

PUNJAB PRIVATE SECURITY COMPANIES (REGULATION AND CONTROL)
ORDINANCE, 2003 (LXIX of 2002)
(Salient Features)

NOTIFICATION

No. 8-29-H-SPL-11/98. In exercise of the powers conferred upon him under section 23 of the Punjab Private Security Companies (Regulation and Control) Ordinance 2002 (LXIX of 2002), the Governor of Punjab is pleased to direct that the following rules shall be made:-

1. Short Title and commencement:-

The rules may be called the Punjab Private Security Companies Regulations and Control), 2003.

2. They shall come into force at once.

Definitions:- In these rules, unless there is anything repugnant in the subject or context

(a) "Appellate Authority" means the Chief Secretary, Government of Punjab, Lahore.

(b) "Applicant" means the Chief executive of a Company, or the Director so authorized by a registered private security company.

(c) "Licensing Authority" means Secretary to the Government of Punjab, Home Department, Lahore.

(d) "Ordinance" means the Punjab Private Security Companies (Regulation and Control) Ordinance, 2002 (LXIX of 2002).

3. Procedure for grant and renewal of license etc.

- (1) The applicant shall submit an application in Form-A, to the Licensing Authority for grant of license of a Private Security Company registered with SECP under the Companies Ordinance, 1984 (XLVII of 1984), with the approval of the Ministry of Interior, Government of Pakistan.
- (2) The applicant shall deposit Rupees Ten Thousand Only (Rs. 10,000/=) with the Federal Government as registration fee.
- (3) The license shall be issued on Form-B subject to the deposit of Rupees Twenty Five Thousand Only (Rs. 25,000/=) as license fee in the account of the Government of Punjab.
- (4) For renewal of license, a fee of Rupees Fifteen Thousand Only (Rs. 15,000/=) shall be deposited in the account of the Government of Punjab on expiry of the period for which license has been issued.
- (5) Government may, if it deems necessary, ask Private Security Companies to furnish the security of such amount as may be determined.

4. Verification

- (1) The Licensing Authority shall get the antecedents of the company verified through the Special Branch of Police, District Coordination Officer concerned, the District Police Officer concerned or any other agency as it deems appropriate.
- (2) If the applicant is an ex-employee of the armed forces, the Licensing Authority, before grant of license, shall ensure through appropriate channels that he has not been court martialled and convicted of an offence involving moral turpitude or has not been involved in anti-state activities or has not been convicted on charge of gross misconduct involving moral turpitude.

- (3) The Licensing Authority shall ensure that the applicant has not been convicted by a court of law on account of criminal acts involving moral turpitude including anti-state activities.

5. Validity

- (1) A license shall be valid for a period of three years only, and may be extended on payment of the fee stipulated in sub-rule (4) of rule 3 through any scheduled bank or post office from time to time; provided that two annual performance reports on Form-C have been submitted by the Private Security Company and found satisfactory by the Licensing Authority.
- (2) The annual performance reports mentioned in sub rule (1) shall be submitted every year in the month of December.
- (3) Application for renewal of license shall be submitted to the Licensing Authority before ninety days of its expiry.
- (4) At the time of renewal of license, the Licensing Authority shall obtain verification/evaluation/performance reports from one or more agencies.

6. Employment of staff by the licensee

- (1) A new security company shall not employ more than five hundred (500) persons in one city; provided that the Licensing Authority may allow increase in number of employees after one year taking into account the performance and justification given by the Private Security Company.
- (2) The employment of security guards and staff recruited by the Private Security Company shall be subject to the relevant provisions of the Ordinance and clearance from concerned Special Branch of Police or any other agency through Licensing Authority.
- (3) The Private Security Companies shall maintain the record of their employees and be responsible for the safe custody of the documents of their employees, if kept in original.
- (4) In case, the original documents of an employee are obtained and kept in record of the company, a receipt of same shall be given to the employee. The same shall be returned back to the employee within fifteen days of the date of his leaving the company.
- (5) A security guard shall not be assigned guarding duty unless he has been imparted formal security training and a certificate to this effect has been issued by the Training Institutes. Provided that ex-servicemen of the armed forces shall be got trained within three months of their employment.
- (6) A security guard employed by a Private Security Company shall produce a certificate of fitness from a registered medical practitioner ensuring the following:-
 - (i) Height not less than 5 feet and 2 inches.
 - (ii) Age within 18 to 55 years
 - (iii) Eye sight: 6/6 with or without glasses, not color blind; and
 - (iv) No mental or physical disability.
- (7) Except the existing security staff employed before the commencement of these rules, every security guard employed by a Private Security Company shall have at least middle standard academic qualifications.

