

AIT information of USA Anti-piracy measures

## AIT 美國在台協會提供資料

- The United States believes security measures to mitigate the threat of piracy and armed robbery at sea should be fully implemented, as we have done via the existing International Maritime Organization (IMO) International Ship and Port Facility Security Code (ISPS) architecture.



- Through the U.S. Coast Guard, the United States mandates appropriate piracy counter-measures for U.S. flag vessels, including the requirement to carry supplemental armed or unarmed security personnel when transiting high-risk waters off of the Horn of Africa. The United States has found that, for certain ships determined to be at high risk, onboard privately contracted armed security personnel (PCASP) can be an appropriate defensive measure, if so assessed by the vessel's operator. The United States relies on the discretion of the owners/operators to decide whether security personnel will be armed, based on a vessel-specific piracy threat assessment.

- The United States encourages governments to provide guidance to their merchant fleets and flagged vessels, and ensure implementation of piracy counter-measures, such as the Best Management Practices (BMPs), and the responsible use of PCASP if appropriate, by vessels transiting high-threat waters.
- Piracy is a criminal enterprise dependent on an assessment of perceived risk versus reward. Use of BMPs in general reduces the chances of a successful pirate attack, and use of PCASP reduces that risk even further.
- BMPs have proven effective in deterring pirate attacks and preventing successful attacks.
- PCASP have proven highly effective in deterring and repelling pirate attacks.

- Routine implementation of BMPs and, if appropriate, use of PCASP, are vital additions to national and coalition naval patrols. There will never be enough naval forces to patrol all high-risk waters off the Horn of Africa with sufficient frequency to deter or repel all pirate attacks.
- The United States will work with other countries and companies that provide PCASP for transits through high risk waters off the Horn of Africa to provide PCASP with guidance on compliance with relevant U.S export control laws, including the International Traffic in Arms Regulations (ITAR), and relevant international law.
- Concerted industry commitment to implementing appropriate self-protection measures is critical in the fight against pirates. When BMPs are followed, the likelihood of a successful attack is radically reduced. With industry's help, the rate of successful pirate attacks can be significantly reduced.
- The maritime industry should continue to assume ever-greater responsibility for preventing pirate hijackings of their ships off the Horn of Africa by fully implementing BMPs and by evaluating the efficacy of PCASP.

## Cyprus Anti-piracy circular

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## Cyprus Anti-piracy circular



REPUBLIC OF CYPRUS  
MINISTRY OF  
COMMUNICATIONS AND WORKS



DEPARTMENT  
OF MERCHANT SHIPPING  
LEMESOS

16 September 2011

**TO WHOM IT MAY CONCERN**

The Government of the Republic of Cyprus is seriously concerned with the escalating incidence of private attacks on merchant ships. Already, this year, two Cyprus flag ships have been hijacked by pirates, one in the Indian Ocean and the other in the West coast of Africa.

In order to prevent such incidents and enable owners of Cyprus ships to take all necessary measures to protect their ships and their crews, the Government through the Ministry of Communications and Works and its Department of Merchant Shipping, has prepared relevant legislation. The Bill (draft law), which presently undergoes legal vetting by the Attorney General and is expeditiously driven forward for enactment, enables the deployment of armed guards on board ships and the use of specialized equipment to avert pirate attacks. In addition, it regulates the rights and obligations of the owners and the crews of Cyprus flag ships in case of engagement with, boarding on or hijacking by pirates. It also regulates the placing on board and unloading of firearms and other security equipment on board Cyprus flag ships. It should be noted that the said Bill has been drafted in close cooperation with and agreement of the Cyprus Shipping Chamber, the Cyprus Union of Shipowners and the Seamen's Trade Unions.

In view of the policy decision already taken and the imminent enactment of the Bill, the Cyprus Government and this Department will not take any legal or administrative action against owners or managers of Cyprus flag ships who engage armed guards for the protection of their ships in high risk areas.



