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Second Session Twelfth Parliament Republic of
Trinidad and Tobago

SENATE

BILL

AN ACT to establish the Private Security Service
Authority and to regulate the private security
industry and for other related matters

THE PRIVATE SECURITY INDUSTRY BILL, 2022

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport)

The Bill seeks to make provision for the regulation of the private security industry.

PART I—PRELIMINARY

Clause 1 sets out the short title of the Bill.

Clause 2 provides for the Act, for which this is the Bill, to come into operation on such date as is fixed by the President, by Proclamation.

Clause 3 provides for the definition of certain terms used in the Bill.

Clause 4 provides for the prohibition of certain persons from applying for a licence under the Act, for which this is the Bill.

PART II—THE PRIVATE SECURITY SERVICE AUTHORITY

Clause 5 provides for the establishment of a Private Security Service Authority, hereinafter referred to as “the Authority”, for the regulation of the private security industry.

Clause 6 provides for the Seal of the Authority.

Clause 7 provides for the establishment, composition and appointment of the Board which is to be responsible for the management of the Authority.

Clause 8 provides for the tenure and resignation of the members of the Board.

Clause 9 provides for the termination and temporary appointment of a member of the Board.

Clause 10 provides that the remuneration of members of the Board is to be determined by the President and reviewed by the Salaries Review Commission.

Clause 11 provides for the procedure to be followed for the conduct of the meetings of the Board and contains, *inter alia*, the number of members which will constitute a quorum and the number of times the Board shall meet per month.

Clause 12 states the functions and powers of the Authority.

PART III—FINANCE

Clause 13 provides for the establishment of a Private Security Service Authority Fund and states what monies constitute the Fund.

Clause 14 provides the ways in which the monies of the Private Security Service Authority Fund are to be utilised, including provisions for the retention of a percentage of surplus funds for use by the Authority and the payment of any remaining funds into the Consolidated Fund.

Clause 15 provides for the procedures for the approval of the budget of the Board.

Clause 16 provides for the making of financial rules, subject to the prior written approval of the Minister with responsibility for finance.

Clause 17 provides for the auditing and accounting of money in the Private Security Service Authority Fund in accordance with internationally recognised accounting standards and further states that the accounts of the Authority shall be a public account for the purposes of section 116 of the Constitution.

Clause 18 provides for the Authority to be exempted from certain taxes and duties in respect of assets acquired for its use in the performance of its functions under the Act.

Clause 19 provides for the financial year of the Board.

Clause 20 provides that the Board shall submit, to the Minister, an annual report of the activities of the Authority which is to be laid before Parliament.

PART IV—STAFF

Clause 21 provides for the appointment of a Chief Executive Officer.

Clause 22 provides for the duties of the Chief Executive Officer.

Clause 23 provides for the appointment of a Secretary of the Board and the employment of other staff members.

Clause 24 provides for the appointment of committees by the Board, as it deems necessary.

Clause 25 provides for the secondment of persons to the service of the Authority.

PART V—INSPECTORS

Clause 26 provides for the employment of Inspectors and states their powers under the Act, for which this is the Bill.

Clause 27 provides for the procedures for the inspection of the operations of security service operators.

Clause 28 provides for the procedures for the inspection of proprietary security employers.

Clause 29 provides for the procedure to be followed subsequent to an inspection of a security service operator, security officer or a special security officer.

Clause 30 provides for the immunity of inspectors in cases where, in the discharge of their function, they act in good faith.

PART VI—SECURITY SERVICES OPERATORS

Clause 31 prohibits a person from providing security services as a security service operator unless he is the holder of a security services operator's licence.

Clause 32 provides for the application process for the issuance of an operator's licence.

Clause 33 provides for the evaluation of applications by the Authority within sixty days from the date of receipt of an application and the procedure to be followed by the Authority when issuing or refusing to issue an operator's licence.

Clause 34 provides that an operator's licence shall be valid for three years and states the procedure for the issuance of a new licence.

Clause 35 states the duties and obligations of a security service operator upon issuance of an operator's licence.

Clause 36 places a duty upon security services operators to ensure that the persons they employ to carry out support security services have not been convicted of an indictable offence and to conduct random drug testing of its employees on an annual basis.

Clause 37 provides that the Authority shall stipulate the minimum value and classes of insurance that is to be held by a security services operator.

Clause 38 provides for the voluntary surrender of an operator's licence to the Authority.

Clause 39 provides for the procedure to be followed where an operator's licence is lost, stolen, defaced, destroyed or otherwise misplaced.

PART VII—PROPRIETARY SECURITY EMPLOYERS

Clause 40 states the duties and employment obligations of a proprietary security employer.

Clause 41 places a duty upon proprietary security employers to ensure that the persons they employ are suitably trained to carry out support security services and have not been convicted of an indictable offence.

PART VIII—SECURITY OFFICERS

Clause 42 provides that a person who wishes to provide security services, other than as a special security officer, shall apply for a security officer's licence and be employed by a security service operator or proprietary security employer.

