

# **MEMBER ALERT**



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**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
DATE RECEIVED

A. FOR OFFICIAL USE BY THE POLICE STATION WHERE THE APPLICATION IS CAPTURED									
<sup>1</sup> Application reference No									

B. FOR OFFICIAL USE BY POLICE STATION WHERE APPLICATION IS RECEIVED				
1	Province			
2	Area			
3	Police station			
4	Component code			
5	Firearm applications register reference number	SAPS 86	NO	YEAR

C. FOR OFFICIAL USE BY THE DECIDING OFFICER									
<sup>1</sup> Outstanding/Additional information required									
							<sup>2</sup> Persal number		
							<sup>3</sup> Date		
.....									
<sup>4</sup> Signature of police official					<sup>5</sup> Name in block letters				
<sup>6</sup> Application for a permit approved (Indicate with an X)									
							<sup>7</sup> Persal number		
							<sup>8</sup> Date		
.....									
<sup>9</sup> Signature of deciding officer					<sup>10</sup> Officer code		<sup>11</sup> Name in block letters		
<sup>12</sup> Application for a permit refused (Indicate with an X)					<sup>13</sup> Reason(s) for refusal				
							<sup>14</sup> Persal number		
							<sup>15</sup> Date		

..... 16 Signature of deciding officer	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table> 17 Officer code				<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 100%;"></td> </tr> </table> 18 Name in block letters	

**D. TYPE OF PERMIT** (Indicate with an X)

1 Multiple import or export permit	<input type="checkbox"/>	2 Import permit	<input type="checkbox"/>	3 Export permit	<input type="checkbox"/>	4 In-transit permit	<input type="checkbox"/>	5 Temporary import or export permit	<input type="checkbox"/>
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**E. PARTICULARS OF APPLICANT**

1 **NATURAL PERSON'S DETAILS**

2 **Type of identification** (Indicate with an X)

2.1	SA ID	<input type="checkbox"/>	Passport	<input type="checkbox"/>														
3	Identity number of natural person										-	-	-					
4	Passport number of natural person																	
5	Surname										6 Initials							
7	Full names																	
8	Date of birth				-	-	9 Age				10 Gender		Male	Female				
11	Residential address																	
											12 Postal Code							
13	Postal address																	
											14 Postal Code							
15	Trade or profession								16 If self-employed, specify									
17	Name of employer/company																	
18	Business address																	
											19 Postal Code							
20	Telephone number				20.1 Home		( )		20.2 Work		( )							
20.3	Cellphone number								21 Fax		( )							
22	E-mail address																	

23 **Marital status** (Indicate with an X)

Single	<input type="checkbox"/>	Married	<input type="checkbox"/>	Divorced	<input type="checkbox"/>	Widow	<input type="checkbox"/>	Widower	<input type="checkbox"/>
Other (specify)									

25 **PARTICULARS OF APPLICANT'S SPOUSE/PARTNER** (If applicable)

25.1 **Type of identification** (Indicate with an X)

25.1.1	SA ID	<input type="checkbox"/>	Passport	<input type="checkbox"/>												
25.2	Identity number of spouse/partner										-	-	-			
25.3	Passport number of spouse/partner															
25.4	Full Name and Surname															

26 **JURISTIC PERSON'S DETAILS**

27	Registered company name																			
28	Trading as name																			
29	FAR number																			
30	Postal address																			
														31 Postal Code						
32	Business address																			
														33 Postal Code						
34	Business telephone number	34.1 Work	(	)	34.2 Fax	(	)													
35	E-mail address																			

**RESPONSIBLE PERSON'S DETAILS**

37	Responsible person (full name and surname)																			
38	Type of identification (Indicate with an X)	SA citizen					Non-SA citizen with permanent residence*													
39	Identity number of responsible person							-						-					-	
40	Passport number of responsible person																			
41	Cellphone number																			
42	Physical address																			
														43 Postal Code						
44	Postal address																			
														45 Postal Code						
46	Type of competency certificate (If applicable)																			
47	Date of issue							-						-					-	
		48 Expiry date																		

**F. PARTICULARS OF THE CURRENT OWNER OF THE FIREARM(S)**

**NATURAL PERSON'S DETAILS**

2	Surname													3 Initials						
4	Full names																			
5	Identity number of natural person																			
6	Passport number of natural person																			
7	Residential address																			
														8 Postal Code						
9	Postal address																			
														10 Postal Code						
11	Telephone number	11.1 Home	(	)	11.2 Work	(	)													
11.3	Cellphone number					12 Fax	(	)												
13	E-Mail address																			

**JURISTIC PERSON'S DETAILS**

15	Registered company name																		
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2	Transporter's name and surname																				
3	Transporter's trading name																				
4	Method of transport																				
5	Transporter's responsible person (name and surname)																				
6	Type of identification (Indicate with an X)	SA citizen						Non-SA citizen with permanent residence*													
7	Identity number of responsible person						-					-					-				
8	Cellphone number																				

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





**DECLARATION BY PERSON WHO IS LAWFULLY IN POSSESSION OF THE FIREARM(S)**

I hereby declare that the above firearm(s) is/are legally in my possession and that I propose to supply it to the applicant once the necessary permit(s) has/have been obtained and that the particulars of the firearm(s) are correct and accurate.

**SIGNATURE OF PERSON CURRENTLY IN POSSESSION**

4.1   
Name of person currently in possession in block letters

4.2 Date      -

4.3 .....  
Signature of person currently in possession

4.4 Place

**DECLARATION OF APPLICANT**

I am aware that it is an offence in terms of section 120 (9)(f) of the Firearms Control Act, 2000 (Act No 60 of 2000), to make a false statement in this application.

**J. SIGNATURE OF APPLICANT (Sign only if applicable)**

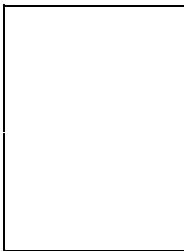
1   
Name of applicant in block letters

2 Date      -

3 .....  
Signature of applicant

4 Place

**K. (This section must be completed only if the applicant cannot read or write)**



2 Fingerprint designation



Right index fingerprint of applicant

3 Date      -

4   
Name of applicant in block letters

5 Place

**PARTICULARS OF POLICE OFFICIAL DEALING WITH APPLICATION**

6.1   
Name of police official in block letters

6.2        -   
Persal number of police official

6.3   
Rank of police official in block letters

6.4 .....  
Signature of police official

**PARTICULARS OF WITNESS**

7.1   
Name of witness in block letters

7.2        -   
Persal number of witness

7.3   
Rank of witness in block letters

7.4 .....  
Signature of witness

**L. (This section must be completed only if the applicant cannot read or write or does not understand the content of this form.)**

1	Name and surname of interpreter	<input type="text"/>
2	Identity/Passport number of interpreter	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

3

Residential address				
	Postal Code			