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Panama Anti-piracy circular

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Panama Anti-piracy circular





**PANAMA MARITIME AUTHORITY**  
**MERCHANT MARINE CIRCULAR MMC-228**

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**To:** Ship-owners/Operators, Company Security Officers, Legal Representatives of Panamanian Flagged Vessels, Panamanian Merchant Marine Consulates and Recognized Organizations (ROs).

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**Subject:** Requirements regarding the use of Privately Contracted Armed Security Personnel on board Panamanian Flagged Vessels.

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**Reference:** MSC.1/Circ.1405/Rev.1  
MSC.1/Circ.1406/Rev.1  
MSC.1/Circ.1333  
MSC.1/Circ.1334  
MMC 197  
MMC 208

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1. The purpose of this Merchant Marine Circular is to inform all parties concerned with Panamanian flagged vessels that the Maritime Safety Committee, at its 89th Session approved the Interim recommendation regarding the use of Privately Contracted Armed Security Personnel on board ships in the high risk area as per the MSC.1/Circ.1405/Rev.1 and MSC.1/Circ.1406/Rev.1.

1.2 The administration urges Panamanian vessels transiting high-risk areas, to use the necessary security measures and raise their level of warning according to the Ship Security Plan. Ships, who intend to hire the services of Private security firms, should provide the crew with the necessary training and information about the risks of having an armed team onboard.

## 2. Definitions

2.1 **High Risk Area:** An area as defined in the BMP unless otherwise defined by the flag State.

2.2 **Private Maritime Security Companies (PMSC):** Private contractors employed to provide Security Personnel, both armed and unarmed, on board for protection against piracy.

<i>Prepared by: Translator</i>	<i>Revised by: Compliance and Enforcement Deputy Chief</i>	<i>Aproved by: Compliance and Enforcement Chief</i>
<i>Control N°: F-RIN-04-01</i>	<i>Version: 03   Date: 06 July, 2011</i>	<i>Page 1 of 3</i>

2.3. **Privately Contracted Armed Security Personnel (PCASP):** Armed employees of PMSC, taking into account the relevant aspects of the guidance set out in MSC.1/Circ.1405/Rev.1.

2.4 **Team Leader:** Person responsible for all aspects of the security team members and who takes care of the storage and handling of firearms and ammunitions.

2.5 **Bilateral Agreement:** These are contractual agreements between the Ship Operator/Owner and the PMSC, stating terms and conditions of the security services.

3. The General Directorate of Merchant Marine authorizes to carry armed personnel onboard according to the MSC.1/Circ.1405/Rev.1 and MSC.1/Circ.1406/Rev.1 presenting the following documents:

a- Letter or email from the Ship Operator, Owner or authorized agent, whereby requesting the approval from the administration.

b- Signed Bilateral Agreement, it must include at least the following:

- Contact details of parties involved
- Limitation of Liability and Insurances
- 3rd Party Liability and Indemnities
- Governing Law and Jurisdiction
- Rules of Engagement
- General Definitions
- Customer Obligations
- Supplier Obligations
- Duration and termination
- Equipment and standard weapons systems utilised
- Transit route

c- Passport copies of the PCASP. They must not have criminal record.

d- Letter from the PMSC, stating the training and experience of the PCASP, in the following areas:

- Military, law enforcement or private security
- Self defence - firearms qualification
- Fire Fighting
- Basic medical training - First Aid qualification
- Sea survival

e- Any Other documents related to the PMSC or the PCASP.