Clause 43 provides for the manner in which an individual can make an application for a security officer's licence.

Clause 44 provides for the evaluation of applications by the Authority within sixty days of the receipt of an application and the procedure to be followed by the Authority when issuing or refusing to issue a security officer's licence.

Clause 45 provides for the duration of a security officer's licence and stipulates a timeframe for making an application for the issuance of a new security officer's licence.

Clause 46 provides for the one-year duration of a security officer's licence where the holder of the licence is at least sixty-five years.

Clause 47 states the duties and obligations of a security officer upon being issued a security officer's licence.

Clause 48 provides for the powers of security officers.

Clause 49 provides for the voluntary surrender of a security officer's licence.

Clause 50 provides for the procedure to be followed where a security officer's licence is lost, stolen, defaced, destroyed or otherwise misplaced.

PART IX—SPECIAL SECURITY OFFICERS

Clause 51 provides that a person shall not provide security services as a special security officer unless he is the holder of a special security officer's licence.

Clause 52 provides for the application process for a special security officer's licence.

Clause 53 provides for the evaluation of applications by the Authority within sixty days of the receipt of an application and the procedure to be followed by the Authority when issuing or refusing to issue a special security officer's licence.

Clause 54 provides for the duration of a special security officer's licence and the timeframe for the application for a new special security officer's licence.

Clause 55 states the duties of a special security officer upon being issued with a special security officer's licence.

Clause 56 provides for the obligations of a special security officer to notify the Authority where there is a change in his circumstances.

Clause 57 provides for the powers of a close protection officer.

Clause 58 provides for the powers of a peace enforcement officer.

Clause 59 provides for the voluntary surrender of a special security officer's licence.

Clause 60 provides for the procedure to be followed where a special security officer's licence is lost, stolen, defaced, destroyed or otherwise misplaced.

PART X—THE PRIVATE SECURITY SERVICE REVIEW COUNCIL

Clause 61 establishes a Private Security Service Review Council, hereinafter referred to as "the Review Council".

Clause 62 provides for the term of office for persons appointed to the Review Council.

Clause 63 provides for the removal of persons appointed to the Review Council and further provides for the temporary appointment of persons to the Review Council where appointed persons are temporarily absent or unable to exercise their duties.

Clause 64 states that the function of the Review Council is to review decisions of the Authority in relation to the refusal, suspension or revocation of a licence.

Clause 65 provides for the procedure for the conduct of a review by the Review Council.

Clause 66 provides for the powers of the Review Council.

Clause 67 states that appeals from a decision of the Review Council shall be to the High Court.

PART XI—OFFENCES AND PENALTIES

Clause 68 creates an offence of obstruction of an Inspector.

Clause 69 makes it an offence for an Inspector to disclose information he receives during the course of his employment, where such disclosure is not authorised by law.

Clause 70 makes it an offence for an Inspector to falsify his report of an inspection.

Clause 71 creates offences related to security service operators, namely, providing false or misleading information upon application for a licence, providing armed security services without a Firearm User's Licence, assigning a licence, failing to make full disclosure to an Inspector and failing to inform the Authority of changes.

Clause 72 creates offences related to proprietary security employers, namely, failing to make full disclosure to an Inspector and failing to inform the Authority of changes.

Clause 73 creates offences related to security officers, namely, providing false or misleading information upon application, carrying a firearm without a Firearm User's (Employee's) Certificate, handling a dog without having completed the prescribed training course, failing to return articles supplied to him for the execution of his duties where his employment comes to an end and assigning a licence.

Clause 74 creates offences related to special security officers, namely, providing false or misleading information upon application, carrying a firearm without a Firearm User's (Employee's) Certificate, handling a dog without having completed the prescribed training course, assigning a licence and the failure to return to the security service operator, any uniforms, equipment and other articles issued to a special security officer for the execution of his duties.

Clause 75 creates the offence of personation of a person who holds a licence.

Clause 76 makes it an offence to forge or tamper with a licence, identification badge and any other document issued pursuant to the Act, for which this is the Bill.

Clause 77 makes it an offence to utilise a person to provide security services in contravention of the Act, for which this is the Bill.

Clause 78 makes it an offence for a member of the Board to disclose information he receives during the performance of his duties, unless he has a lawful excuse.

Clause 79 makes it an offence for a member of the Board and the Review Council to fail to declare his interest in any matter being considered by the Board.

PART XII—MISCELLANEOUS

Clause 80 provides for the immunity of the members of the Board or employees of the Authority where they act in good faith in the discharge of their functions.

Clause 81 empowers the Minister to make regulations, which shall be subject to negative resolution of Parliament.

Clause 82 empowers the Minister to amend the Schedules.

Clause 83 provides for a transitional period within which companies may continue to offer or provide security services where they were so doing immediately before the coming into force of the Act, for which this is the Bill.

Clause 84 provides for a transitional period within which individuals may continue to offer or provide security services where they were so doing immediately before the coming into force of the Act, for which this is the Bill.

Schedule 1 provides the code of conduct for security service operators.

