MEMBER ALERT



Shipowners Claims Bureau, Inc., Manager One Battery Park Plaza 31st Fl., New York, NY 10004 USA Tel: +1 212 847 4500 Fax: +1 212 847 4599

www.american-club.com

MARCH 31, 2011

VESSELS CALLING IN SOUTH AFRICAN PORTS WITHOUT REQUISITE PERMITS TO CARRY WEAPONS AND AMMUNITION EXPOSE MASTER TO FINES AND ARREST

Members with vessels trading to South Africa which may have guns and/or ammunition on board should be aware of local regulations which require all vessel(s) carrying weapons and/or ammunition to apply to the South African Police Service (SAPS) for a permit to enter South African ports with weapons 21 days before the vessel's arrival. Failure to comply can result in the arrest of the master.

As some will doubtless be aware, and as the Club's correspondent, P&I Associates of Durban, reports, due to the upsurge of piracy in the Indian Ocean region there has been a significant increase in the number of merchant vessels carrying security guards, guns and ammunition. It appears that while the security guards disembark in South Africa after the vessels have transited the "hotspot" area off East Africa, the guns remain on board to be removed at some other final destination.

The issue of guns and ammunition remaining on board vessels have caused problems for owners. It is reported that two masters were recently arrested in South Africa and charged under the South African Firearm Control Act, Act 6 of 2000 for having weapons on board without the requisite permit.

The South African police require that 21 days before a vessel arrives at a South African port an application must be made to the relevant authority for a "gun permit." The application made on the SAPS form 520 (copy attached) must be duly accompanied by a number of documents:

- 1. Copy of foreign firearm license (country of export);
- 2. Copy of foreign firearm and ammunition export permit;
- 3. Motivational letter from owners/agent as to why the weapons are required and reason for short notice to our local SAPS for the application for a permit;
- 4. Copies of passport of the master of the vessel and security personnel authorised to use the weapons;
- 5. Letter of authorisation for the personnel to utilise the weapons;
- 6. Previous ports of call, next port of call and end destination for the weapons;
- 7. Dangerous cargo declaration;
- 8. Details of vessel's local agent;
- 9. Quantity and description of ammunition and firearms;
- 10. Full details of vessel;
- 11. A copy of the vessel's international security/safety certificate.

Assuming the permit is granted, and the vessel berths in South Africa, the master must make arrangements for the guns and ammunition to be removed from the vessel and

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taken to a police locker for safekeeping. The guns and ammunition will be returned to the vessel one hour before departure.

It is now clear that, in the absence of a permit, the South African police will arrest the master and charge him with an offence and non conformance under section 120 and section 73 of Firearm Control Act, Act 6 of 2000.

The master may be charged and fined and/or may be imprisoned depending on the severity of the offence. The fines vary from R50,000 to over R100,000. The master will be prosecuted and will have a criminal record.

It appears that a variety of vessel interests have appealed to the SAPS that the 21 day permit application deadline is unrealistic and unworkable given the realities of spot market chartering, but after some initial indication of flexibility, the SAPS remain unmoved and the 21 day deadline stands.

Accordingly, Members calling in South African ports with weapons and or ammunition on board should check with the Managers as how to obtain the necessary permit(s) 21 days prior to arrival.

The Managers gratefully acknowledge the assistance of P&I Associates of Durban, South Africa in the preparation of this alert.



