



INFORMATION BULLETIN No. 128

GUIDANCE TO SHIPOWNERS ON CARRIAGE OF PRIVATELY CONTRACTED ARMED SECURITY PERSONNEL (PCASP) FOR VESSEL PROTECTION

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

1. Purpose

- 1.1. With the continuing prevalence of pirate activity off the Horn of Africa, the Arabian Sea and into the wider Indian Ocean, there is a more widespread use of Privately Contracted Security Personnel (PCASP) on board ships transiting or trading in the region. The Bahamas Maritime Authority remains concerned that the uncontrolled use of firearms for deterrence and defence could have serious consequences. This information bulletin is intended to support MSC.1/Circ.1405 and provide additional guidance to operators of Bahamas ships.
- 1.2. In noting the continuing threat posed by piracy the BMA acknowledges that many ship owners are considering this issue in detail. While not endorsing the use of PCASP, The Bahamas recognises the right and duty of a ship owner to protect the crew and the fact that armed response may be utilised on board Bahamas ships. Any decision to engage PCASP should follow due consideration of all of the risks and consultation with insurers.
- 1.3. The BMA notes that while industry self-regulation is under development there is currently no internationally recognised standard for training and competence of persons carrying arms on board. There has been a rapid increase in the number of security providers who may, in some cases, not be familiar with the particular operating considerations associated with the marine sector.
- 1.4. The following guidance has been prepared in an effort to ensure that the carriage of PCASP on board is carried out responsibly, with minimal effect on the well-being of the crew and efficient operation of the ship.



INFORMATION BULLETIN No. 128

2. Selection of Private Marine Security Companies (PMSC)

- 2.1. The Company should be able to demonstrate that due diligence has been carried out when selecting the PMSC. Selection should, be based on the guidance provided in MSC.1/Circ.1405. In all cases the professional standing of a PMSC should be ascertained.
- 2.2. PMSC should be licensed by their National Authorities, where such licensing exists, and also have licenses from local Port Authorities to embark and disembark firearms.
- 2.3. The Bahamas welcomes the establishment of the Security Association for the Maritime Industry (SAMI) and the process to establish independent accreditation. Any PMSC selected should observe the International Code of Conduct for Private Security Service Providers.

3. Obligations of the Shipowner

- 3.1. In all cases, the industry Best Management Practices (BMP) should be implemented to the greatest extent possible when entering the High Risk Area, as defined within the BMP. 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 must be established in any contract with PMSC.
- 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 conditions for the use of force and able to give authority to the PCASP for specific measures to be taken.
- 3.6. PCASP 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.
- 3.7. 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.
- 3.8. 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 Regulation 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 the Ship owner and the Private Marine Security Company

- 4.1. The Bahamas Government will not accept liability for any matter arising from the use of PCASP 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. Further guidance on insurance and liability matters is contained in MSC.1/Circ.1405.
- 4.2. If force is used it shall be the minimum necessary for self-defence 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.
- 4.3. Where any response to a security threat involves use of force, such force shall be proportionate and graduated 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.

- 4.4. When in port, national requirements regarding firearms in host and destination countries must be complied with. Due account should be taken regarding applicable laws concerning carriage and use of firearms when in territorial waters.
- 4.5. The presence of PCASP on board Bahamas ships must be reported to MSCHOA during registration prior to entry into the High Risk Area.

5. Applying for a Firearms License

- 5.1. The Merchant Shipping Act Part VIII – Legal Procedures 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 to assure that an applicant is fit to be issued with a firearms license.
- 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.
- 5.5. 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.
- 5.6. A block application may be made on the same application form for numerous individuals and firearms belonging to the same security team.
- 5.7. 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: +1 242 302 8377

Fax: +1 242 323 0823

Email: ellisongreenslade@bahamas.gov.bs and/or
egreenslade@hotmail.com

5.8. Applications must be copied to:

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

Tel: +1 242 502 9962

Fax: +1 242 328 2387

Mob: +1 242 357 9585

Inspector Mark Barrett (BMA Liaison Officer)

Office: +1 242 502 9929

Mob: +1 242 466 1941

Email: bma.liaison@rbpf.bs

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

5.10. 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.

5.11. 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 a diplomatic level and can take some time.

7. Reporting to BMA

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.

8. Revision History

Rev.1 (17th March2014) – RBPF contact details for BMA liaison Officer

Rev.2 (12th December 2014) – RBPF contact details for BMA liaison Officer

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

ellisongreenslade@bahamas.gov.bs
egreenslade@hotmail.com
bma.liaison@rbpf.bs