Prepared by: Translator

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Enforcement Deputy Chief

Aproved by: Compliance and  
Enforcement Chief

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4. The privately contracted armed security personnel authorized by the General Directorate of Merchant Marine has to be enrolled in Panamanian flag vessels as supernumerary in order to avoid any problem with the port and coastal state.
5. All ship-owners and ship-operators when entering into a contract with a PMSC should ensure compliance with the MSC.1/Circ.1405/Rev.1.
6. All Panamanian flagged vessels are hereby requested to maintain a wide communication with the Administration and to liase with the International Contact Centers according to the BMP4 in order to counter piracy in the High Risk Areas of the Gulf of Aden, Indian Ocean and any other Region of High Risk, as determined by this administration.
7. All inquiries concerning international correspondence must be sent to the Maritime Ship Security Department to the following e-mail address:

[isps@amp.gob.pa](mailto:isps@amp.gob.pa)  
**Monday to Friday**  
**Phones (+507) 501-4224 / 5037 / 5028**

[authorizations@segumar.com](mailto:authorizations@segumar.com)  
**Weekends and Holidays**  
**Phones (+507) 501-5350 / 5348 / 5032**

**November, 2011 – Update of hyperlinks and numbers of MSC.1/Circ.1405/Rev.1 and MSC.1/Circ.1406/Rev.throughout entire document.**  
**August, 2011**

**Inquiries concerning the subject of this Circular or any request should be directed to:**  
**Directorate General of Merchant Marine**  
**Panama Maritime Authority**  
**Phone: (507) 501-5033**  
**Fax: (507) 501-5083**

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## 22 Nations' Anti-piracy Measures

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## 22 Nations' Anti-piracy Measures

Flag State	Authorisation of arms on board, employment of private armed guards on board and use of firearms		Terms and Conditions	National official guidance	Other considerations
	Security personnel on board	Possession of weapons on board			
Bahamas	<p>Not recommended neither prohibited</p> <p>It is a decision to be made by the ship operator after due consideration of all risks</p>	<p>Possibility under Bahamian Law</p> <p>But it is also a decision to be made by the ship operator after due consideration of all risks in addition to that, a firearm license is required</p>	<p>The ship-owner should be able to demonstrate its due diligence (in selecting the security service provider with professional standing);</p> <p>the security company should be licensed by its national authorities and have been approved from local Port authorities to bring arms on board,</p> <p>if force is used it shall be the minimum necessary in the circumstances and proportionate according to the threat.</p>	<p>Guidance from the Bahamas Maritime Authority (BMA Information Bulletin No.128 *Guidance to ship-owners on carriage of armed personnel for vessel protection):</p> <p><a href="http://www.bahamasmartime.com/downloads/Bulletins/128bulletin.pdf">http://www.bahamasmartime.com/downloads/Bulletins/128bulletin.pdf</a></p>	<p>Recommendation to fully follow BMPY's requirements;</p> <p>The Bahamas Government will not accept liability for any matter arising from the use of private armed security personnel on board. It is the sole responsibility of the ship-owner or agents contracting such services (cf. Insurance)</p>
Belgium	<p>It is not per se forbidden neither by the general applicable Belgian laws, nor by the Belgian criminal Code</p>	<p>It is not per se forbidden neither by the general applicable Belgian laws, nor by the Belgian criminal Code</p>	<p>Each ship owner has to decide according to general applicable Belgian laws and Belgian criminal Code</p> <p>The person using weapon has to have a gun license/ firearms certificate.</p> <p>It is not permitted to use certain arm (as automatic firearms)</p>	<p>General Belgian laws and Belgian criminal Code</p>	<p>Political and practical options are under discussion</p>