- (8) The Private Security Companies shall, at the time of enrollment of a security guard, open his personal file with all relevant documents provided to it and maintain such record up to twelve months after the guard is discharged.
- (9) In addition to the above, the provisions of the prevalent Labour Laws shall be applicable in matters pertaining to the employment of the security guards regarding minimum wages, terms and conditions of the employment, working conditions, termination, etc.

7. Training of security guards

- (1) The licensee shall arrange training of at least two weeks for civilians and one week for ex-army personnel employed by it as security guards, in the institutions recognized by the Government of Punjab. The security guards shall be imparted training i.e., basics of security duties, use of weapons and self defence, etc.
- (2) The cost of training shall be approved by the Licensing Authority covering boarding, lodging and training expenses, etc.
- (3) The cost of training shall be recovered by the company, if the employee leaves the company before the specified period.
- (4) The training institutes shall submit particulars of the trainees and the sponsoring company periodically to the Licensing Authority.
- (5) The Private Security Companies may establish a training institute with the approval of the Licensing Authority.
- (6) All the Private Security Companies shall make arrangements for the training of their employees within one year of the promulgation of these rules.

8. Possession of arms and ammunition by the licensee

- (1) No Private Security Company shall possess Armored Personnel Carriers.
- (2) No Private Security Company shall possess sophisticated automatic weapons.
- (3) The licensee shall maintain Kote for safe custody of the weapons and be responsible for its security at permitted places having following arrangements:
 - (a) racks for placing arms and ammunition
 - (b) register for the maintenance of record of arms and ammunition
 - (c) maintenance of cleanliness of weapons; and
 - (d) double locks for security
- (4) The licensee shall not possess any arms or weapons beyond the permitted quantity and without a valid license under the Arms Ordinance 1965 (XX of 1965).
- (5) The licensee shall maintain the record of the number of authorized and actually possessed or maintained weapons, and issuance and receipt of the arms or weapons to the security guards.
- (6) The Licensing Authority, the District Coordination Officer and the District Police Officer of the concerned District or an officer authorized by the Licensing Authority not below the rank of an officer of BPS-17 may inspect the premises of the Company and the arrangements made for the safe custody and use of arms and

ammunition, at any time, without prior notice.

- (7) The licensee shall submit the required information pertaining to possession or retention of arms and ammunition issued to him, to the District Coordination Officer or the District Police Officer concerned or Arms Licensing Officer in such form as may be directed by order in writing from time to time.
- (8) If a license is revoked, the arms and ammunition shall be deposited in the nearest Police Station or in the Police Lines immediately under proper receipt.
- (9) Arms licenses issued for Punjab shall be valid within the Province of Punjab only.
- (10) Every weapon shall be licensed in the name of the Security Company and no guard shall be allowed to carry the weapon licensed in his name while on duty.
- (11) A register shall be maintained at the place of duty indicating the handing over and taking over of the weapon when a new guard starts duty at the same place. This register shall be the property of the Security Company to be issued by the officer not less than the rank of Security Manager of the Company. The register shall be stamped and authenticated by the Company and the pages shall be numbered.
- (12) An attested copy of the license of the arms and the authority letter to possess the arms by a particular employee of the Company shall accompany the arms, unless it is in the Kote of the Company or in deposit with the Police.
- (13) In case of imposition of section 144 of the Code of Criminal Procedure, 1898 (V of 1898) on carrying or displaying weapons, the security guards of Private Security Companies shall be permitted to carry the weapons/arms after getting a No Objection Certificate from the District Nazim concerned for two days or from Home Department for more than two days, as the case may be.
- (14) The guards for escort duty shall be provided by the Private Security Company under intimation to the concerned District Police Officer. If such duty is not allowed by the District Police Officer, the guards shall be withdrawn.

