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23 March 2012

To: All Masters, Ship Security Officers, Company Security Officers of Hong Kong registered ships, Hong Kong Shipowners, Hong Kong Ship Managers and Hong Kong Ship Operators

Security and Quality Advisory No. 25 **Ship's Security Consultants - Alleged Illegal Shooting**

It was reported by media that two Naval Security personnel on board a merchant ship had been arrested by a Coastal state last month alleging them of illegal killing of two fishermen. This incident prompted the diplomatic repercussions between the flag and coastal States. It also flashed out the warnings regarding various liability issues on employment of security consultant on board a merchant ship.

The Marine Department would like to remind the shipowners and Masters that the carriage of weapons is not encouraged on board any Hong Kong registered ship as we believe their use will lead to an escalation of situation and a greater risk to the crew. However where ships are passing through known piracy areas with no naval protection and it is felt to be in the best interest of crew and ship safety and security to carry weapons then we recommend that:

- i) a thorough due diligence is done on the security consultants, as there is no established organization to vet such companies;
- ii) the lawyers have been consulted on the legal situation and liabilities if innocents are injured through the use of such weapons;
- iii) all other parties involved in the voyage such as insurance, charterers etc. are in agreement;
- iv) the line of command and rules of engagement are clearly understood and conform with legal advice; and
- v) the crew are fully briefed and consulted before placing such weapons on board

Shipowners and Masters should pay particular attention to this incident

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regarding the possible consequence and implication associated with the employment of armed security consultants on board. Should the shipowners consider that the employment is appropriate, they should follow the advices as provided by the Security and Quality Advisory No. 14.

A handwritten signature in black ink, appearing to read 'Y.K. LI', with a stylized flourish at the end.

(Y.K. LI)
Senior Surveyor/Security & Quality Assurance Section
for Director of Marine