<p><b>Cyprus</b></p>	<p>No provision in national legislation</p>	<p>No provision in national legislation</p>	<p>The application to use armed guards (with the Danish Justice Department which consults with the DMA) must specify:      -The details of the vessel, the owner, the guards, the employers and their weapons, the route and the possible alternative;      -Anti-piracy measures on board, convoy/escort;      -MSCOA/UNWTO notification;      -If the crew has been offered to disembark.</p>	<p>A change of policy regarding private armed guards must be done after due consideration of all the risks involved and definitely after carefully assessing the reliability of a private security services company and its armed guards as well as the rules of engagement of such armed guards</p> <p>JCSA is strongly in favour that individual states must amend their national legislation in order to provide the necessary legal framework which will regulate the use of private armed guards, as well as to allow for the arrest, prosecution and sentencing of captured pirates in "fast track" procedure</p> <p>JCSA is currently working closely with the Cyprus Government towards that direction, something which will provide the means for Cyprus to protect its interests as a Maritime Nation against Piracy</p> <p>JCSA is pushing the Cyprus Government to become even more involved in all international fora towards the establishment of an international legal framework that will guarantee a uniform and effective confrontation of Pirates</p>
<p><b>Denmark</b></p>	<p>Possibility to apply for permission to use armed guards</p>	<p>Prohibition unless there is authorization from the Justice Department</p>	<p>It has previously been necessary to substantiate a specific and extraordinary threat against the ship in question. Based on an application, the shipping companies now have the possibility of obtaining a firearms certificate for using armed guards on board Danish ships, provided that the general threat assessment for the area is perceived to require this, and as long as the specifics of the case, also in terms of compliance with Best Management Practices, do not otherwise speak against it</p>	<p>The overall responsibility for the security and safety on board remains with the Master, he has the authority to decide when the arms are to be used</p> <p>The shipowner and the Master are both for their part responsible for the safety and security of the private security guards.</p>

Finland	<p>A private security company will get a licence for performing a job where carrying a gun is necessary for self-defence</p> <p>Permission for private armed guards onboard ships could be issued as from today for so called short guns (revolvers and smaller guns) for protecting the vessel</p>	<p>The interpretation of the private security service is that heavier firearms can be used. If the client contracts is established for acting as guard for persons (seafarers) onboard the vessel. This restriction can also be circumvented if the safety guard is educated by an army unit on the use of shotguns and rifles.</p>	<p>X</p>	<p>The approval procedure is based on the Firearms Act (171996) and the Government Decree on Private Security Services (543/2002). Licences are issued by the Police Administration</p>	<p>Referring to Trafif (Maritime Administration) the armed guards can't be employed according to the STCW-regulations and they can't be regarded as passengers. Their position in the crew list must be safety officer or safe guard. The Master remains overall responsible for the safety and security onboard.</p> <p>The FSA opinion is that the right to make decisions about using arms belongs to the safety guard but the captain is also in the position to interpose his veto (however it should be taken into account that a Master doesn't necessarily have the appropriate military experience). The FSA opinion is that we must continue pursuing a policy to get government guidance. The optimal solution would be if the government decided to send units from the Finnish Army onboard. Unfortunately we don't have any military bases in the region</p>
France	<p>Prohibition</p>	<p>Prohibition BUT Authorization can be granted under certain conditions determined by decree</p>	<p>X</p>	<p>General French Laws (Act n° 83-679 of 12th July 1983 this law lists the allowed activities of private surveillance and does not include the maritime activities; decree n° 95-589</p>	<p>Recommendation to fully follow BIMB's requirements.</p>
Germany	<p>Requests never approved by German Flag State BUT it is not forbidden per se neither by the general applicable German laws, nor by the German Criminal Code (might be methods of self defence)</p>	<p>Requests never approved by German Flag State BUT it is not forbidden per se neither by the general applicable German laws, nor by the German Criminal Code (might be methods of self defence)</p>	<p>Each shipowner has to decide according to general applicable German Law and German criminal Code. The person using a weapon has to have a gun licence/firearms certificate. It is not permitted to use automatic firearms</p>	<p>General German laws and General criminal Code</p>	<p>Political and practical options are under discussion</p>
Greece	<p>Prohibition</p>	<p>Prohibition</p>	<p>X</p>	<p>Existing Greek legislation</p>	<p>Proposal of UGS on a draft law concerning the employment of private armed guards on board Greek-flagged vessels will be submitted to the government for examination and possibly adoption in the summer recess committee by the Parliament. In accordance with the proposed legislation, private armed guards will be allowed on board, subject to a precise authorisation and under strict conditions. The above measure is optional for shipowners</p>