Schedule 2 provides the code of ethics for security officers and special security officers.

Schedule 3 lists what is to be considered as security services, including support security services, and the category of persons who are prohibited from providing security services.

Schedule 4 sets out the forms of commitment to be signed by security service operators, security officers and special security officers.

THE PRIVATE SECURITY INDUSTRY BILL, 2022

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BILL

AN ACT to establish the Private Security Service
Authority and to regulate the private security
industry and for other related matters

[, 2022]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

PART I PRELIMINARY

1. This Act may be cited as the Private Security Short title
Industry Act, 2022.

Commencement	2. This Act comes into operation on such date as is fixed by the President by Proclamation.
Interpretation	3. In this Act—
	“Authority” means the Private Security Service Authority established under section 5;
	“Board” means the Board established under section 7;
Chap. 15:01	“certificate of character” means the certificate of character referred to in section 51 of the Police Service Act;
	“Chairman” means the Chairman of the Board;
	“Chief Executive Officer” means the Chief Executive Officer appointed under section 21;
	“close protection officer” means an individual employed to escort or protect one or more individuals;
Schedule 1	“Code of Conduct” means the Code of Conduct for a security service operator set out at Schedule 1;
Schedule 2	“Code of Ethics” means the Code of Ethics for security officers and special security officers set out at Schedule 2;
	“Commissioner” has the meaning assigned to it under section 3 of the Police Service Act;
Chap. 81:01	“company” means a company incorporated by or under the Companies Act;
Chap. 15:02	“Estate Police” means the body of police established under section 3 of the Supplemental Police Act;
Chap. 79:09	“financial institution” has the meaning assigned to it under section 2 of the Financial Institutions Act;

“Fund” means the Private Security Service Authority Fund established under section 13;

“Guidelines” means the Guidelines established by the Authority under section 12(1);

“ICATT” means the Institute of Chartered Accountants of Trinidad and Tobago incorporated by the Institute of Chartered Accountants of Trinidad and Tobago (Incorporation) Act, 1970;

Act No. 33 of 1970

“Inspector” means a person employed under section 26;

“Judicial and Legal Services Commission” means the Judicial and Legal Services Commission established under section 110 of the Constitution;

Chap. 1:01

“licence” means a licence issued under this Act;

“licensee” means the holder of a licence;

“medical practitioner” has the meaning assigned to it under section 2 of the Medical Board Act;

Chap. 29:50

“member” means a member of the Board;

“Minister” means the Minister to whom responsibility for national security is assigned;

“operator’s licence” means a security service operator’s licence issued by the Authority under section 33(3);

“peace enforcement officer” means an individual employed—

- (a) to prevent individuals from entering premises or to eject individuals from premises; or
- (b) to guide or cordon off individuals during an event;

“private investigator” means an individual employed to conduct an investigation and supply information;

“private security industry” means the industry which offers or provides security services and includes security service operators, proprietary security employers, special security officers and security officers;

“proprietary security employer” means an individual or a body corporate, including a company which is wholly or partly owned by the Government, who employs an individual, other than an Estate Police employed by the State, a Statutory Authority or a State Enterprise, to provide a security service;

“protective gear” includes bullet proof vests, helmets and firearm holsters;

“protective services” means the Police Service established under the Police Service Act, the Defence Force established under the Defence Act, the Fire Service established under the Fire Service Act, the Prison Service established under the Prison Service Act, the Municipal Police Service established under the Municipal Corporations Act, the Special Reserve Police established under the Special Reserve Police Act, and the Estate Police;

“Review Council” means the Private Security Service Review Council established under section 61;

“Secretary” means the Secretary of the Board;

“security officer” means a person who holds a security officer’s licence;

“security officer’s licence” means a licence issued under section 44(2);

Chap. 14:01

Chap. 35:50

Chap. 13:02

Chap. 25:04

Chap. 15:03

“security service” means any of the services listed under Parts I and II of Schedule 3, where the service is offered or provided by a person other than a person listed under Part III of that Schedule;

“security service operator” means a company which holds an operator’s licence;

“special security officer” means a person who holds a special security officer’s licence;

“special security officer’s licence” means a licence issued under section 53(2);

“Standards” means the Standards established by the Authority under section 12(1);

“support security service” means any of the security services listed under Part II of Schedule 3;

Schedule 3

“work permit” has the meaning assigned to it by regulation 2 of the Immigration Regulations.

Chap. 18:01
G.N. 178/1974

4. A person listed under Part III of Schedule 3 is prohibited from applying for a licence.

Prohibited categories
of persons
Schedule 3

PART II

THE PRIVATE SECURITY SERVICE AUTHORITY

5. There is hereby established a body corporate to be known as “the Private Security Service Authority”, which shall be responsible for the regulation of the private security industry.

Establishment and
incorporation of the
Authority

6. (1) The Authority shall have an official seal which shall be—

Seal of the Authority

- (a) kept in the custody of the Chairman or the Secretary;
- (b) affixed to all instruments made pursuant to resolutions of the Board;

(c) authenticated by the signatures of the Chairman and the Secretary; and

(d) judicially noticed.