9. Identification papers

- (1) The Security guards shall display identification cards preferably computerized, with security features containing the name of the Company, license number allotted to the Company by the Licensing Authority, name, National Identity Card number and Photograph of the cardholder, issued by the Company. The Company shall deposit the specimen of identification card with the District Police Officer concerned.

10. Database detail of Private Security Company

- (1) The Private Security Company shall provide database detail of the guards, number of weapons authorized and number of weapons possessed by them, number of vehicles, annual financial statement, list of clients, administrative set up and any other information to the Licensing Authority as and when required.

11. Change in Directors

- (1) Any change in directors of the Private Security Company shall be intimated to the Licensing Authority, soon after the change takes place.

- (2) Change in directors of the Private Security Company shall be communicated to the Licensing Authority along with No Objection Certificate of Ministry of Interior for that specific change and consent of SECP with certified true copies of amended Form 29 and Form-A as prescribed in the Companies Ordinance, 1984.
- (3) The licensing Authority shall recognize the change in the Directors after obtaining security clearance from one or more agencies, as it deems appropriate.
- (4) A member of the family of a deceased licensee shall be entitled to continue the business; provided that he/she applies for grant of permission to the Licensing Authority to assume business in the event of death of the original licensee.

12. Uniform

- (1) Security guards or supervisors of a Private Security Company shall wear a standard uniform of following specifications:
 - (a) pant navy blue color without any piping;
 - (b) shirt navy blue color with security badge on shoulders and a badge of insignia of the company of black color having name of the company embroidered in white color;
 - (c) berate cap of black color with small size badge with insignia of the company embroidered in white color;
 - (d) belt black (leather or nylon) with rectangular steel buckle having insignia of the company; and
 - (e) the security guard shall display his identity card on the left side of his chest containing the following information:
 - (i) name;
 - (ii) father's name;
 - (iii) age;
 - (iv) permanent address;
 - (v) mark of identification;
 - (vi) color of eyes;
 - (vii) color of hair; and
 - (viii) blood group

13. Documents to be carried by security guards

- (1) Security guard either on static or escort duty shall carry with them the following documents, namely:
 - (a) copy of a valid arms license duly attested by an authorized officer;
 - (b) authority letter; issued by company, authorizing a guard by name to carry the arm and to keep it in his custody on behalf of the company; and

- (c) if on escort duty, in addition to documents mentioned above, a letter of authority issued by the company specifying nature of duty, destination and approximate time of duty, and a certificate of the company to the effect that the escort duty was scheduled for protection of genuine clients who were not involved in any criminal acts or protection was not intended to facilitate or shield any criminal act.
- (2) While on escort duty, the security guards shall be in proper uniform.
- (3) A security guard while on duty assigned by a Private Security Company shall not carry the arm or weapon licensed in his name.
- (4) Number of security guards on escort duty shall not be more than two except under the permission of the District Police Officer concerned.

14. Unauthorized Private Security Company

A private Security Company shall be considered un-authorized if:

- (a) It is not registered with the Securities and Exchange Commission of Pakistan.
- (b) Its registration has been cancelled.
- (c) It has been refused a No Objection Certificate from the Ministry of Interior or a license from the Provincial Government; or
- (d) It has failed to get renewal of its license for the current year of its operation.

15. Cash in transit

- (1) No Private Security Company shall undertake the business of transportation of cash or valuable articles unless a No Objection Certificate has been issued by the Licensing Authority in this regard.

16. Appeal

- (1) Any person aggrieved by an order made by the Licensing Authority under rule 3 may, within thirty (30) days, appeal against such order to the Appellate Authority (Chief Secretary of Punjab) whose decision thereon shall be final.