<p>Hong Kong</p>	<p>Recommended but experienced security consultants only (not considered as security guards; possibly signed on as supernumeraries) to assist the crew in following BMP's requirements and give confidence to all on board</p>	<p>Not recommended (risk of escalation of violence and risks to the crew). But in case of no naval protection, possibility to obtain authorization to carry weapons</p> <p>The ship owners have to request a letter for the carriage of weapons on board</p> <p>Conditions:</p> <ol style="list-style-type: none"> <li>1. Possession of weapons only by the Master or person authorized by the owner;</li> <li>2. Take into consideration: <ul style="list-style-type: none"> <li>- criteria of choice of the security consultants;</li> <li>- legal situation and liabilities; request agreement of other parties involved in the voyage;</li> <li>- briefing of the crew</li> </ul> </li> </ol>	<p>Training and certification in Hong Kong</p>	<p>Marine Department Security Advisories No. 14 (which supersedes No. 4)</p>	<p>Recommendation to join Chinese naval convoy escort; Recommendation to fully follow BMP's requirements ;</p>
<p>Isle of Man</p>	<p>Neither recommended or prohibited</p> <p>It is a decision to be made by the ship operator after due consideration of all the risks</p>	<p>No prohibition</p> <p>A Manx firearms licence is not required for the carriage of firearms on board a Manx ship unless in Manx territorial waters</p> <p>When in port, local laws concerning the carriage and use of firearms must be complied with. When in the territorial sea, due account should be taken of any applicable laws.</p>	<p>The decision to use armed guards should not be made without first conducting a thorough risk analysis in cooperation with the vessel's insurance underwriters, charterers and legal counsel. The risk assessment does not need to be approved by the Registry.</p> <p>Verifying and selection of a Private Security Provider remains the responsibility of the ship owner. The Master's overriding authority for safety and security of the vessel should be established with the PSP</p>	<p>Industry Circular No. 15, April 2011: Piracy Counter Measures <a href="http://www.gov.im/hb/docs/deed/ship/151011piracycountermeasures.pdf">http://www.gov.im/hb/docs/deed/ship/151011piracycountermeasures.pdf</a></p>	<p>All Manx vessels are requested to register with MSC/IOA prior to entering the risk area</p> <p>The use of BMP when in the risk area is recommended</p> <p>Security operatives should have the same health and safety procedures as crew. Use of firearms on vessels with dangerous cargoes requires special consideration, mitigation measures should be put in place</p> <p>Procedures and facilities should be put in place for stowage and control of firearms/ammunition on board</p>