SOUTH AFRICAN POLICE SERVICE

APPLICATION FOR MULTIPLE IMPORT OR EXPORT PERMIT/ PERMANENT IMPORT OR EXPORT PERMIT/TEMPORARY IMPORT OR EXPORT PERMIT/IN-TRANSIT PERMIT FOR PERSONAL USE (Individuals and companies)

Section 73(2), 74, 76, 77, 78, 80, 81 and 82 of the Firearms Control Act, 2000 (Act No 60 of 2000)

OFFICIAL DATE STAMP	A. FOR OFFIC WHERE 1					١		
	¹ Application reference No							
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DATE RECEIVED

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Area	a																					
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						police									5	Name	e in bl	ock le	tters			
° Ap	plica	tion	for a	perm	it app	orove	d (Indi	cate w	ith an X)													
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			1				-		¹⁴ Persal nur	nber		1			-			-			¹⁵ Date	

SAPS 520

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	¹⁶ Signature of de	ciding officer		17	Officer co	de			18	Name	in bl	ock le	tters					
	D.		TYP	E OF	PERMIT	(Indic	ate wi	th an X	.)									
	¹ Multiple import or export permit	² Import pe	rmit	3	Export permit				In-tra perm						oorary port p		t	
	E.		PAF	RTICL	JLARS C)F AP	PLIC	CANT										
1	NATURAL PERSON'S DETAILS																	
2	Type of identification (Indicate wit	th an X)																
2.1	SA ID Passpo	ort																
3	Identity number of natural person								-					-			-	
4	Passport number of natural person	I																
5	Surname				•	•						6 Ir	nitials					
7	Full names														•			
8	Date of birth	-		-		9	Age					10 G	ende	r	Ma	ale	Fen	nale
11	Residential address																	
											12	Posta	al Cod	е				
13	Postal address																	
											14	Posta	al Cod	е				
15	Trade or profession				16	lf se	lf-em	ployed	l, spe	cify								
17	Name of employer/company																	
18	Business address	<u> </u>	•				<u> </u>							<u> </u>				
											19	Posta	alCod	le				
20	Telephone number 2	^{0.1} Home	()			20.	2 W	ork		()					•		
20.3	Cellphone number					21	Fa	x		()							
22	E-mail address																	
23	Marital status (Indicate with an X)																	
24	Single	Married			Divorced				١	W idow	1				Wide	ower		
	Other (specify)																	L
25	PARTICULARS OF APPLICANT'	S SPOUSE/PA	RTNER (lf appli	cable)]												
25.1	Type of identification (Indicate wit	th an X)																
25.1.1	SA ID Passpo	ort																
25.2	Identity number of spouse/partner		·						-					-			-	
25.3	Passport number of spouse/partne	er																
25.4	Full Name and Surname				I			. 1										
26	JURISTIC PERSON'S DETAILS																	

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27	Registered company name																				
28	Trading as name																				
29	FAR number																				
30	Postal address									1					I						
														³¹ F	Posta	l Code	•				
32	Business address																				
														³³ F	Posta	l Code	•				
34	Business telephone number	^{34.1} V	Vork	()				3	8 4.2 F	ax	()								
35	E-mail address																				
36	RESPONSIBLE PERSON'S DE	TAILS	6																		
37	Responsible person (full name a	nd sur	name)																		
38	Type of identification (Indicate with	h an X))				SA	citizer	n			N	on-SA	a citiz	en w	ith per	mane	nt resi	dence	*	
39	Identity number of responsible pe	erson										-					-			-	
40	Passport number of responsible	perso	n																		
41	Cellphone number																				
42	Physical address																		-		-
														4	⁴³ Po	stal Co	ode				
44	Postal address																				
														4	⁴⁵ Po	stal C	ode				
46	Type of competency certificate (I	fannlig	sable)																		
47	Date of issue		-		.			⁴⁸ E	xpir	/ date						-			-		
										,				<u> </u>	<u> </u>						
	F.	PAR	TICUI		OF TI	HE C	URR	ENT (SW	NER	OF 1	THE	FIRE	ARN	1(S)						
1	NATURAL PERSON'S DETAIL	s																			
2	Surname														3	Initials	;				
4	Full names																				
5	Identity number of natural persor	ı										-					-			-	
6	Passport number of natural pers	on																			
7	Residential address									1					I						
														8 P	ostal	Code					
9	Postal address																				
														¹⁰ F	Posta	l Code	•				
11	Telephone number	11.1	Home	()					11.2	Wor	k	()							
11.3	Cellphone number									12	Fax		()							
13	E-Mail address												i								
14	JURISTIC PERSON'S DETAILS	s																			