(2) All documents, other than those required by law to be made under seal, and all decisions of the Board shall be signed by the Chairman, or in his absence a member authorised by the Board, and the Secretary.

Establishment and
composition of Board

7. (1) The Authority shall be managed by a Board comprising—

(a) a Chairman and a Deputy Chairman, each of whom shall be an Attorney-at-law of at least ten years' standing and appointed by the President on the recommendation of the Judicial and Legal Services Commission;

(b) the Commissioner, or a police officer of the rank of Assistant Commissioner of Police or above designated by the Commissioner;

(c) a representative of the Ministry with responsibility for labour;

(d) a representative of the business sector who is not associated with the private security industry; and

(e) four other persons, suitably qualified by virtue of their knowledge of, and experience in, matters relating to the private security industry.

(2) The members referred to in subsection (1)(b), (c), (d) and (e) shall be appointed by the President.

(3) The appointment of a member shall be by instrument, in writing.

(4) The names of all members of the Board as first constituted and every change in the membership of the Board thereafter shall be published in the *Gazette*.

8. (1) A member, other than the member referred to ^{Tenure of members} in section 7(1)(b), shall be appointed for a term not exceeding five years and is eligible for reappointment.

(2) The Chairman may resign his office by letter addressed to the President.

(3) A member, other than the Chairman, may resign his office by letter addressed to the Chairman who shall immediately forward it to the President.

9. (1) The President may terminate the appointment ^{Removal of member} of a member upon being satisfied that the member—

- (a) has been declared bankrupt;
- (b) is incapable of performing his duties;
- (c) has engaged in conduct that would bring his office into disrepute;
- (d) has been absent, without the leave of the Board, from three consecutive meetings of the Board; or
- (e) has been convicted of an indictable offence or an offence under this Act.

(2) Where a member is temporarily absent from Trinidad and Tobago or is temporarily prevented by illness or any other cause from exercising his functions as a member, the President may appoint another person to act in his place during the period of his absence or incapacity.

10. The remuneration and allowances of the ^{Remuneration of members} members shall be determined by the President and reviewed by the Salaries Review Commission in accordance with section 141 of the Constitution.

11. (1) The Board shall meet at least once every ^{Meetings of the Board} month.

(2) The Chairman, or in his absence, the Deputy Chairman, shall preside at meetings of the Board.

(3) The quorum of a meeting of the Board shall be five members.

(4) The minutes of each meeting of the Board shall be kept in proper form and be confirmed at the next meeting.

(5) The Board may make rules to regulate its own procedure for the conduct of its business.

Functions and
powers of the
Authority

- 12.** (1) The functions of the Authority are to—
- (a) establish Guidelines for the purposes of this Act;
 - (b) establish Standards for the purposes of this Act;
 - (c) regulate the private security industry and ensure compliance with this Act, the Guidelines and the Standards;
 - (d) annually review the licensing regime;
 - (e) issue, revoke, suspend, cancel and vary licences;
 - (f) establish training and practical standards for the certification of security officers and special security officers;
 - (g) establish and maintain a register of all licensees;
 - (h) publish an approved list of courses and institutions for the provision of training of persons engaged in the private security industry;
 - (i) monitor and inspect the operations of licensees to ensure compliance with this Act;
 - (j) conduct character and background investigations in relation to applicants for licences;
 - (k) make recommendations to the Minister on policies and procedures that may be

necessary for the improvement of the Authority and the private security industry;

- (l) appoint a committee to hear and determine complaints from the public in relation to the private security industry;
- (m) promote a private security industry which is characterised by professionalism, transparency, accountability, equity and accessibility; and
- (n) perform such other functions as may be required to give effect to this Act.

(2) In the performance of its functions, the Authority may do all things which may be necessary or expedient for, or are incidental or conducive to, the discharge of its functions under this Act.

(3) The Minister may give general policy directions, in writing, to the Authority which the Authority shall follow in the performance of its functions or the exercise of its powers under this Act.

(4) The Authority shall establish a website and publish on the website—

- (a) the register of all licensees; and
- (b) the Guidelines and Standards.

(5) The Authority shall keep a permanent record of the following:

- (a) in relation to applicants for licences—
 - (i) photographs;
 - (ii) certificates of character;
 - (iii) evidence of training;
 - (iv) results of background and character investigations;
 - (v) certificates of medical fitness; and

- (vi) applications; and
- (b) reports of Inspectors.

PART III
FINANCE

Establishment of the
Private Security
Service Authority
Fund

13. (1) There is established a fund to be known as “the Private Security Service Authority Fund”.

(2) The Fund shall consist of—

- (a) such sums as may be appropriated by Parliament; and
- (b) monies paid to the Authority by way of fees collected under this Act.

(3) The monies in the Fund shall be kept in an account opened with such financial institution as the Minister with responsibility for finance may approve in writing.

