

**CIRCULAR REF: 2014/015**

**CIRCULATED TO ALL MEMBERS, BROKERS AND DIRECTORS  
ATTENTION INSURANCE DEPARTMENT**

**11 APRIL 2014  
MJS/PO**

## **GUARDCON WEST AFRICA**

Members are referred to the International Group's Piracy FAQs (attached) and Circular [BIMCO GUARDCON Contract for the Employment of Security Guards on Vessels](#) published by the International Group Clubs in spring 2012, confirming that the BIMCO GUARDCON contract for the employment of private maritime security companies (PMSCs) on vessels conforms with Club cover and pooling arrangements.

GUARDCON has been in existence since 2012 and has become the industry-standard contract for the employment of PMSCs, harmonising terms of engagement and making the process simpler and quicker for shipowners.

GUARDCON was designed with East Africa in mind but since its inception, the shipping industry's focus has widened to include piracy and other threats to shipping in the Gulf of Guinea off West Africa.

GUARDCON in its unamended form is not a suitable contract to use for the engagement of PMSCs off West Africa where it is contemplated armed security personnel provided by littoral states will operate alongside unarmed PMSCs. This protection model has evolved in response to the littoral states' prohibition on the use of armed PMSCs on board vessels in their territorial waters.

Members are referred to BIMCO's [Special Circular No 1 – 20 February 2014](#) which sets out recommended amendments to GUARDCON for use off West Africa, developed by BIMCO with input from International Group Clubs. Whilst BIMCO has stated it has no intention of producing an amended version of GUARDCON for use off West Africa, the International Group Clubs have produced the attached version of the contract – called "GUARDCON West Africa" – which incorporates recommended amendments.

GUARDCON West Africa is approved by all of the International Group Clubs. It will provide contract certainty and make it simpler and quicker for shipowners to put in place appropriate security arrangements when trading in the high risk areas off West Africa.

## **CIRCULAR**

NORTH OF ENGLAND P&I ASSOCIATION LIMITED 100 The Quayside, Newcastle upon Tyne, UK, NE1 3DU  
Telephone: +44 (0) 191 2325221 Fax: +44 (0) 191 2610540 [www.nepia.com](http://www.nepia.com)

The North of England Protecting and Indemnity Association Limited. Registered in England No. 505456. Registered Office above  
Hong Kong: Room 3007-08 COSCO Tower, 183 Queen's Road, Central, Hong Kong Telephone: +852 25446813 Fax: +852 25424424.  
Greece: 5-7 Aghiou Nikolaou, GR 185 37 Piraeus, Greece Telephone: +30 210 4283038 Fax: +30 210 4280920.  
Singapore: 80 Anson Road, #26-04 Fuji Xerox Towers, Singapore 079907 Telephone: +65 64110160 Fax: +65 62240160.  
Tokyo: Shinkyobashi Building, 6th Floor, 2-8-8 Kyobashi, Chuo-ku, Tokyo, Japan, 104 – 0031 Telephone: +81 (3) 5159 5373 Fax: +81 (3) 5250 0003.  
North Insurance Management Limited. Registered in England No. 3922841. Registered Office above. Regulated in the UK by the Financial Conduct Authority.

However, this Circular should not be read as a recommendation for Members to use armed security. Members are reminded that the use of PMSCs and other security personnel should not be seen as an alternative to compliance with the current version of the Interim Guidelines for owners, operators and Masters for protection against piracy in the Gulf of Guinea region. Placing armed security guards on board a vessel should only be considered after a thorough risk assessment. Members should also follow IMO Circular [MSC.1/1405/Rev 2](#) and ensure they comply with all applicable laws and regulations, including those of their Flag State, littoral states and any other relevant authority.

All clubs in the International Group have issued a similar Circular.

MIKE SALTHOUSE  
DIRECTOR - North Insurance Management Limited  
As Managers on behalf of the North of England P&I Association Limited