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# newsletter

Autumn 2004 - n°14

Initiative

## Private security services in Europe at an important crossroads : CoESS needs to deliver

CoESS as an active player in a limited European field

For many years, private security has been a matter primarily of national competence. The European Union had very little authority over issues related to our industry, which is closely interlinked with public security and considerations and policies of national security.

Notwithstanding this "gap" at the European level, CoESS has never ceased to develop a European vision for the industry it represents. And where opportunities presented themselves, CoESS did not hesitate to play a prominent role. The European social dialogue is the best example of active CoESS involvement in a field where the EU did show an interest in our activities. The Directorate General Employment and Social Affairs of the European Commission since long recognises CoESS as a European social partner. Having this important status, together with its strong ally UNI-Europa, CoESS has invested much time in developing the tools which were made available by this DG in order to strengthen the European social dialogue between our companies and our employees. Visible and tangible results have been obtained, most of which concern the social field.

Nevertheless, CoESS has also always tried to use the European social level as a way of pushing forward ideas and topics related to other aspects of our business. The need to evolve towards European harmonisation, the preparation of the recent EU enlargement, the drafting of a code of conduct, the necessary shift towards quality, etc., all these debates have been launched through the Social Dialogue.

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## Private Security at high-risk sites *Facing the third-party liability problem*

*CoESS and EASA join forces to combine quality security services at high-risk sites and the survival of the sector*

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Photo: Mediatheque - Commission Européenne

## European draft Directive on Services in the Internal Market *A step too far for the European private security industry*



Photo: Mediatheque - Commission Européenne

*CoESS explains why it is against the draft Directive on Services and why the adoption of that draft directive would mean a major drawback for the private security industry as a whole.*

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## CEN project *Standardisation or increasing quality ?*

*The CoESS position is very clear: "European standardisation is not what the industry currently needs. All efforts should focus on enhancing national quality standards and working conditions"*

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### summary

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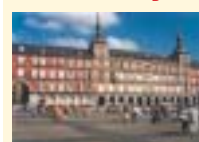
#### SECURITY COUNTRY BY COUNTRY

**Spanish private security sector**

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**4<sup>th</sup> "European Conference on Private Security Services" :**



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# Private security services in Europe at an important crossroads:

## *CoESS needs to deliver*



Photo - Médiahege Commission Européenne

### The reorientation and the European awakening

The social dialogue alone is not enough. CoESS realised this and went through the difficult process of restructuring and reorganisation. Substantially more means have been made available. As a result, the CoESS secretariat (now based in Brussels), has been able to reach the competent European authorities and to initiate an awareness raising process. In combination with the growing media attention to terrorism and risks to security, this process starts to show its impact: the European Union now wants to tackle a number of vital issues on our agenda.

- For the first time, the European Commission openly recognises that there are limits to what can be covered by commercial insurance systems. More important is the announcement by the Commission that it is currently examining what can be done for damages which cannot be reasonably covered by any commercial insurance. Third-party liability has finally been put on the European agenda.

- The Draft Directive on Services in the European Union explicitly mentions the private security industry as an area where obstacles to the free movement of services has to be removed. The draft Directive covers an enormous amount of aspects of our activities.

- CEN (the European Committee for Standardisation) has initiated a project aimed at developing a European standard for security services.

The necessary first step has been taken. Private security is now a European matter. CoESS' basic goal has been reached. How must CoESS take it from there?

### CoESS must take strong positions

It is obvious that the topics which are now at the European table are vital to our industry and that their final outcome will have a drastic impact on our industry. Fundamental changes can be beneficial, dramatic consequences must be avoided by all means. The risks at stake are extremely high.

A European answer to third-party liability must be such that another incident similar to 9/11 in an EU country will not have devastating consequences in terms of impact on the national economy of the country concerned, on its internal political scene, on its relations with other EU Member states, and, most importantly, that it will not lead to the disappearance of the entire European private security industry (representing over 1 million jobs). CoESS, together with EASA (European Aviation Security Association), and a corresponding member of CoESS) believes that, in order to protect our business and its members, a solution can be found around the following principles: a strict liability, that is capped and exclusively channelled towards one actor, and which viability remains protected by a three-tier liability regime, respectively covered by an insurance, a fund financed by all interested parties and a state inter-

vention.

As far as the draft Directive on services is concerned, CoESS generally supports the creation of a real internal market in services by requiring Member States to cut administrative burdens and excessive red tape. This would enable businesses to offer their services across borders and to open premises in other Member States.

Nevertheless, CoESS is of the opinion that the present formulation of the draft Directive seriously jeopardises the European private security industry as a whole. This risk is even increased in the light of the growing feeling of insecurity, the general European trend to transfer more and more tasks of public security to the private security sector, and the recent entry into the EU of ten new Member States where the private security sector still needs to undergo a major restructuring process. CoESS therefore considers that the private security industry must be removed from the application of the draft Directive or that at least the Directive must foresee a series of fundamental exceptions related to our industry.

With regard to the development of a European standard for security services, CoESS notes that the private security sector is already strongly regulated by national laws in a number of European countries, and that some National Standards Institutes have already developed very elaborated national standards for the private security sector. Therefore it is convinced of the need for any future standardisation process to take into account these high-level regulations and standards and to avoid leading to their lowering, thus jeopardizing the quality of the services, the professionalism of our sector and the public security as a whole. CoESS therefore believes that the CEN project might be too premature and that the negative consequences of producing a European standard might turn out bigger than the advantages. It also feels that the work currently undertaken by the CEN does not reflect the present market needs, the needs of the private security service providers and the needs of the users of these services.

### Prerequisite for CoESS to succeed in its present missions

- > **CoESS must have the necessary means**  
Thanks to the significant budget increase voted over the last two years, CoESS has now more tools available, both in

terms of human resources, of offices and in terms of financial means. The member federations have in the past rightfully evaluated the current needs. But still more efforts for efficient lobbying must be evaluated.

- > **CoESS must act**

Thanks to the modification of its statutes, CoESS as an organisation is now equipped with the right structures, functioning methods and communication channels. Members can make their voice heard in many ways. The presidents of the working committees have huge opportunities. The board can define all strategic objectives. All possibilities exist. But they are not yet exploited. And until now changes have not yet been developed to full potential. It is therefore crucial that members make their point of view known. They must become more active in CoESS. They must communicate between them. They must become visible in the working committees. The presidents of these committees must develop clear goals for their group and lead that group towards the realisation of these goals. The board must be able to unify, enhance and harmonise these goals.

- > **CoESS must speak as one**

In order for CoESS to make its voice efficiently heard by the European decision makers, it is essential that CoESS speaks with only one voice. Member federations cannot handle it on their own. It is the quintessence of their CoESS membership. Working committees can not launch themselves into initiatives with a fundamental impact without the support and the green light of the board. Finally, all board members must communicate on a permanent basis and in a constructive way.

- > **CoESS must grow up.**

The European Union is providing us with a unique opportunity to become a full time player in the heart of the decisions. We cannot allow ourselves to miss that opportunity. We will not stand a second chance. As I said many times before: the foundations are laid, the material is available. It is time now for industry leaders and experts, for managers and field people to demonstrate that they are fine and responsible builders.