Utilising monies in
the Fund

14. (1) The Fund shall be utilised in defraying—

- (a) the expenses incurred in the carrying out of the functions of the Authority;
- (b) the remuneration and allowances of members, officers and other employees of the Authority;
- (c) the capital and operating expenses, including expenses incurred in the maintenance and insurance of the property of the Authority; and
- (d) any other expenditure authorised by the Board for the purposes of the performance of the functions of the Authority.

(2) Subject to subsection (3), the Board shall, at the end of each financial year, cause to be paid into the Consolidated Fund, any surplus of funds remaining after defraying the expenditure referred to in this section.

(3) Notwithstanding the Exchequer and Audit Act, the Minister with responsibility for finance may Chap. 69:01 authorise the retention of a percentage of the surplus funds for use by the Authority.

15. (1) For the purpose of this section, “GAAP” Estimates of expenditure means Generally Accepted Accounting Practice and includes the International Accounting Standards adopted by ICATT.

(2) The Board shall prepare a budget in accordance with GAAP or such other form as the Minister with responsibility for finance may direct, for each financial year and the Board shall submit estimates so prepared to the Treasury within the time stipulated by the Minister with responsibility for finance, having first obtained approval of the estimates of expenditure from the Minister.

(3) The Board shall furnish the Minister with responsibility for finance with such further information in relation to the estimates as he requires.

(4) The estimates of expenditure as approved by the Minister with responsibility for finance shall be the expenditure budget of the Authority for the financial year to which it relates.

16. The Board may, subject to the prior written Financial rules approval of the Minister with responsibility for finance, make such rules as are necessary for the proper control of the system of accounting and the finances of the Authority.

17. (1) The Board shall— Accounts and audit

(a) cause proper books, accounts and records to be maintained in accordance with internationally recognised accounting standards, principles and practices adopted by ICATT; and

(b) ensure that—

- (i) all payments by the Authority are correctly made and properly authorised; and
- (ii) adequate control is maintained over the management of assets and the incurring of liabilities.

(2) The accounts of the Authority shall be a public account for the purposes of section 116 of the Constitution.

Exemptions

18. The Authority shall be exempt from stamp duties, corporation taxes, customs duties, purchase taxes, value added taxes, motor vehicle taxes and all other taxes, charges, levies and imposts on assets, which it acquires for its own use in carrying out its functions under this Act.

Financial year

19. The financial year of the Board shall be the twelve-month period ending on 30th September each year.

Annual report

20. (1) The Board shall, within three months of the end of each financial year, submit to the Minister, an annual report of the activities of the Authority, containing financial statements and other information relating to the operations and functions of the Authority.

(2) The Minister shall cause a copy of the annual report to be laid before Parliament within three months of its receipt by him.

PART IV

STAFF

Chief Executive
Officer

21. (1) The Board shall appoint a Chief Executive Officer, on such terms and conditions as it determines.

(2) A person appointed as Chief Executive Officer shall—

- (a) have at least ten years' experience in law enforcement or security;
- (b) possess graduate qualifications in finance, marketing or business administration; and
- (c) have been positively vetted by the Board.

(3) The Chief Executive Officer shall be appointed for a period of three years and is eligible for reappointment.

(4) The Chief Executive Officer may, subject to section 79, attend all meetings of the Board and take part in its deliberations, but he shall have no right to vote.

22. The Chief Executive Officer shall be responsible Duties of the Chief Executive Officer for the day to day administration of the Authority and shall perform such functions as may be conferred on him by the Board.

23. (1) The Board shall appoint a suitably qualified Secretary of the Board and other staff person, who is positively vetted, as Secretary who shall be responsible for such matters as the Board may determine.

(2) The Board shall employ such staff as it considers necessary for the due and efficient performance of the functions of the Authority.

(3) The staff referred to in subsection (2) shall comprise positively vetted persons, with relevant qualifications and experience.

(4) The staff of the Authority shall be paid such remuneration, including allowances, and be appointed on such terms and conditions as the Board may determine, subject to the approval of the Minister.

(5) The Authority shall establish a pension plan for the benefit of its employees.

Committees

24. The Board may appoint such committees as it considers necessary and such committees may include persons who are not members.

Secondment to the service of the Authority

25. (1) A public officer or any person in the employ of any public body or agency with suitable qualifications may, with the approval of the appropriate Service Commission, agency or body, and with the consent of the officer or employed person, be seconded to the service of the Authority.

(2) Where any secondment is effected, the Authority shall make such arrangements with the appropriate body as may be necessary to preserve the rights of the officer or employed person to superannuation benefits for which the officer or other employed person would have been eligible had that officer or employed person remained in the service from which the secondment was effected.

(3) A period of secondment under this section shall not exceed five years.

PART V

INSPECTORS

Employment of Inspectors

26. (1) Subject to subsection (2), the Authority shall employ suitably qualified and experienced persons to be Inspectors for the purpose of carrying out inspections under this Act.

(2) A person employed under subsection (1) shall be the holder of a precept issued in accordance with section 10 of the Supplemental Police Act.

(3) An Inspector shall be furnished with an identification badge, in the prescribed form.

