

GUARDCON

BIMCO has announced the publication of GUARDCON – a standard contract for the employment of security guards on vessels. The creation of a model contract is aimed at combatting the number of individual contracts drawn up by the private maritime security companies while standardizing the terms of employment for security guards on board merchant vessels.

Noteworthy provisions deal with the contractors' obligations and the Master's authority on board the vessel. Security teams signing the contract guarantee a minimum level of training. There is also greater certainty on the various licences and permits surrounding the carrying of weapons. The Master retains command of the vessel at all times, but the security team leader shall inform the Master if he must invoke the Rules of the Use of Force. The Master always retains the right to order a cease fire.

GUARDCON operates a knock for knock liability system and the minimum insurance requirement to meet any liability is US\$5 million. This means that smaller firms which cannot meet these financial requirements will be excluded from using GUARDCON.

Whilst the contract is directed at creating greater certainty over the role of security teams and the standard of work they provide, BIMCO stress that GUARDCON is not a substitute for ship owners carrying out proper checks before hiring security firms. Further, it is difficult to predict exactly how GUARDCON will work in practice alongside the various provisions of local laws. In establishing clear standards and obligations for security teams and ship owners, however, GUARDCON marks a significant advancement in the regulation of this growing sector.

For a copy of the GUARDCON contract, the accompanying explanatory notes and some guidance on the Rules for the Use of Force, readers should refer to the BIMCO website (www.bimco.org).