Marc PISSENS  
President

## HUNGARY, BUDAPEST

### A CoESS intervention before the Hungarian Chamber of Security

Responding to an invitation from the French Embassy in Hungary, CoESS participated in a conference on the legislations in Europe organised on 16 and 17 March by the Hungarian Chamber of Security in Budapest. Claude Levy, President of the CoESS Working Committee Social Dialogue, represented CoESS and met HCS executives: Doctor Sasvari Arpad, President, Mrs Katalin Lakos, in charge of professional training, and Mr. Miklos Herverth, Treasurer. The Hungarian Chamber of Security, an independent body created by law, regroups different actors involved in security: employers, employees, schools of training etc. It is run by employers, although the largest number is made up of employees.

HCS leads discussions with the government and prepares the necessary qualifications for the profession. Hence it controls training aspects but nothing concerning the social aspect as the Employment Code sets out all the rules. HCS wishes to participate in CoESS and to be informed on the CoESS activities without competing with MBVMSZ, the CoESS Hungarian member.



## POLAND, APRIL 2005

### CoESS prepares a new information and exchange round table joining employers and workers from the Central and Eastern European Countries (CEECs)

Having participated at a first meeting in Lithuania organised by UNI-Europa in 2002, CoESS was also present on 9 and 10 January 2004 in Ljubljana in Slovenia at a large EC conference on Social Dialogue in an Enlarged Europe on the theme of "Partnership for Progress". In the same context and objectives, CoESS will now take its turn, with the help and participation of UNI-Europa, and organise a new specific meeting that will take place in Poland in April 2005. Aimed at employers and workers' representatives from Poland, Hungary, Czech Republic, Slovenia, Slovakia, etc. it will provide an opportunity during two days of round table to meet, exchange information and build up contacts for the future of social dialogue in the branch of private security. Observers from other new or future Member States will also be invited to follow the debates. The Round Table will be a one and a half day event. The first day will be dedicated to discussions amongst employers (companies), employer's organisations (if existing) and CoESS. The second day will be dedicated to discussions between employers and their organisations and trade unions with the presence of UNI-Europa representatives.

## Publications



The following publications can be consulted on the website [www.coess.org](http://www.coess.org) or can be obtained at the CoESS secretariat

### VOCATIONAL TRAINING :

#### 7 new translations of the "Manual on basic guarding"

Thanks to new European Commission subsidies, the "Manual on basic guarding", initially edited and published in five major European languages (English, German, Spanish, Italian, French), has been published in seven other European languages and in paper and electronic CD-ROM formats. The seven languages are Swedish, Finnish, Danish, Portuguese, Greek, Dutch and Lithuanian. In order to continue its European-wide distribution, CoESS will demand for new subsidies to cover the remaining languages. The CoESS Working Committee on Vocational Training is monitoring this new phase of the project and will define further action.

### PROJECT "HEALTH AND SAFETY" :

#### Publication of the Manual on good practices in French and English

Another joint project of CoESS and UNI-Europa, the Manual on "Health and Safety", subsidised by the European Commission and realised by the Institute of Sociology - ULB (The University of Brussels) has now reached the stage of the first publication. The first French and English versions will be distributed during the European Conference in Madrid in October 2004. Beforehand, the first official presentation of the project will be held on 16 September in the Netherlands during a dedicated meeting. Committed to identifying risks for workplace health and safety in the private security sector in the European Union, the project lists and assesses the risks related to the

sector and suggests prevention measures to be adopted.

Conducted in Spain, Italy, Ireland, Germany, Sweden and Belgium, the research result is a set of good practices in the field of health and safety. The manual will shortly be distributed throughout Europe and will subsequently be translated in other European languages.

### MODERNISATION OF WORK ORGANISATION :

#### Project SPOT extended to new countries

This project (co-funded by the European Commission, managed by the University of Brussels and supervised by CoESS and UNI-Europa) covers research and analysis on issues related to work organisation: vocational training, working time, working conditions and technological innovations. In a second phase, the results have been checked against the legislative, conventional and socio-economic context of the private security sector. ("SPOT: Sécurité Privée et Organisation du Travail", conducted in Belgium, Denmark, Spain, France, the Netherlands and the UK). The project's first results are available in hard copy since 2003 and can also be downloaded from the CoESS website. This year, the social partners have decided to continue the study by extending it to new countries. These countries will be chosen during a secretariat meeting in September in

Brussels. This way, the project will provide a more complete picture of work organisation in Europe, including new national specificities and practices. This approach reflects the joint declaration of CoESS and UNI-Europa on the modernisation of work organisation which includes the establishment of a European framework with a view to guiding and inspiring actions at national and company level.



## CoESS will observe developments in the new EU member states and be a competent partner for dialogue

The ten new member states who joined the European Union on 1 May 2004 have not only increased the number of inhabitants of the European Community by 75 million, but have also increased the security market by approximately 350,000 employees. This enlargement not only means a larger market and new business opportunities, but also huge challenges to overcome the differences in legislation (licensing), quality of the service level of training and last but not least of payment and labour cost and to initiate a process of harmonisation. But this enlargement brings also problems of a special kind, especially concerning competition. On the one hand the differences in wages will lead to a cross-border predatory competition if time is not granted for adaptation during a phase-in period, as for instance Austria has agreed with its neighbouring countries of the Czech Republic, Slovakia, Hungary and Slovenia. On the other hand, investors from the old European countries will contribute to a quicker economic growth and higher living standard in the new EU countries, if fairer competition and economic transparency is granted in these countries. The worries that "black economy" or corrupt bureaucracy will hinder a rapid economic upward trend will have to be conclusively refuted in some of the new EU countries. But there is no doubt that the new EU states with their human and economic resources are an enrichment for Europe as a whole and they should contribute to Europe's economic strength in the competition with the USA and South-East Asia.

## CoESS EU Enlargement Working Committee

For this reason CoESS has taken over the task on the employers' side by installing the Working Committee on EU Enlargement, to organise systematic dialogue and the transfer of best practices between the old and the new EU countries. CoESS is also interested in encouraging the dialogue between social partners in the new EU countries and developing solutions for problems and balance of interests together with employers and unions. Only if healthy security companies with high quality standards exist in all EU countries, can the scope of services needed by society and the economy be developed and the working and living conditions of the employees in the security industry be improved. The aim of the EU Enlargement Working Committee under the guidance of Stephan Landrock, Austria, is to observe the development in the new EU countries and to be a competent partner for dialogue for the responsible persons in government, police authorities, the media and trade unions.

Stephan LANDROCK, President of the Working Committee Enlargement

## Facing the third-party liability problem

### *CoESS and EASA join forces to combine quality security services at high-risk sites and the survival of the sector*

At present, the private security industry is potentially exposed to third-party liability resulting from acts of war and terrorism. It is an issue of the highest concern to both CoESS and EASA (European Aviation Security Association), with potentially dramatic consequences for the future of our industry. The significance of the third-party liability problem extends far beyond the security industry however, with major implications for the many users of private security services (including airports, maritime ports, governments...) and for other sectors that provide services to likely terrorist targets and society at large.



Photo : Médiathèque Commission Européenne

Security providers are today potentially confronted with unlimited liability in the event of a terrorist attack. Prior to 11 September 2001, the worst case scenario contemplated within the aviation industry for an accident was an estimated cost of 243 million euro. Post 9/11, worst case scenario estimates put the risk at 81 billion euro or higher.

