

▶ ARMED GUARD CHECKLIST

Armed guards are often referred to as Private Maritime Security Companies (PMSCs) in the marine trade. There are a number of ways in which a Members use of a PMSC could prejudice the vessel's P&I Cover. Members should therefore contact the Club well in advance of any such operation, so that we can work with Members to ensure that this does not happen.

In general, the Club will wish to confirm the following points with Members, before the commencement of any operation.

1. THAT MEMBERS HAVE A SUITABLE CONTRACT WITH THE PMSC

Members should contract with the PMSC directly (when the Charterers appoint them they should do so on Members' behalf), on a contract which:

- a. is on at least knock-for-knock terms, and
- b. that ensures the PMSC accepts all liability for claims caused by the use of weapons.

Bimco's [GUARDCON](#) contract contains such provisions and has been specially approved by the IG. Providing that it is not materially amended, its use will not prejudice Club cover. If the operation will take place in the Gulf of Guinea, there is a special [GUARDCON WEST AFRICA](#) contract, adapted for this purpose, and it should be used.

2. THAT THE PMSC HAS SUFFICIENT INSURANCE IN PLACE

The indemnities provided by armed guards are only as good as the insurance which stands behind them. Therefore, it is imperative for Members to confirm that the armed guards have appropriate insurance in place, during the period of the proposed operation.

GUARDCON specifies minimum levels of insurance, which the IG Clubs consider appropriate. It requires general liability insurance of at least US\$ 5 million, and individual personal accident insurance for each of the armed guards of at least US\$ 250,000.

It is important that the Club is provided with full details of the PMSC's insurance, so that we can be satisfied that:

- the insurance has not been cancelled or withdrawn (normally confirmed via a Certificate of Currency from the broker),
- the policy contains appropriate levels of insurance,
- the policy does not contain exclusions which would render it unsuitable, and
- the cover has been placed with a 'reputable' insurer.

3. THAT MEMBERS HAVE COMPLIED WITH THE LAWS OF THEIR FLAG STATE

It is a condition of all Members' P&I Cover that the vessel complies with all rules of its flag state. Some flag states do not permit the use of armed guards onboard, and others apply strict criteria to the storage and use of weapons etc.

Members must therefore liaise with their flag state in advance of the proposed operation, to ensure they are in compliance with the flag state rules, and that they have obtained any necessary permits/approvals. Flag states will normally issue a letter with written authorisation for the use of armed guards onboard the vessel.