Inspection of security service operators

27. (1) An Inspector may conduct random inspections of the operations of a security service operator for the purpose of monitoring compliance with this Act, the Guidelines and the Standards.

(2) Upon presentation of his identification badge, an Inspector shall be allowed entry—

- (a) onto the premises of a security service operator; and
- (b) into any vehicle which is owned by, or under the control of, a security service operator and situated on the premises of the security service operator.

(3) An Inspector may—

- (a) require the production of any licence, report or other relevant document, including medical and psychometric evaluations of security officers and special security officers;
- (b) inspect any licence, report or other documents or information relating to any matter connected with the operations of the security service operator;
- (c) conduct such examinations, inspections, investigations and enquiries as may be necessary to ascertain whether this Act, the Guidelines and the Standards are being complied with;
- (d) make copies of documents related to his inspection; and
- (e) where he finds an article by means of which, or in relation to which—
 - (i) an indictable offence has been or is suspected to have been committed;
 - (ii) there is reasonable ground for believing it is evidence of the commission of an indictable offence; or

- (iii) there is reasonable ground for believing it is intended to be used for the purpose of committing an indictable offence,

the Inspector may seize and carry it before a Magistrate as soon as possible to be dealt with by the Magistrate according to law.

- (4) In the exercise of his powers under subsection (3), an Inspector may be accompanied by a police officer.

Inspection of
proprietary security
employer

28. (1) An Inspector may, during normal working hours, conduct a random inspection of a proprietary security employer and the security officers and special security officers in the employ of that proprietary security employer for the purpose of monitoring the compliance of the proprietary security employer, the security officers and the special security officers with this Act, the Guidelines and the Standards.

(2) An Inspector shall not enter any building, or part thereof, in actual use as a dwelling without the consent of the occupier, except under the authority of a warrant issued under subsection (3).

(3) If a Magistrate is satisfied by information on oath that there is reasonable ground for believing that any work performed or any condition existing in such building or part thereof contravenes the provisions of this Act, he may issue a warrant to an Inspector.

(4) A warrant issued under subsection (3), shall authorise the Inspector named therein to enter the building or part thereof at any time of day within one month from the date thereof, accompanied by a police constable, to inspect the building or part thereof in exercise of the powers conferred by subsection (1).

(5) An Inspector authorised under subsection (4) to enter a building or part thereof shall, if so required, produce evidence of his authority before entering and shall not enter the building or part thereof unless twenty-four hours' notice of the intended entry has been given to the occupier.

(6) Upon the execution of a search warrant, the police constable shall forthwith complete a report describing anything seized, whether specified in the search warrant or not, and shall—

- (a) forthwith serve a copy of the report on the owner or occupier of the building searched and on any person from whom anything was taken; and
- (b) within fourteen days—
 - (i) deliver a copy of the report to the Magistrate who issued the search warrant, or if delivery to that Magistrate is not possible, to another Magistrate; and
 - (ii) file the report in the High Court.

29. (1) Where—

- (a) upon an inspection under section 27 or 28;^{Compliance procedure pursuant to inspection}
or
- (b) in relation to a special security officer,

an Inspector finds no evidence of non-compliance with this Act, the Guidelines or the Standards, the Inspector shall submit a report to the Authority within twenty-four hours.

(2) Where—

- (a) upon inspection under section 27 or 28;
- (b) in relation to a special security officer,

an Inspector finds evidence of non-compliance with this Act, the Guidelines or the Standards, the Inspector shall, within three days of the inspection, submit a written report to the Authority.

(3) Where a report is submitted under subsection (2), the Authority shall issue a compliance notice to the security service operator, the security officer or the special security officer, requiring the licensee to take such corrective measures within such time as is specified in the compliance notice.

(4) Where a compliance notice is issued to a security officer or special security officer who is in the employ of a security service operator or a proprietary security employer, a copy of the compliance notice shall be issued to the security service operator or the proprietary security employer, respectively.

(5) Where the security service operator, security officer or special security officer takes the corrective measures within the time specified in the compliance notice under subsection (3), the Inspector shall—

- (a) inform the Authority, in writing, of the compliance; and
- (b) where a copy of a compliance notice was issued under subsection (4), inform the security service operator or the proprietary security employer of the security officer's or special security officer's compliance.

(6) Where the security service operator, security officer or special security officer fails to take the required corrective measures specified in the compliance notice under subsection (3)—

- (a) the Inspector shall submit a written report of the non-compliance to the Authority, including details of any actions taken during the period; and
- (b) the Authority shall notify the security service operator, the security officer or the special security officer, in writing, of the Authority's intention to suspend or revoke the licence.

(7) Where the Authority notifies a security officer or special security officer in the employ of a security service operator or proprietary security employer of its intention to suspend or revoke the officer's licence, the Authority shall notify the security service operator or the proprietary security employer, respectively, of the notice.

(8) A notice under subsection (6)(b) shall state the grounds on which the Authority intends to suspend or revoke the licence.