#### Need of urgent consideration at EU level

Present insurance solutions are not sufficient to cover this exposure however, and as a result many questions are now being asked about the risks to our industry (which provides over 1 million jobs and has an approximate turnover of 2.5 million euro) of continuing to provide security at likely targets for terrorist attacks. At a time of heightened security concern and increasing demand for security services, CoESS and EASA believe that at EU level, proper consideration needs to be urgently given to this problem.

#### Third-Party Liability and the European Aviation Security Industry

No one doubts that the private security industry plays an important role in the further development of Europe's welfare society. Indeed, the necessary economic activities can only prosper in a stable and 'secure' environment, particularly in the transport and aviation sector where traveller confidence is key. Confronted with the increased security needs of their customers after 11 September 2001, security service providers increased their

support to defeating terrorism and other threats to security.

However, security service providers, together with a range of other economic actors, remain exposed to potentially unlimited liability in the event of a terrorist attack, potentially incurring the loss of the aircraft and its passengers as well as unlimited third party losses.

At the same time, developments in relation to available insurance coverage have tremendous implications for the security sector: the insurance industry has raised its premiums but limited available insurance coverage. The resulting problem has potentially dramatic consequences not limited to directly concerned parties.

In view of the potential magnitude and the pan European implications, the security industry called for the problem to be properly considered as a priority at the EU level.

The aim is to have a fair and acceptable distribution of responsibilities and risks between the authorities and other parties responsible for airport security on the one hand, and the private security company to which security services have been outsourced, on the other.

While CoESS and EASA fully accept the responsibilities of their members with regard to providing adequate levels of insurance, there is obviously a limit to the insurance coverage available. It is in the interests of society as a whole to find appropriate solutions that limit liabilities incurred by all commercial parties in this industry to reasonable levels and/or provide alternative funding sources for liabilities. For these reasons CoESS and EASA are playing an active role in trying to find these solutions.

#### CoESS and EASA Joint position paper

In order to address this issue in a structured way, CoESS and EASA have adopted a joint position. This position is being used for intensive lobby work at EU level and for information towards all interested parties.

This position paper has a twofold aim :

- To give an overview, focused on the airport security industry, of the current problems raised by third party liability exposure as a result of terrorism or acts of war, and
- To propose some thoughts on finding answers to this tremendous challenge.

The private security industry plays an important role in the further development of Europe's welfare society. Indeed, the necessary economic activities can only prosper in a stable and 'secure' environment. This is particularly true in the transport and aviation sector where the confidence of travellers is key.

In the aftermath of 11 September 2001, preventive and operational safety and security have assumed a higher profile than ever before and have been placed at the top of policymakers' agendas. Confronted with the increased security needs of their customers, security service providers give full support to defeating terrorism and other threats to security.

However, security service providers together with a range of other economic actors remain exposed to potentially unlimited liability in the event of a terrorist attack.

At the same time, developments in relation to available insurance coverage have tremendous implications for the security sector: the insurance industry has raised its premiums but limited available insurance coverage.

The resulting problem has potentially dramatic consequences, which are not limited to parties directly concerned.

In view of its potential magnitude and its pan European implications, the security industry calls for proper consideration of the problem to be given at the EU level as a matter of priority.

CoESS and EASA recognise their responsibilities and are ready to play an active role in trying to find a solution.

➔ The paper in extenso can be consulted at [www.coess.org](http://www.coess.org)

# Airport Security



*Mutual recognition,  
cooperation and support  
with CoESS,  
and latest developments*

In November 2003 the "European Aviation Security Association" (EASA) became a corresponding member of CoESS. On 24 March 2004, CoESS and EASA, representing the private security companies providing airline and airport security services, have signed an Agreement of Understanding regarding mutual recognition, cooperation and support. CoESS warmly welcomes this signing and believes that it will enhance the very fruitful cooperation between the two organisations (the full text of the agreement is available on [www.coess.org](http://www.coess.org)).

CoESS has proposed a similar convention to ESTA (European Cash-in-Transit companies and also a CoESS corresponding member) and hopes that ESTA will follow EASA's example.

## Main works

Joint meetings between CoESS Working Group Airport Security and EASA already took place throughout the year. The main themes of the work are as follows :

### ➔ Third Party Liability

A new working party on Third-Party Liability has been created. A joint CoESS and EASA position paper "Third-Party Liability and the European Aviation Security Industry" has been passed (see opposite). EASA and CoESS are developing contacts with the Dutch Presidency of the EU, the governments of the member states, members, associations and the industry in order to inform about the position paper, which may be used for further and more detailed information of our customers and government as well.

### ➔ Quality Standards for Recruitment, Selection and Training of Security Staff for screening of hand- and hold luggage (for the European Commission)

- Recommendations on Recruitment and Selection of Security Staff for screening of hold and hand luggage
- Recommendations on Training of Aviation Security Staff for Screening of Hold-and Hand-luggage

The above-mentioned documents are passed and handed over to DG Transport of the European Commission. The comments are expected during the summer months.

### ➔ Collecting and processing data on the aviation market in Europe

CoESS gathered some basic data on the European aviation security market for 2003. It was very difficult to get the information from each country. Our intention is to update these data each year.

*EASA, or the European Aviation Security Association, represents all major private security companies which provide services related to aviation and airport security in Europe. EASA has currently 9 members and generates a total turnover of around EUR 650 million (out of a total market estimated at EUR 1,3 billion, of which a large part is still covered by the public sector).*



## coess working committees



### Creation of a new CoESS Working Committee on Maritime Security ("Marsec")

At its meeting on 29 April, the CoESS Board has decided to establish a CoESS Working Committee on Maritime Security, in accordance with article 19.1 of the CoESS Statutes. The President of the Turkish Security Organisation (GUSOD), Capt. M. Iskender Targac, has been appointed by the CoESS Board, as the Chairman ad interim of this Working Committee. Based on the reflected interests of the CoESS member associations, the MARSEC WC is made up of the members of Belgium, France, Greece, Holland, Hungary, Romania, Turkey and the UK.

Considering that the new International Ship & Port Security (ISPS) Code of the International Maritime Organisation (IMO) will have to be implemented worldwide, starting on 1 July 2004, this will create a new dimension in security market. The Committee will start to work on the following issues:

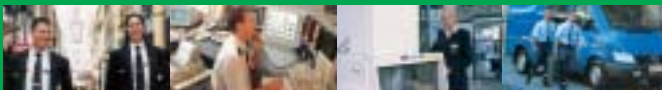
- Study on the "Maritime Security training in the EU", and how this vitally important subject is going to be handled
- Prepare a "Code of Practice for Maritime Security Management".
- Investigate the avenues leading CoESS to better cooperation with other Maritime Security related organisations within the EU.

More information on the structure and the activities of the Maritime Security Working Committee will be available in the CoESS Annual Report 2004 and on the CoESS website [www.coess.org](http://www.coess.org).