17. Punjab Social Security Institution

- (1) Every Private Security Company shall get itself registered with the Punjab Social Security Institution as per provisions of the Provincial Employees Social Security Ordinance, 1965 and the rules made thereunder.

18. Welfare of Employees

- (1) For the purpose of sub rule (2), all the Private Security Companies shall get their employees insured under Group Insurance Policy with a registered Insurance Company.
- (2) The compensation for the legal heirs of the security guard, as the case may be, in addition to expenses of treatment of such employee at a Government hospital shall not be less than:
 - (i) Rupees Two Hundred Thousand Only (Rs. 200,000/=) in case of death through injury sustained while on duty;
 - (ii) Rupees One Hundred Thousand Only (Rs. 100,000/=) in case of injury sustained on duty which renders him/her permanent disability or loss of limbs; and
 - (iii) Rupees Ten Thousand Only (Rs. 10,000/=) in case of minor injury sustained while on duty.

- (3) Every security guard at the time of recruitment shall nominate persons who shall be entitled to receive the compensation under sub rule (2). In case more than one person is nominated, the respective share shall be fixed by the employee.
- (4) The licensee shall ensure the payment of compensation within three months of the death of the employee or the determination of the disability.
- (5) The payment of group insurance shall be besides the other benefits admissible to the security guard under the provision of laws as may be enforceable in this respect.

Brig. (Retd.)
IJAZ AHMAD SHAH
SECRETARY TO THE GOVERNMENT OF PUNJAB
HOME DEPARTMENT

FORM-A

APPLICATION FOR LICENSE
See rule 3 (1)

1. Name of the Company: _____

2. Addresses of the Company:

(a) Head Office _____

(b) Other offices in Punjab _____

(c) NTN (National Tax No.) _____

3. Names of Directors with NIC #

Address

Present

Permanent

a. _____

b. _____

c. _____

d. _____

4. Local & other addresses of the Directors during last 10 years, where they have stayed more than six months

Address

From

To

5. Membership of Clubs, Political Parties and Associations (past and present) (Name of Organization with date of joining and leaving)

Name of Club/ Party/ Association

From

To

a. _____

b. _____

c. _____

d. _____

e. _____

6. Names with addresses of at least two Gazetted Officers (BPS-17 or above) in Pakistan, who can testify to the applicant's character and antecedents

Name

Address

7. If any FIR is registered against any Director. Details of the FIRs and previous conviction if any

8. Finer Prints

(Thumb)

(Fore-finger)

(Middle-finger)

(Ring-finger)

(Little-finger)

Place.....

Date.....

Signature.....

a. I, applicant for the license of hereby certify and solemnly affirm that my answers to the above questions are correct to the best of my knowledge and belief.

b. I fully understand that if the above statement is false in any material respect, or omits any material information, my security company license may be cancelled.

Signature.....

Place.....

Date.....

9. Please tick if following documents are enclosed:

- 1. NOC from Ministry of Interior _____
- 2. Memorandum and Articles of Association _____
- 3. Registration Certificate of SECP _____
- 4. Latest Form 29 attested by SECP _____
- 5. Photo-copies of NIC of the Directors _____
- 6. Undertaking on Stamp Paper _____
- 7. Company's Office address in Lahore _____
- 8. Photographs of the Directors _____
- 9. NTN of the Directors _____

10. Receipts

i. PROVINCIAL GOVERNMENT LICENSE FE RS. 25,000/= AND RENEWAL FEE RS. 15,000/=

"Major Head-1300000-Misc. Receipts. Minor Head-1390000-Others. Detailed Head-1391218-Other Receipts-Fees for issuing License to Private Security Companies. And 1391219-Other Receipt-Fees for renewal of license issued to Private Security Companies".

ii. FEDERAL GOVERNMENT'S REGISTRATION FEE RS. 10,000/=

"Major Head-1300000-Misc. Receipts. Minor Head-13900000-Others Receipt (NES). Detailed Head-1391200-Other Receipts-Fees Fines & Forfeitures. Sub-Detailed Head (New)-1391213-Other Receipt-Registration Fee for Private Security Companies".

(No. F.....)