(9) Where the Authority notifies the licensee of its intention under subsection (6)(b), the licensee shall, within fourteen days of the notice, give written reasons why his licence should not be suspended or revoked, as the case may be.

(10) Where, after considering the circumstances of the case, the reasons given by a licensee and the corrective measures taken by the licensee, the Authority is of the opinion that the licence should be suspended or revoked, the Authority shall suspend or revoke the licence and serve on the licensee a suspension notice or revocation notice, accordingly.

(11) Where notifications are issued pursuant to subsections (7) and (10), the Authority shall—

(a) notify the relevant—

(i) security service operator; or

(ii) proprietary security employer;
and

(b) publish such notices on its website.

30. No action or other proceeding shall be instituted against an Inspector for any act done or omitted to be done by him in good faith in the performance of his duties, the exercise of his powers or the discharge of his functions.

PART VI

SECURITY SERVICE OPERATORS

31. No person shall offer or provide security service as a security service operator unless—

(a) it is a company;

(b) none of its directors was convicted of an indictable offence within the past five years; and

Protection of
Inspectors

Requirement to be
security service
operator

(c) it is the holder of an operator's licence.

Application for an
operator's licence

32. (1) A company which wishes to offer or provide security service as a security service operator shall apply for the issuance of an operator's licence.

(2) An application for the issuance of an operator's licence shall be made in the prescribed form and shall be accompanied by—

- (a) the prescribed non-refundable application fee;
- (b) proof of group health insurance;
- (c) a Clearance Certificate of Registration from the Board of Inland Revenue;
- (d) a Compliance Certificate of Registration from the National Insurance Board;
- (e) a Value Added Tax Certificate of registration, where applicable; and
- (f) a certificate issued by the Registrar General in accordance with section 486 of the Companies Act.

(3) It shall be a condition of a licence that the licensee consents to the entry of an Inspector on the premises specified in the licence during working hours or such other times as the premises are open to the public or otherwise in use by the licensee, for the purposes of the exercise of his powers under sections 27 and 28.

Criteria for and
issuance of operator's
licence

33. (1) Pursuant to section 32, the Authority shall—

- (a) evaluate an application within sixty days of its receipt, to determine whether or not an operator's licence should be issued; and
- (b) within fourteen days, after the completion of the evaluation exercise under paragraph (a), notify the applicants in accordance with subsections (3) and (4).

(2) In determining whether or not to issue an operator's licence, the Authority shall consider whether—

- (a) the applicant had a similar licence or registration refused or revoked in Trinidad and Tobago or in another jurisdiction;
- (b) there is in force a court order for the winding up of the company under the Companies Act;
- (c) a receiver has been appointed under the Companies Act or any other written law; and
- (d) it is in the public's interest to refuse the issuance of an operator's licence to the applicant.

(3) Where the Authority decides to issue an operator's licence, it shall notify the applicant of its decision and, upon payment of the prescribed fee, the Authority shall issue the operator's licence.

(4) Where the Authority intends to refuse to grant an operator's licence it shall notify the applicant of its intention and give the applicant fourteen days to submit written representations to the Authority.

(5) Where the Authority decides not to issue an operator's licence, it shall notify the applicant of its decision and provide the applicant with the reasons for the refusal in writing.

34. (1) An operator's licence shall be valid for ^{Duration of} three years. _{operator's licence}

(2) Where a company is the holder of an operator's licence and wishes to apply for a new operator's licence, it shall apply to the Authority not less than ninety days and not more than one hundred and twenty days prior to the date of expiration of its operator's licence.

35. (1) Upon being issued an operator's licence, the security service operator shall submit to the Authority an affidavit of commitment in the form set out in Form 1 at Schedule 4, sworn by a director on behalf of the security service operator.

(2) A security service operator shall comply with this Act, the Code of Conduct, the Guidelines and the Standards.

(3) A security service operator shall—

- (a) display its operator's licence in a conspicuous place at its principal place of business; and
- (b) display at each of its branches or offices a certified copy of its operator's licence, which it receives upon payment of the prescribed fee to the Authority.

(4) Where there is a material change in the particulars of a security service operator, the security service operator shall inform the Authority of the change, in writing, within one month of the change.

(5) A security service operator may apply for a work permit on behalf of a security officer or special security officer it wishes to employ.

(6) A security service operator shall ensure that an individual who is required to obtain a work permit is the holder of a security officer's licence or a special security officer's licence before the security service operator makes an application for a work permit on behalf of the individual.

(7) Subject to subsection (8), where there is a change in any particulars relating to a security officer or special security officer who is employed by a security service operator, the security service operator shall notify the Authority, in writing, within one month of being notified of the change.

(8) A security service operator shall inform the Authority in writing within seven days where—

- (a) the security service operator employs a security officer or a special security officer;
- (b) the security service operator's employment of a security officer or a special security officer ceases upon death, resignation, retirement or medical grounds;
- (c) the security service operator suspends a security officer or a special security officer and the security service operator shall provide reasons for the suspension; or
- (d) the security service operator terminates the employment of a security officer or a special security officer and the security service operator shall provide reasons for the termination.