*Capt. M. Iskender Targac, Master Mariner Grade A, Ret. Navy Captain, ex. Secretary General of the Turkish Chamber of Shipping, ex. Turkish permanent Representative of EUROLONGTERM Sea sub-group, SSO, CSO, PFSO certificates of ISPS, Maritime Security Director of EUROSERVE as a port & ship Recognised Security Organization (RSO) of Turkey.*

**HUMAN GUARDING**, President : Luis Posadas Herrero (Spain) / **CASH-IN-TRANSIT**, President : Raffaele MADDALONE (Italy) , Vice-President : Bernard DUMOULIN (Belgium) / **ELECTRONIC SURVEILLANCE**, President : Peter Henhagl (Austria) **AIRPORT SECURITY**, President : Friedrich P. KÖTTER (Germany) / **MARITIME SECURITY**, President : Capt. M. Iskender Targac (Turkey) / **SOCIAL DIALOGUE**, President : Claude LÉVY (France) / **TRAINING**, President : David DICKINSON (United Kingdom) / **ENLARGEMENT**, President : Stephan LANDROCK (Austria)



## European Draft Directive on Services in the Internal Market

# A step too far for the European private security industry



Photo : Mediathèque Commission Européenne

In January 2004, the European Commission has adopted a proposal for a Directive to "create a real Internal Market in services by requiring Member States to cut administrative burdens and excessive red tape that can currently prevent businesses from offering their services across borders or from opening premises in other Member States". According to the European Commission, the services covered by the proposal account for around 50% of all economic activity in the EU. Many small and medium-sized enterprises (SMEs), who represent the bulk of service providers, are at the moment dissuaded from cross-border expansion. By encouraging cross-border economic activity and boosting competition, the proposed Directive would increase choice, improve quality and bring down prices for consumers and also for businesses which use services. It would also encourage innovation in the sector which at EU level creates the most jobs. The effect on the economy as a whole would be to improve competitiveness and create high quality jobs. The proposal is now in the phase of adoption by the European Parliament and the EU's Council of Ministers.



For more general information of this draft directive, please consult the EU website: [www.europa.eu.int](http://www.europa.eu.int) ■

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At the time of the adoption of the draft directive, Internal Market Commissioner Frits Bolkestein (picture) has stated that: "This Directive is potentially the biggest boost to the Internal Market since its launch in 1993. We need to set our service businesses free, so that they can grow and create the sustainable jobs Europe needs. We cannot expect European businesses to set the global competitiveness standard or to give their customers the quality and choice they deserve while they still have their hands tied behind their backs by national red tape, eleven years after the 1993 deadline for creating a real Internal Market. Some of the national restrictions are archaic, overly burdensome and break EU law. Those have simply got to go. A much longer list of differing national rules needs sweeping regulatory reform. But it is no good going about this like a bull in a china shop: we need to be coherent, pragmatic and cooperative."

The proposed Directive would involve Member States jointly screening and modernising their regulatory regimes so that a spirit of cooperation and mutual trust is built. That is the best way to ensure that service providers no longer have to jump over unnecessary regulatory hurdles. So we need it adopted, written into national law and implemented as quickly as possible."

### Scope of the proposal

The proposed Directive covers all services provided to consumers and businesses except services provided directly by public authorities for no remuneration, in fulfilment of their social, cultural, educational or legal obligations. Neither does it cover those services that are already covered by specific EU law, such as financial services, telecommunications and transport. It thus includes a wide range of activities including, for example: distributive trades (notably retailing), construction (including architectural services), leisure services such as travel agencies and tour operators, information technology-related services, advertising, car rental, employment agencies, security services, audiovisual services and healthcare services. It also includes services provided by regulated professions (those, such as medicine and legal and fiscal advice,



Internal Market Commissioner Frits Bolkestein

Photo : Mediathèque Commission Européenne

to which access is limited to people with specific professional qualifications) without prejudice, however, to the application of existing Community provisions in that field. Services are covered whether they are provided in person or at a distance, including via the Internet.

## CoESS' point of view

In May 2004, the CoESS Board of Directors has adopted a Position Paper. In this paper, CoESS explains why it is against the application of the European Draft Directive on the private security sector and why the adoption of the draft directive as it stands would mean a serious back draw for the industry as a whole.

Although CoESS is in general supportive to create a real internal market in services by requiring Member States to cut administrative burdens and excessive red tape, thus enabling businesses to offer their services across borders and to open premises in other Member States, CoESS is nevertheless very careful in the assessment of some specific consequences of the proposed directive and deeply concerned about these issues.

The full Position Paper is available on the website: [www.coess.org](http://www.coess.org). Some of CoESS main objections are explained hereafter.

### a) Authorisation schemes:

CoESS holds the view that strict licensing and regulation of the private security industry throughout the European Union are essential foundations to a high quality industry. Systems of licensing help to ensure that each employee and each employer is equipped with the skills and competencies to carry out the functions required in a high quality services industry. The primary objectives of an authorisation scheme in this context are to guarantee professionalism, avoid abuse and misuse, safeguard the necessary transparency and hence to safeguard of the

society as a whole, and avoid "private militias". With the public interest in mind, CoESS believes it is essential that private security companies and private security guards obtain the required national authorisation.

The draft directive states that *"Member States shall not make access to service activity or to exercise thereof subject to an authorisation scheme unless the following conditions are satisfied:*

- a) the authorisation scheme does not discriminate against the provider in question;*
- b) the need for an authorisation scheme is objectively justified by an overriding reason relating to the public interest;*
- c) the objective pursued cannot be attained by means of a less restrictive measure, in particular because an a posteriori inspection would take place to be genuinely effective."*

CoESS underlines that all current authorisation schemes regulating the private security industry within the various EU Member States seem to be in accordance with the principles of the proposed directive. They are not discriminatory, they are objectively justified by an overriding reason relating to the public interest (to safeguard public security) and they cannot be attained by means of a less restrictive measure. They must therefore remain.

**b) Country of origin principle:** the draft directive introduces the "country of origin" principle, whereby once a service provider is operating legally in one Member State, it can market its services in other Member States without having to comply with further rules in the 'host' Member State. This principle of home country control basically means that the country of origin is required to conduct effective controls on the service providers that are established in the country, even though they provide their services in other Member States. The draft directive also



Photo: Mediatheque Commission Européenne

foresees that this shall not apply for a transitional period to the way in which cash in transit services are exercised.; however, this exception to the "country of origin principle" would no longer apply once a Community harmonisation instrument for cash-in-transit is in place.

CoESS feels that due to its very specific nature, the "country of origin principle" should not apply to the transport of funds and valuables. Licensing, authorisations and standards on the national level are of paramount importance to regulate this high risk activity and require a totally different approach than services in general. Furthermore, the growth of

cross-border services can cause a situation of unfair competition where national systems of regulation promote different standards along borders. For these reasons, the transport of funds and valuables should definitely NOT be treated within the scope of the draft Directive.

Moreover, the principle of abolishing authorisation schemes in combination with the country of origin principle leads to an absurd situation: a private security company that wants to establish itself in e.g. Belgium, must ask for an authorisation, while a company is allowed to provide private security services in Belgium without any authorisation if it is

established in another Member State.

CoESS strongly believes the "country of origin principle" causes a risk of abuses of competition in the private security industry since it is not harmonised within the European Union. This would encourage security service providers to move their headquarters to the EU Member States with the lowest requirements. The authorities in countries with high standards would then be under pressure to lower their standards, jeopardizing public security.