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16	Trading as name																				
17	FAR number																				
18	Company registration or CC num	nber																			
19	Postal address																	-			
														20 F	Postal	Cod	9				
	* In case of a non-SA citizen pro	of of pern	nanent	reside	ence r	nust b	oe sub	omitte	d.												
21	Business address																				
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23	Business telephone number	23.1 _W	ork									23.2	Fax								
24	E-mail address																				
25			1																		
23	RESPONSIBLE PERSON'S DE	TAILS]																		
26	Responsible person (full name a	and surnar	ne)																		
27	Type of identification (Indicate wit	h an X)						SA	ID						Pa	sspo	rt nun	nber			
28	Identity number of responsible p	erson										-					-		Τ	-	
29	Passport number of responsible	person																			
30	Cellphone number								<u> </u>	<u>.</u>	<u>,</u>		· · · · ·				Į	4	_	<u>.</u>	
31	Physical address																				
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33	Postal address																	-			
														34	Posta	al Co	le				
	G.			IM	POR		ID/O	R EX	(POF	RT DI	ETA	LS									
1	Country of origin																				
2	Country of destination																				
3	Port of entry																				
4																					
5	Port of exit																				
	Port of exit Reason for permit																				
6	Reason for permit																				
6		xport perm	nit, sub	mit th	e date	e on w	hich t	he im	port/e	xport	will ta	ke pla	ce								
6 7	Reason for permit			mit th	e date	e on w	hich t	he im	port/e	xport Da		ke pla	ce						-		
7	Reason for permit	will take p	lace						-	Da	ate								-		
	Reason for permit	will take p	lace						-	Da	ate			follov	ving				-		
7	Reason for permit	will take p xport perm	lace						-	Da	ate			follov	ving	-			-		
7 8 9	Reason for permit In case of a permanent import/export Date on which the import/export In case of a multiple import or ex Period for which permit is requir	will take p xport perm	lace					permi	t/in-tra	Da	ate			follov	wing	-					
7 8	Reason for permit In case of a permanent import/export Date on which the import/export In case of a multiple import or ex	will take p xport perm	lace						-	Da	ate permit			follov	ving	-			-		
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7 8 9	Reason for permit In case of a permanent import/ex Date on which the import/export In case of a multiple import or ex Period for which permit is requir FROM	will take p cport perm ed	lace it/temp	oorary	impor	t or e	xport	permi TO	t/in-tra 9.2	Da ansit p Da	ate permit	, subr	nit the				ses)		· · ·		

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2	Transporter's name and surnam	e														
3	Transporter's trading name															
4	Method of transport															
5	Transporter's responsible perso (name and surname)	n														
6	Type of identification (Indicate with	th an X)	SA	citizen			Non	-SA c	itizen	with	perma	anent	reside	nce*		
7	Identity number of responsible p	erson					-					-			-	
8	Cellphone number															

* In case of a non-SA citizen proof of permanent residence must be submitted.

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9	Validity of the transporter's perm	it	FROM	Date		-		-		
			то	Date				_		
				Date			<u> </u>	 		
10	Transport route									