Italy	Adoption of Decree-law n. 107 of 12 July 2011 that allow, in article 5, to place armed guards (governmental or in case of unavailability private contractors) on board Italian flagged vessels. DL n.107 entered into force on 12 July 2011, the same day of its publication on the Italian Official Journal.	No provision in national law	X	Detailed rules and terms of reference for armed guards will be stipulated within 60 days from the entry into force through a Decree of the Ministry of Internal Affairs concerted with the Ministry of Defence and the Ministry of Transport that will fit the requirements for the possess, use, purchase and transport of arms and munitions on board
Japan	Prohibition	Prohibition	X	Possibility of discussion on the issue in Japan if the current increasing level of violence of piracy acts isn't rectified
Liberia	No prohibition  • Within the master's discretion • only if the Administration's requirements are satisfied	No prohibition  Within the master's discretion	<p>Owner or Master shall conduct risk assessment as described in MSA 03/2011 and the Guidance;</p> <p>Owner must take appropriate measures to verify the credibility and experience of the company, as detailed in MSA 03/2011 and the Guidance</p> <p>Provisions relating to PCASP should be included in an Appendix to the Ship Security Plan (SSP). The appendix should include the following features:</p> <ul style="list-style-type: none"> <li>• Procedures pertaining to application of additional anti piracy measures <ul style="list-style-type: none"> <li>• Watch keeping and vigilance</li> <li>• Communication procedures with the PCASP</li> <li>• Use of defensive measures</li> <li>• Use of passive/non lethal devices</li> </ul> </li> <li>• Authority of the Master (PCASP embarked on the vessel are at all times subject to the overriding authority of the vessel's Master) <ul style="list-style-type: none"> <li>• Activation of PCASP and the risk of escalation</li> </ul> </li> </ul>	<p>On request of the shipowners who bear the entire cost, it is possible to embark armed guards on board from the Naval Forces that may also appeal to personnel of others military forces, and use of arms to ensure the protection of the ship and crew in case of unavailability of governmental guards, private contractors can be embarked</p> <p>Japanese Firearms and Swords Control Law (which in principle prohibits the possession of arms and swords in Japan)</p> <p>Guidance from the Bureau of Maritime Affairs of the Republic of Liberia: 1. Maritime Security Advisory – 03/2011 : <a href="http://www.lisr.com/lisr/Portals/0/SecurityAdvisory_03-2011.pdf">http://www.lisr.com/lisr/Portals/0/SecurityAdvisory_03-2011.pdf</a> "Interim IMO Guidance on the use of Privately Contracted Armed Security Personnel on Board Ships in the High Risk Area"</p> <p>2. "Piracy: Guidance for Liberian Flagged Vessels Regarding 3rd Party Security Teams 2011"</p> <p>3. Liberian maritime regulations 10, 296 and Section 296 which specify that ship's Master shall assume full responsibility for the safety of the members of the crews and passengers, and has to take all necessary and appropriate steps in connection therewith</p> <p>Recommendations to the ship owner</p> <ul style="list-style-type: none"> <li>• Due diligence</li> <li>• Training of crew and PCASP</li> <li>• To discuss in detail the insurance coverage that the maritime security company holds</li> <li>• Assure that a Use of Force Continuum is established as part of the contract with the PMSC</li> </ul>

Lithuania	No legal disposition to place armed guards (private or state) on merchant ship	No legal ground to arm ship's crew		After the IMO guidelines for armed guards on board are published, the Lithuanian Shipowners do expect to start their talks with officials and to investigate possibilities to place armed guards on board.
Netherlands	No prohibition per se	According to Dutch law, it is forbidden to have fire arms on board a Dutch flagged ship	X	In practice this means that Dutch law does not permit to place a private armed team on board with sufficient weapons to act in case of a piracy attack
Norway	No prohibition (the Act of 16 February 2007 states that actions should be taken by the master in order to avoid and prohibit piracy and this could include the use of force, e.g. private armed guards on board flag state vessels)	No prohibition	Private guidelines with detailed regulations have been published by The Norwegian Shipowners' Mutual War Risk Club (DNK) According to the guidelines the DNK has to be notified in advance when the ship owner considers using PSC. According to the Regulation on weapons, the shipowner needs a license issued by the local police. The license is issued for a period of six months. The license is a general permission given to the company to have private armed guards on board the companies' Norwegian flagged vessels	In the amended regulation that came into force 1 July 2011 -The Master remains in command and has the last word in all cases, -The ship owner has the overall responsibility for the safety and security on board; Each party to the contract agrees to bear the responsibility for its own people and property without the right of recourse against the other contracting party;