## Conclusion

CoESS has urged and continues to urge the responsible European and national authorities to conduct, before any decision, a more detailed and more extended assessment of the impact of the draft Directive in the whole of the European private security industry.

CoESS furthermore requests these authorities to conduct an examination of the ways that national systems of regulation in the private security industry can best ensure fair cross border competition, combined with high a high level of quality of the services rendered, the necessary level of professionalism, the right working conditions for the private security agents and the guarantee that all players on the private security market have been thoroughly screened prior to any activities.

CoESS is of the opinion that the draft Directive seriously jeopardizes the European private security industry as a whole. This risk is even increased in the light of the growing feeling of insecurity, the general European trend to transfer more and more tasks of public security to the private security sector, and the recent entry into the EU of ten new Member States where the private security sector still has a major restructuring process to undergo. CoESS therefore considers that the private security industry must be removed from the application of the draft Directive or that at least the Directive must foresee a series of fundamental exceptions related to our industry.

## Belgium



### A modernised legislation and the beginning of a real public-private partnership



The Belgian Law of 10 April 1990 on the private security has always been one of the most regulating in the EU and has as its primary objective to clearly define the areas in which private security companies can operate. The purpose of such an objective and delimitation of the action fields of the private security sector is to protect the citizen against any possible abuse.

#### Transfer of two police activities

On 3 June 2004, this law has undergone some important changes: two new activities have been added to the list of activities private companies can exercise. Private security companies can now accompany groups (cyclists, children at schools, horse riders, sports races, etc...) in order to guarantee road safety, and they can also report to local authorities on material situations in the public domain (surveillance of public parkings, report on damage to goods in parks and other public spaces, report on damaged street indications, ...).

Moreover, since the modified legislation, private security advisors and security counselling companies are now also regulated and need an authorisation in order to be active on the market.

APEG-BVBO, the Belgian member federation of CoESS, is on the whole satisfied with the recent modifications of the basic law governing its member companies. The new legislation clearly recognises the role that private securities can play, by transferring two activities traditionally reserved to the police to the private sector. Although the transfer is still very timid, the APEG-BVBO hopes that is a first step of a longer process to be developed in the future whereby many more police activities which are not part of the "core" activities of the police, would be transferred to the private branch. **For more information :** [www.apeg-bvbo.be](http://www.apeg-bvbo.be) ■

## Hungary



### MBVMSZ : A very creative and productive activity



Since the establishment of the association, the number of MBVMSZ' members has risen from 17 members in July 2003 to 60. The market share of MBVMSZ' members now exceeds 40% of the private security market. MBVMSZ members currently employ more than 25,000 security guards and experts.

In order to improve the quality of the activity, the association established a Security System Working Committee and a Professional Training WC. Soon, a Guarding WC and CIT WC will be established. The association sends members to the Working Committees of CoESS: Dr. József Kaló to the Professional Training WC, and to Enlargement WC, György Farkas to Enlargement WC, András Czapáry-Martincsevics to Electronic Surveillance WC and László Reindl to Maritime Security WC.

In Hungary a new regulation will be introduced for the private security industry. The association is taking part in preparing the new draft (President of MBVMSZ, Dr. József Kaló, is an expert at the Ministry of the Interior). The association has become a member of the Hungarian Standard Institute. This Institute charged MBVMSZ with representation in the project to create a European CEN norm for security services (Dr. József Kaló is a member of CEN/BT/TF167 "Security Services"). On 18 May 2004, MBVMSZ joined the Confederation of Hungarian Employers and Industrialists, which represents Hungarian employers in the National Synchronisation of Interests Council. Hence the association can take part in the social dialogue at national level.

The trade unions within the private security sector have established their association (called in Hungarian: Vagyonvédelmi Szakszervezetek Szövetsége, VSZSZ). The MBVMSZ and VSZSZ mutually acknowledged each other as representative associations of the employers and the employees. The social dialogue in the private security sector has started between these two representative associations. **For more information :** [www.mbvmsz.hu](http://www.mbvmsz.hu) ■

## Poland

### Polish Security Companies Association (PZFO) reacts to changes on the market



Polish Security Companies Association

Having been registered in December 2003, after an unavoidable period of formal pre-organisation, the Polish Security Companies Association (PZFO) launched its operations at a press conference, which took place in Warsaw on 11 March 2004.

Dr Stephan Landrock, Chairman of the Working Committee Enlargement was the special guest at the conference. He presented the Polish journalists with the structure, history and activities of CoESS. The other speakers at the conference – Pawel Rafalski, President of the Board of PZFO, Dariusz Wojcieszek (Member of the Board), Jozef Bebenek (Founder Member) and Jan Pawlik (PZFO Office Director) – spoke about the main problems of the security market in Poland and the mission of PZFO. The goals of the federation are as follows:

- to educate the market regarding proper balance between quality and price of security services,
- to inform the society about the real role of the security industry in social and economic life,
- to start social dialogue between employers and employees with a common goal to improve the status of the industry and of the profession,
- to improve the transparency of the service industry,
- to act against unfair competition on the market,

- to improve domestic regulations on the security industry and assist in creating European law,
- to set up quality standards for the security industry,
- to create closer cooperation between security companies and insurance firms.

All the above mentioned tasks could be put together into one main target: to create, at the end of the day, a market of security services in Poland, in which the security companies will be competing only by their better know-how, organisation and management skills, in which the clients will be buying transparent services of good quality and in which the employees will feel safe and secure as to their employment and standard of life.

Between the press conference launch in March and today, the Polish Security Companies Association runs its daily life, full of duties and work. It is filled with meetings and discussions which lead to a new way of active cooperation.

Representatives of PZFO introduced its mission to the Director of The Department of Permits and Licenses at the Ministry of Internal Affairs and Administration and met with Police officials. These meetings resulted in PZFO members' participation in assisting public services in security providing for the

European Economical Forum in Warsaw, at the end of April.

The meeting with representatives of the Polish Committee for Standardisation must also be mentioned. It will hopefully lead to the collective creation of Polish quality standards for security services. Polish Security Companies Association has also taken an active part in all sessions of CoESS Working Committee Social Dialogue and Enlargement as soon as it was registered.

The work to inform and to educate the public opinion goes on – with the assistance of a group of journalists who are especially interested in this sector of the economy and social life. In general, publications about PZFO in several newspapers also contribute widely to improve knowledge about CoESS – its structure, tasks and activities – in the Polish society. With reference to many journalists, even the ones interested in security, it is a pioneer work. The efforts which PZFO undertakes in its social communication improve the level of understanding of security and its basic problems in the mass media in Poland. The one-sided and not necessarily favourable picture of the security market, which dominated in the mass media, is starting to change.

In the meantime, several new companies have joined PZFO and talks are in progress

with many others. The number of represented employees is now about thirty thousand and increasing steadily. For this reason, PZFO took part in the launch of social dialogue on the Polish security market. No such event took place before. Thanks to the initiative of UNI-Europa and Solidarnosc Trade Union, representatives of employees of the biggest security firms in Poland as well as representatives of invited employers (Group4Falck, Securitas and Impel) met, sat down at the same table and discussed together the present day and the future of the security market in Poland. The meeting took place from 16 to 18 June in Gdansk.

