:

Security Service Provider making application for firearms license	
Owner / Manager with whom the agreement is made	
Vessel Name	
IMO Number	
Details of voyage, including dates	

Signed	
Print Name	
Position	
Date	