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2.1

DETAILS OF FIREARMS

1.1 Type	1.2 Action	1.3 Calibre	1.4 Model	1.5 Make	1.6 Frame or receiver serial number	1.7 Barrel serial number

2 DETAILS OF AMMUNITION

2.1.1	Туре	2.1.2	Quantity

2.2.1	Туре	2.2.2	Quantity

3	DECLARATION BY PERSON WHO IS LAWFULLY IN POS	SESSION	OF THE F	FIREARM(S)									
	I hereby declare that the above firearm(s) is/are legally in my popermit(s) has/have been obtained and that the particulars of the	ssession a firearm(s)	and that I p are correc	ropose to supply ct and accurate.	it to th	е арр	licant	once	the n	ecessa	ary		
4	SIGNATURE OF PERSON CURRENTLY IN POSSESSION												
4.1			4.2	Date				-			-		
	Name of person currently in possession in block letters												
4.3	Signature of person currently in possession		4.4	Place									
5	DECLARATION OF APPLICANT												
	I am aware that it is an offence in terms of section 120 (9)(f) of application.	the Firearn	ns Control	Act, 2000 (Act N	lo 60 o	f 200	0), to	make	a fals	se state	ement	in th	is
	J. SIGNATURE	OF APP		(Sign only if applic	able)								
1			2	Date				-			-		
	Name of applicant in block letters												
3	Signature of applicant		4	Place									
	K. (This section must be co	malatad a	nly if the a		and or	writa							
		mpieted <u>o</u>	<u>iny</u> ii tie a			write)				-			
1	2 Fingerprint		3	Date				-			-		
	designation		4										
				Name of applic	cant in	block	letters	S					
			5	Place									
	Right index fingerprint of applicant			1 1000]
6	PARTICULARS OF POLICE OFFICIAL DEALING WITH AP	PLICATIO	ON										
6.1			6.2						-				
	Name of police official in block letters			Persal number	of polic	e offic	ial						
6.3	Rank of police official in block letters		6.4	Signature of pol									
7				Signature of por		lai							
	PARTICULARS OF WITNESS			r i i	,					1			
7.1	Name of witness in block letters		7.2	Persal number of	of witne	ess			-				
7.3			7.4										
	Rank of witness in block letters			Signature of wit									
	L. PARTIC (This section must be completed <u>only</u> if the applic			RPRETER vrite or does not	unders	tand t	he co	ntent	of thi	s form	.)		
1	Name and surname of interpreter		 				i						
2	Identity/Passport number of interpreter												
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Residential address			
	⁴ Postal Code		

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5	Postal address													1		
										⁶ Pos	tal Coc	le				
7	Telephone number	7.1 Home	()				7.2 W or	k	()						
8	Cellphone number						9 Fax		()						
10	E-mail address															
11	Interpreted from (language)						to									
						12	_									
				Date -					-							
13						14	Place									
	Signature of interpreter		•••													
15						16						-				
I	Rank of police official in block lette	ers (if applicable	e)				Persal num	ber of	police	official (i	f applio	cable))	1		
	М.	P	ARENTAL	CONS	ENT IN	CA	SE OF A	MINC	DR							
					_											
1	Reco	mmended							Not re	commer	nded					
2	Name and surname of parent/gu	ardian														
3	Identity/Passport number of pare										1	1	1			\top
4	Comments of parent/guardian					1								I		
						5				-	1					
							Date				-			-		
6						7										
	Signature of parent/guardian		•••				Place									

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IN CASE OF NOMINEE/AUTHORIZED PERSON

1	Name and surname of nominee/authorized person										
2	Identity/Passport number of nominee/authorized person										
			_3	Date				-		-	
			-								
4		 	 5	Place	е						
			_								

Signature of nominee/authorized person

_____*** NOTIFICATION OF CHANGE OF ADDRESS ***

The Registrar must be informed of all changes of address/circumstances within 30 days of such changes occurring

FOR OFFICIAL USE BY THE DESIGNATED FIREARMS OFFICER/STATION COMMISSIONER

1	RECOMMENDATION REGARDING THE APPLICATION						
	Recommended		Not recommended				
2	Motivation regarding the application						
3							
	Name of Designated Firearms Officer/Station Commissioner in block letters	4	Date				
5							
	Rank of Designated Firearms Officer/Station Commissioner in block letters	6	Place				
7		8					
	Signature of Designated Firearms Officer/Station Commissioner		Persal number of Designated Firearms Officer/Station Commissioner				