All the participants agreed that the market needs cooperation of all the above-mentioned organisations which will lead to intervention in the following fields:

- quality of services,
- terms of employment and remuneration,
- training for employees,
- acting against unfair competition on the market and against violations of the law.

The meeting in Gdansk gave momentum to the social dialogue in the Polish market. It is a good sign before the forthcoming events: the CoESS and UNI-Europa Conference in Madrid in October 2004 and – last but not least – the Conference on European Social Dialogue in Warsaw in April 2005. **For more information :** [www.pzfo.org.pl](http://www.pzfo.org.pl) ■

## France

### A major step towards professionalism: Implementation of the law Sarkozy



The law Sarkozy, published in March 2003, is having an impact on most activities within the private security sector: guarding, cash handling services and monitoring. There are 3 key novelties:

1. Licensing of guards prior to signature of the labour contract ;
2. Training certification (with a revised definition) prior to employment of the guards ;
3. Empowerment of police forces and "Gendarmerie" to control enforcement of the new rules with given capacity to suspend company licence if not compliant.

Currently, in France there is a basic training of 20 hours + 12 hours on site for guards defined by means of collective bargaining. Unfortunately, this training is not often applied, thus creating a bias of unfair competition. Every firm which does not comply will tomorrow be operating totally illegally.

In the same process, the industry is together with the state department of interior (Police), working to define the new upgraded basic training that will become

mandatory two years after publishing the enforcement decree. The new training course will be split into two parts:

- Content common to all Security segments addressing knowledge of basic regulations and behaviours
- Additional, specialised content for Guarding, Airport Security, Cash in Transit and monitoring personnel that will also cover pre-existing regulations.

The new training will last four times longer than the previous training and will probably require more skilled personnel.

Additionally, the industry associations (such as guarding, Airport) are also working on x-tra profiles to create personnel development channels and therefore retain a maximum of employees in the industry , thereby decreasing our excessive turnover.

These changes represent a major step towards more professionalism since the first Security industry regulations in 1983 and will definitely help the French Security Industry and the market to become more mature. **For more information :** [www.ufiss.fr](http://www.ufiss.fr) ■

## Spain

### SICUR (02/04): Technical Conferences organised by Aproser



In the context of the SICUR trade exhibition on Security issues, a major event in the security sector that takes place every two years in Madrid, Aproser organised a technical conference, together with AES (Asociación Española de Seguridad), dealing with quality issues in private security and the main developments at European level. An overview of the different segments of our industry was covered in the first part of the conference. Developments on guarding activities, Cash in Transit, alarms and security systems were analysed by different representatives of relevant

Spanish players. The second part of the conference focused on private security in a European framework. Representatives from Euroalarm and Eurosafe explained the activities of their respective organisations. Special focus was then given to the proposal for a Regulation on cross-border CIT operations. Finally, Hilde De Clerck, Secretary General of CoESS, dealt with the new structures of CoESS, providing the audience with a balance of goals already obtained, as well as CoESS objectives in the medium-term. **For more information :** [www.aproser.org](http://www.aproser.org) ■

## Germany

### EU Enlargement: high quality versus low wages



The enlargement of the EU is producing several new challenges for private security services in Germany. Most important will be the economic consequences caused by the geographical nearness to the new member states Poland and the Czech Republic. Expectations are that eastern European private security services will enter the German market.

This may once again cause a sharp fall in prices. The wages in Poland are down to 1.25 euros per hour, in the Czech Republic they are even lower: 1.14 euros for a service rendered by employees with quite good educational qualifications.

Taking into account the practice of awarding public contracts and the general economical situation in Germany, it is clear that BDWS-Members will be exposed to some new severe competition.

Having stated these facts, the question is how to face these challenges. The most effective way is to upgrade the quality of the service. Only a top-quality security service can be offered at a reasonable price. But offering high quality is one thing, selling it is something else. The companies need a tool to convince the customer that the service is worth its price. That is why the DIN 77200 "Requirements to Security Services" has such an overwhelming meaning to our industry.

The companies can use the DIN to prove the power of the enterprise, to show the potential customer that a high-quality service can be offered. Now this is the choice: buy a cheap service without knowing anything about its quality or have understandable, transparent qua-

lity standards that are guaranteed. This way, the DIN is the single most important tool to support the German private security industry fighting the cut-price competition not only from Eastern Europe. Quality is the magic word and the DIN standard is the external sign to show this quality.

Another BDWS project to improve quality and help the integration of migrants is the project "PIQUASSO". This is part of the Europe-wide EQUAL project giving vocational training in the security sector to migrants from all over Europe living in Germany. Having started in 2001, about 60 persons are being trained to become the first "Fachkraft für Schutz und Sicherheit", the new recognized professional training in Germany.

Facing new challenges for the German market, the BDWS tries to help its members to strengthen their quality. **For more information :** [www.bdws.de](http://www.bdws.de) ■

## New collective agreements :

## Denmark



During the spring of 2004 a number of collective agreements have been renewed on the private labour market. VABA, "The Federation of Employers for Security Appliances and Services in Denmark", has reached amicable settlements with DFF "The Danish Federation of Salaried Employees" / VSL "The Danish Federation for Security Appliances and Services of Salaried Employees for security employees" and Dansk El-Forbund "The Danish Union of Electricians" for electricians and electrical technicians. The renewal of the collective agreements is valid for a period of three years i.e. to 1 March 2007.

Besides rate changes, the following has been agreed:

During this period the pension contribution will rise from 9% to 10.8% of the salary ; 2/3 is to be paid by the employer and 1/3 by the employee.

Pregnancy and maternity leave is granted to female employees i.e. from four weeks before expected birth to 14 weeks after the birth. Full salary is granted and in addition hereto up to 6 weeks' parental leave is accorded.

When an employee's children under the age of 14 are hospitalised the employee is freed with payment of full salary, i.e. maximum one week within a period of 12 months.

The costs involved regarding the renewed collective agreements are expected to increase to approx. 3% per annum on average.

In cooperation with DFF and VSL, VABA has held an educational conference in November 2003 in which representatives from schools, trade unions, the professional committee, participants from security organisations, and VABA's, DFF's and VSL's member circle participated. Several questions and problems were discussed during this conference. Part of the conclusion concerned the present AMU-uddannelser "The Danish Labour Market Educations primarily for unemployed" which will be revised and the business training must be shortened in length and content. This work has been initiated. **For more information :** [www.hts.dk](http://www.hts.dk) ■

## The Netherlands



In June 2004 the trade unions and the VPB concluded the new Collective Labour agreement. The main headings are as follows:

- Validation for the term of one year (1 April 2004 - 1 April 2005);
- Indexation of salary at the beginning of January 2005;
- Raising of the pension premium;
- Elucidation and improvement of travelling expenses;
- Agreement to reduce absenteeism (7.9% in 2002) with 20% in 2006. Parties hereto are the government, trade unions and private security companies.

During the coming weeks members of the VPB still have to agree on the results and text of the collective labour agreement.

**For more information :** [www.vpb.nl](http://www.vpb.nl) ■



# Standardisation or increasing quality ?

## At the origin : a German initiative

In a press release of 1st June 2004, DIN (the German Standards Institute) stated the following: *"How do you compare a tender from a French security firm with one from Hungary?"* Such questions are increasingly being asked by those wishing to award contracts for safety services in Europe's internal market.