Poland	No legal disposition to place armed guards (private or state) on merchant ship	No legal ground to arm ship's crew	X	X	There is no need for such legal dispositions in Poland. This is due to the fact that almost all ocean-going vessels which are owned and/or operated by the Polish Shippers are registered under the 3rd country flag therefore, the problem of crew security and safety is regulated and/or remains under scrutiny and control of the respective flag State administration
Portugal	No legal disposition allowing for the presence of armed guards on board	No legal disposition allowing the existence and the use of weapons on board		X	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  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
Singapore	No prohibition	No prohibition With a caveat that carriage and use of firearms and ammunition on board Singapore registered ships is not encouraged	The MPA Shipping circular No. 11 of 2011 refers to the interim guidance in IMO document MSC.1/Circ.1405, 23 May 2011. Owners embarking PCASP should keep the Registry informed of their decision via email	Maritime and Port Authority of Singapore Shipping Circular No. 11 of 2011, 10 June 2011 <a href="http://www.mpa.gov.sg/sites/port_and_shipping/circulars_and_notices/shipping_circulars_detail_page?Minamensec1-1-11.xm">http://www.mpa.gov.sg/sites/port_and_shipping/circulars_and_notices/shipping_circulars_detail_page?Minamensec1-1-11.xm</a>	
Spain	Royal Decree 1628/2009 on private security and weapons allows to take on board Spanish flag ships (both merchant and fishing vessels) armed private security guards to accomplish protection tasks (preventing and repelling attacks), if such ships are outside the Spanish territorial waters and confront a situation of particular risk to persons and property.	The Order PRE/2914/2009 developed Royal Decree 1628/2009 by setting the conditions for the possession, control, use and acquisition of war weapons' by private security companies, as well as the characteristics of authorized weapons. According to this Order, these services may only be provided by security companies established in Spain, registered in the Spanish Interior Ministry and authorized to provide monitoring and protection activities and services. The security guards must make limited use of such weapons, with the sole aim of preventing and discouraging from possible attacks, but may, if necessary, use the weapons in order to repel an armed aggression in a property and proportional way.			Royal Decree 1628/2009, on private security and weapons  Order PRE/2914/2009

<p>U K</p>	<p>No restrictions or regulations currently exist and the recommendations contained in MSC.1/Circ.1406 are expected to be used as a basis for national control measures</p>	<p>The Government's legal advice indicates that the carriage of weapons onboard UK ships is controlled by UK firearms legislation and licensing requirements, any carriage of weapons on ships by PCASP at the present time would likely contravene these existing laws</p>	<p>None are specified</p>	<p>Carriage is currently "not recommended". Both Chamber and UK Government are moving to a more neutral stance and the carriage of weapons onboard ship, under exceptional and limited conditions is likely to be permitted in the future under an exemption scheme</p>	<p>It is acknowledged that some UK ships currently embark PCASP. UK Government and the Chamber wish to de-stigmatised the use of PCASP whilst ensuring robust control measures are put in place to regulate their activities. The widespread use of PCASP is not encouraged</p>
<p>USA</p>	<p>Possibility under the principles of "self-Defence" and "Defence of others" (Ship owner's decision)</p>	<p>The U.S. State Department grants temporary licenses under ITAR regulations, and the Department of Homeland Security enforces the requirements <a href="http://www.gpo.gov/fdsys/search/choice.action">http://www.gpo.gov/fdsys/search/choice.action</a></p>	<p>Weapons: only fifty caliber or less and not fully automatic; ISPS Code to take into account the ISPS Ship Security Plan conditions (the U.S. requires that private armed guard protection be part of the Ship Security Plan approved by the Coast Guard); U.S. Coast Guard approval conditions have to be reviewed and approved by the U.S. Coast Guard; No U.S. government insurance requirements</p>	<p>Part Security Advisory (3-09) on Guidance on Self-Defence or Defence of others by U.S. flagged commercial vessels operating in high risk waters <a href="http://dhs.gov/secure/page.do">http://dhs.gov/secure/page.do</a> - At search block in upper right hand corner of home page input "port security advisory", then scroll down to ISAT, 03, 09 to open file</p>	<p>The master has the responsibility for and control of private armed security guards including when the force is used; Liability for use of force is dependent on the circumstances of each case; Security guards are not part of the crew and are treated as passengers for the purpose of safety; Within the Ship Security Plan approval process, the owner is responsible for performing background checks on personnel; The Coast Guard Authorization Act (section 912) provides substantial, but not complete, immunity for monetary damages for any injury or death caused by such force to any person engaging in an act of piracy ( )</p>