



MARITIME AND PORT AUTHORITY OF SINGAPORE

PORT MARINE CIRCULAR NO. 10 OF 2004

26 Apr 2004

Shipping Community

THE 1988 INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF MARITIME NAVIGATION (SUA CONVENTION)

1 Singapore will accede to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (or SUA Convention) on 3 May 2004. The Maritime Offences Act 2003, which gives effect to the SUA Convention, will come into force on the same date. A copy of the Maritime Offences Act (ACT 26 of 2003) can be purchased at SNP Corporation Ltd¹.

2 The main purpose of the Maritime Offences Act 2003 is to ensure that appropriate action is taken against persons committing unlawful acts against ships. These include the seizure of ships by force; acts of violence against persons on board ships; and the placing of devices on board a ship which are likely to destroy or damage it.

3 According to Section 8(2) of the Maritime Offences Act 2003, if the master of a ship, wherever that ship may be, and whatever the state in which it is registered, has reasonable grounds to believe that any person on board the ship has committed any relevant maritime offence in relation to any ship other than a warship or other ship used as a naval auxiliary or in customs or law enforcement service, he may deliver that person to an appropriate officer² in Singapore.

4 Where the master of a ship intends to deliver any person under section 8(2) of the Maritime Offences Act 2003, he shall notify the Port Master by providing the information specified in the prescribed form attached as **Annex 1**.

5 The notification of delivery of an alleged offender shall be submitted to the Port Master by any of the following means:

- (a) Radio Telegram Addressed to: PORTMASTER SINGAPORE

¹ SNP Corporation Ltd, Legal Publications, 491 River Valley Road, #01-20 Valley Point, Singapore 248371
Tel: (65) 6733 5794, E-mail: legalpub@snpcorp.com, Website: <http://www.myepb.com>

² An appropriate officer as defined in Section 8(9) of the Maritime Offences Act 2003

- (b) Telefax Addressed to: PORTMASTER, Fax: 65-6227 9971
- (c) Telex Addressed to: PORTMASTER, Telex No RS: 20021
Answer back MARTEL RS20021

- 6 The notification of delivery of an alleged offender shall be given:
- (a) before the ship in question enters the territorial waters of Singapore; or
 - (b) if in the circumstances it is not reasonably practicable to comply with para 6(a), as soon as reasonably practicable after the ship has entered the territorial waters of Singapore.

7 Where the master of a ship delivers any person to an appropriate officer in Singapore under Section 8(2) of the Maritime Offences Act 2003, he shall:

- (a) make to an appropriate officer in Singapore such oral or written statements relating to the alleged offence as that officer may reasonably require; and
- (b) deliver to an appropriate officer in Singapore such other evidence relating to the alleged offence as is in the master's possession.

8 The Singapore Authorities would conduct investigation when a ship brings in offender(s) under the Maritime Offences Act 2003. In this respect, the shipping community is to note that such a ship and the crew and passengers may be required to stay in Singapore to assist in the investigation. For any enquiries on investigation, please call the Chief Investigation Officer of the Singapore Police Coast Guard at Tel: 6447 1508 during office hours.

9 I would like to bring your attention to Section 182 of the Penal Code Chapter 224 that states "Whoever gives to any public servant³ any information orally or in writing which he knows or believes to be false, intending thereby to cause, or knowing it to be likely that he will thereby cause, such public servant to use the lawful power of such public servant to the injury or annoyance of any person, or to do or omit anything which such public servant ought not to do or omit if the true state of facts respecting which such information is given were known by him, shall be punished with imprisonment for a term which may extend to 6 months, or with fine which may extend to \$1,000, or with both."

10 Any enquiries relating to this circular may be directed to Capt Pang Yock Foo at Tel: 6325 2369

PANG YOCK FOO
for PORT MASTER
MARITIME AND PORT AUTHORITY OF SINGAPORE
TEL : 6325 2369
FAX : 6325 2454

³ Public servant as defined in Section 21 of the Penal Code (Chapter 224).

SHIPS' MESSAGE FORMAT FOR DELIVERY OF ALLEGED SUA OFFENDER(S)

- Ship's name, callsign, IMO number, type of ship, flag and gross tonnage
- Intention to deliver alleged SUA offender(s)
- Reasons for delivery / Details of offence including
 - Description/nature of offence
 - Place, location of offence
 - Nationality and Identity of offender(s)
 - Nationality and Identity of victim(s)
 - Action taken by master and crew
- Injuries to crew and passengers
- Any further assistance (e.g. medical) required
- Damage to ship
- Nationality and identity of crew members
- Local agent if any