In the manufacturing sector, it is usual for tender notices to make use of ensuring technical component compatibility. Despite the fact that a higher proportion of Europe's workforce is employed in the service sector than in manufacturing, the number of service standards is still far from sufficient to remove existing trade barriers. Standards can raise quality levels by guaranteeing the transparency of service requirements. In turn, transparency simplifies the tendering process and smoothes the way for companies entering the internal market. Standards play a significant role in boosting competition, and the security sector is particularly well poised to benefit. The presence of a European Standard will also place small and medium-sized enterprises in an excellent position to gain access to new markets.

By which criteria should tenders in the security business be measured? What should invitations to tender include? These and other matters will be addressed by a new working task force of the European Committee for Standardization (CEN). The task force, CEN/BT/TF 167 "Security services", whose remit is to prepare a single

European standard [...]. The result of a German initiative, the task force is so far set to comprise experts from ten European countries. The convenor is Dr. Harald Olschok, Head of BDWS, the Federal Association of Security Services in Germany. Dr. Olschok already has experience as a standardizer, having been actively involved in preparing DIN 77200 "Static guarding and mobile patrol services – Requirements", which was published two years ago. DIN, represented by Dr. Holger Mühlbauer, Head of the Performance Capability and Services Standards Committee, holds the secretariat."

The European standardization process under the CEN (European Committee for Standardization) umbrella is a voluntary, consensus-driven activity, carried out by and for the concerned parties themselves, based on openness and transparency, within independent and recognized standards organisations leading to the adoption of standards compliance with which is voluntary. The national Members of CEN are the National Standards Institutes of the European Union, EFTA and some Eastern and Central European countries. These national members make up the delegations to the technical committees by finding expertise in each country, they vote for and implement European Standards as national standards, they provide the secretariats of the committees, and they finance more than 50 % of the work. In turn they are largely financed by industry, sales of standards and government grants.

The following principles apply to the standards developed within CEN: standards come from the voluntary work of participants representing all interests concerned (industry, autho-

rities and civil society, contributing mainly through their national standards bodies); draft standards are made public for consultation at large; the final, formal vote is binding on all members; and the European Standards must be transposed into national standards and conflicting standards withdrawn.

After the positive vote of various National Standards Institutes, the standardisation procedure at the European level was initiated on 6 April 2004 by the creation of a Task Force (BT/TF/167) 'Security Services' installed directly under the European Committee for Standardization. This means CEN has approved the DIN (German proposal) as a basis for discussion.

CoESS has been admitted to the Task Force with observer status. CoESS is of the opinion that its presence is essential and that, together with its members federations at the national level, it must have a direct input in the whole process.

## CoESS' position

First of all, CoESS has always underlined the need for European harmonization of standards for the private security sector. However, CoESS has always equally stressed that all European harmonization in the private security sector must be done upwards. Some of the European countries have already developed very detailed and high quality legislation, including national standards. These regulations and standards must serve as a basis for European harmonization in order to attempt to upgrade the overall level of our industry.

CoESS is convinced that the scope given by the DIN proposal is at once too broad and too general and does NOT take into account nor the specificities of some parts of our industry nor the progress that has already been obtained in the formulation of European standards on very specific technical issues related to our

industry. The DIN proposal is therefore not apt to cover in a specific and efficient enough way each branch of the private security industry throughout Europe.

CoESS also deeply regrets and cannot, in any possible way, accept that it has not been consulted, by DIN or by its German member federation, during the essential initial stage of the development of the DIN proposal. It particularly regrets that an early draft of the proposal has not been submitted to the different CoESS Working Committees (Guarding, Cash-in-Transit, Electronic Surveillance, ...) in order to allow these Working Committees to contribute, by their expertise and knowledge of their branches, to the definition of a proposal.

## CoESS's support : only under strict conditions

CoESS has clearly stated that it will support the development of a European standard for the private security services but only under the following essential conditions:

- 1) A different European standard for each discipline of the private security industry must be developed.
- 2) The standardisation process must fully integrate ALL standards already developed, in particular those related to electronic, surveillance and to cash-in-transit.
- 3) Given the fact that a) the private security sector is already strongly regulated by national laws in a number of European countries, and b) that some National Standards Institutes have already developed very elaborated national standards for the private security sector, any future standardisation process must take into account this high level regulations and standards and may not lead to their lowering, thus jeopardizing the quality of the services, the professionalism of our sector and the public security as a whole.

## more information

The full text of the CoESS Position Paper on this issue is available on [www.coess.org](http://www.coess.org).  
For more information on CEN, please consult [www.cenorm.be](http://www.cenorm.be)



# Spanish Private Security sector

In a country of 42,7 million people for 500.000 km<sup>2</sup>, the turnover of Spanish private security companies represents 2.610 million (data 2002) for a national product of 743 billion Euro.

The Spanish private security sector has experienced a steady growth during the last years. Different facts have led to an average yearly increase of the market of around 10% in the last decade: increase of professionalism and organisation of our enterprises, stable legal framework, remarkable growth of Spanish economy or improvements in conditions of labour force. Like in another countries, new niches of market have also appeared, as a result of evolution of demand.

Currently, 564 companies operate in the Spanish market. They are distributed throughout the whole territory. Only 3% of these companies employ more than 500 people, although they concentrate a significant part of the total market share. 80% of the private security companies have less than 20 employees.

Guarding activities represent around 65%. Cash in Transit activities have stabilised the market volume at close to

400 million Euros, once the process of adoption of euro is over. On the other side, yearly increase of segment of security systems, including alarm premises is close to 30%.

## 70,000 active guards... but

Our labour force is mainly composed by more than 70,000 active guards. They are mostly men (around 88%) of an average age of 34 years. Almost 80% have permanent labour relationships with the companies, since one of our major challenges is reduction of turnover.

## ...17,000 people could access our sector if

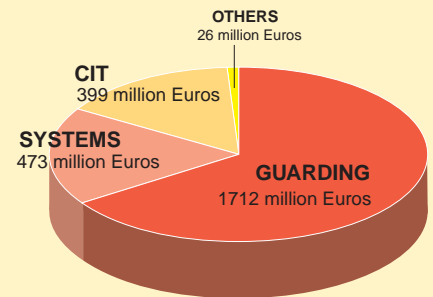
Access to profession in Spain requirements, linked to training periods and licensing mechanism, makes it hard for candidates to become guards. Therefore, our companies have serious problems to fill existing vacancies. We consider that 17,000 people could access our sector, should Spanish licen-

sing system be modified in the sense reducing bureaucratic requirements of the process, while keeping current content requirements, which contribute to upgrading of profession.

Activity of Spanish companies is also influenced by the insurance sector situation. This is particularly important in the provision of airport security services regarding cover for terrorism.

Aproser, CoESS spanish member, is by far the leading association of private security companies in Spain. Aproser currently represent around 75% of the total market share. In the 25 years of existence the association have been closely co-operating with the Spanish Ministry of Home Affairs (authority responsible for supervision of our activities), trade unions representatives, in the common goal of improving image of our profession, and clients representatives.

## Basic segments (figures 2002)



## the word of Aproser's President

"The 4th Joint CoESS and UNI-Europa Conference on Private Security Services, that will be organised in Madrid on 14 & 15 October 2004 (see all details last page), is probably the most important event at European level that has taken place in our country on private security issues in the last years.



Spanish private security companies, like our European partners in CoESS, have made an immense effort in order to increase the quality of their services and improving the image of our sector. We are convinced that implementing a European model of private security is essential if we want to consolidate our industry in the future. Greater co-operation and exchange of experiences can help all of us to achieve further progress in this direction.

For Aproser, it shall be a real pleasure to welcome you in our country to participate in this Conference as well as in the CoESS General Assembly that will take place on 13 October 2004. We hope you will really enjoy and profit from your stay in Madrid. "

Alfonso Tomas Herrero, Aproser President

## legislation

As a result of legislation dating back to 1992, which resulted from a desire to improve the image of the industry, Spain can now be considered as one of the countries with stringent legislation covering the operation of private security companies.

Legislation governing the operation of the sector Law 23/1992 of 30/7/1992 (Ley 23/1992 de 30 Julio de seguridad privada) covers the private security industry (guarding of buildings and industrial sites, personal protection, cash in transit, the installation and maintenance of alarm systems). The law was implemented by Royal Decree 2364/1994 on 9 December 1994 (partially amended by Royal Decree 1123/2001). These basic pieces of legislation have been developed by Ministerial implementing decrees on personnel, companies, training and licensing, security measures and CIT issues. Legislation on weapons also apply.

Private security undertakings require a licence which is granted by the Ministry of Home Affairs. Art. 52 of the

Royal Decree 2364/1994 stipulates that all security personnel (management and operative) must also get an administrative authorisation from the Ministry of Home Affairs. This includes the requirement not to have any prior criminal convictions (including offences against the official secrets act or other fundamental rights) for 5 years. In addition to it, staff must not have been sanctioned for any grave offences in the last 2-4 years and must not have been excluded from the armed services or security forces. Operational staff must not have undertaken a managerial role in the private security control authorities (police or army forces) for the last 2 years. Private investigators cannot at the same time carry out private security functions. Background checks are carried out by the police authorities. Staff must have reached the prescribed legal age of maturity. Access to profession is restricted to European Union citizens

Training requirements are set down in Art 5 of the 1992 Law on Private Security and arts. 56-57 of Royal Decree of

9 December 1994. Art. 5 sets down that security companies should guarantee training of all their staff (managerial and operational). The content of the theoretical and practical elements of the training are determined by the Ministry of Home Affairs. Training must be carried out in training centres approved by the Ministry of Home Affairs. Practical training takes place in the workplace. Staff must receive at least 180 hours of theoretical and 20 hours of practical instruction. Once this preliminary training period is made in the authorised training centers, candidates must pass an exam with both theoretical and practical content, organised by police authorities. Every guard must also pass a follow-up training of at least 20 hours/year. Training in the use of arms is required by art. 61 of the Royal Decree. Guards must obtain a C licence and follow bi-annual training (no more than 8 months between training sessions). A psychological test is carried out for guards who are required to use arms in pursuance of their duties. Guards are required to wear

uniforms. Use of weapons is strictly regulated and subject to permission and licensing. Licensed weapons can be used subject to tight restrictions in relation to guard duties, in particular in relation to Cash in Transit duties, the guarding of sensitive or dangerous installations, including army premises, and by bodyguards.

Legislation and collective agreements covering baseline working conditions Working conditions are governed by national labour legislation and specified in collective agreement. A maximum annual working hours of 1788 hours is set down in the current collective agreement for 2004, which also stipulates incentive earnings and overtime benefits. Part time workers have the same rights as full time workers and equal opportunities standards are set down in national legislation.

Abstract : A comparative overview of legislation governing the private security industry in the European Union / Final Report of a project for CoESS/UNI Europa funded by the European Commission. Version 11/04/2002 updated



# 4th conference on private security services

## "Towards a European Model of Private Security"

### 4th Joint CoESS and UNI-Europa Conference on Private Security Services

Madrid on 14 & 15 October 2004



Photo : Médiathèque Commission Européenne

The theme of this 4th Conference, "Towards a European Model of Private Security", has not been chosen by coincidence. CoESS and UNI-Europa are both convinced that over the last years, a unique European model of private security is emerging. This model is based on key principles such as the dialogue between interested parties, a correct environment of work, a real professional deontology and continuous efforts. Moreover, the recent accession of 10 new EU Member States gives the European model an extra dimension as motor and inspiration source for these new Member States.

#### After London, Berlin and Brussels, 300 participants expected in Madrid

UNI-Europa and CoESS strongly hope that the debates at the 4th Conference will be able to highlight the strong points of the European model, to find ways of improving it, to develop it in more depth and to look for answers to major obstacles it still faces.

The Conference is built around 5 major themes to be discussed in different Working Sessions (see box beside). Each theme will be introduced by an expert and discussed at large by a panel, and by the audience. The panels are composed by professionals from the sector. Through their experience, the panel members will place the theme in different perspectives.

At the Conference, some 300 participants are expected, representing the industry, the trade unions, the national and European authorities, the clients, the academic world, the police, .... The top quality of the various speakers and participants at the Conference is promising rich and exciting debates.

Do not miss that strategic rendez-vous of the European private security services which is the important continuation of what has become a valuable tradition... after the precedent Conferences of London (1996), Berlin (1999) and Brussels (2001).

When this issue of the CoESS Newsletter appears, the whole of the European private security industry will be ready to meet again for a topclass rendez-vous. Madrid is the setting for the 4th European Conference on Private Security Services, organised jointly by CoESS and UNI-Europa, and again co-financed by the European Commission.

#### Working Session

##### 1 "The European Model of Private Security in some key areas"

While the whole of the private security industry in Europe is developing towards greater diversity and more specialisation, some specific branches have recently been undergoing fundamental changes. Cash-in-transit, airport security, maritime security and more generally security at high risk sites are currently at the heart of the European debate.

#### Working Session

##### 2 "The European Model from a social perspective"

The European model of private security is characterised by a unique social dimension. It is this social dimension, which takes into account the importance of the human factor in security services. Themes such as vocational training, health and safety, work organisation, working methods, and other working conditions will therefore be developed.

#### Working Session

##### 3 "The European Model and the new EU Member States"

Since May 2004, the European Union must take into account the private security as it is developing in the 10 new Member States. For these Member States, the tasks of adapting the national private security regulations and organising the national private security market are enormous challenges. The European model itself will undergo some changes. All parties involved - European and national authorities, CoESS and UNI-Europa and their national member federations - must define the adequate answers to this challenge.

#### Working Session

##### 4 "The European Model from a quality perspective"

One of the major objectives of the private security in Europe is to constantly deliver high quality services. The conditions for such quality must be created by the competent authorities, through correct regulations and the guarantee of free and correct competition. Clients must demand nothing less than the best quality. Private security companies must be able to guarantee this quality. Employees must be rightly rewarded for their contribution to the quality.

#### Working Session

##### 5 "The European Model of public-private partnership"

Throughout Europe, public and private players in the security field are becoming real partners. What have until now been the contributions of the private security sector to the general debate and policies of public security? How can these contributions be further developed and what must be the framework for such cooperation?

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