(9) Where the Authority is informed of an occurrence under subsection (8)(b), (c) or (d), the Authority may revoke or suspend the licence of the security officer or special security officer, and the provisions of section 29(6) to (11) shall apply *mutatis mutandis*.

(10) A security service operator shall keep the following records in relation to security officers and special security officers in its employ for a period of six years after the security officer or special security officer is no longer employed with the security service operator:

- (a) photographs;
- (b) certificates of character;
- (c) evidence of training;
- (d) payments of salary, including statutory deductions;
- (e) results of employee character investigations; and

(f) disciplinary and award records.

(11) A security service operator shall on an annual basis, or as required, and at his own expense, provide each security officer and special security officer in its employ with appropriate equipment and uniform, including—

- (a) protective gear appropriate to the duties to be performed;
- (b) a name tag indicating, in conspicuous letters, the name of the officer;
- (c) a badge indicating, in conspicuous letters, the name of the security service operator;
- (d) insignia bearing, in conspicuous letters, the words “Private Security”;
- (e) communication devices;
- (f) pens and pocket diaries; and
- (g) such other equipment as may be required for the execution of specific duties, including, where appropriate, flashlights, high visibility jackets and raincoats.

(12) A security service operator which offers or provides a canine service shall comply with the Dog Control Act and any other law related to animal health and welfare.

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(13) Subject to subsection (12), a security service operator which offers or provides a canine service shall ensure that all dogs which it owns, which is in its possession or control or for which it is responsible are trained by a certified dog trainer.

(14) Subject to subsection (12), a security service operator which offers or provides a canine service shall have a policy of insurance that provides coverage in respect of each claim for injury or death caused by a dog which it owns, which is in its possession or control or for which it is responsible, in such sum as the Minister with responsibility for local government may, by Order, prescribe.

(15) A security service operator shall, within seven days of the termination of the employment of a security officer or special security officer, issue to that officer a document certifying that all statutory deductions have been remitted in respect of that officer.

36. (1) A security service operator may employ such persons as it considers necessary to provide a support security service. Operator to employ persons to perform support security service

(2) Prior to the employment of a person pursuant to subsection (1), the security service operator shall ensure that the person has not been convicted of an indictable offence.

37. The Authority shall stipulate in the Guidelines Policy of insurance the minimum value and classes of insurance to be held by a security service operator.

38. Where a security service operator wishes to surrender its licence for cancellation, it shall notify the Authority, in writing, and the Authority shall cancel the licence, subject to the conditions set out in the Guidelines. Voluntary surrender of operator's licence

39. A security service operator shall within fourteen days of the loss, theft, defacing, destruction or otherwise misplacing of its operator's licence inform the Authority of the occurrence and the Authority may, on application made by the security service operator and upon payment of the prescribed fee, issue to the security service operator a certified copy of the licence. Replacement of operator's licence

PART VII

PROPRIETARY SECURITY EMPLOYERS

40. (1) A proprietary security employer may apply for a work permit on behalf of a security officer or special security officer it wishes to employ. Duties of a proprietary security employer

(2) A proprietary security employer shall ensure that—

- (a) an individual who is employed by the proprietary security employer as a security officer or a special security officer is the holder of a security officer's licence or a special security officer's licence, respectively; and
- (b) an individual who is required to obtain a work permit is the holder of a security officer's licence or a special security officer's licence before the proprietary security employer makes an application for a work permit on behalf of the individual.

(3) Subject to subsection (4), where there is a change in any particulars relating to a security officer or special security officer who is employed by a proprietary security employer, the proprietary security employer shall notify the Authority, in writing, within one month of being notified of the change.

(4) A proprietary security employer shall inform the Authority, in writing, within seven days where—

- (a) the proprietary security employer employs a security officer or a special security officer;
- (b) the proprietary security employer's employment of a security officer or a special security officer ceases upon death, resignation, retirement or medical grounds;
- (c) the proprietary security employer suspends a security officer or a special security officer and the proprietary security employer shall provide reasons for the suspension; and
- (d) the proprietary security employer terminates the employment of a security officer or a special security officer and the proprietary security employer shall provide reasons for the termination.

(5) Where the Authority is informed of an occurrence under subsection (4)(b), (c) or (d), the Authority may revoke or suspend the licence of the security officer or special security officer and the provisions of section 29(6) to (11) shall apply *mutatis mutandis*.

(6) A proprietary security employer shall keep the following records in relation to security officers and special security officers in its employ for a period of six years after the security officer or special security officer is no longer employed with the proprietary security employer:

- (a) photographs;
- (b) certificates of character;
- (c) evidence of training;
- (d) payments of salary;
- (e) results of employee character investigations;
and
- (f) disciplinary and award records.

(7) A proprietary security employer shall on an annual basis or as required, and at his own expense, provide each security officer or special security officer in its employ with appropriate equipment and uniform, including—

- (a) protective gear appropriate to the duties to be performed;
- (b) a name tag indicating, in conspicuous letters, the name of the officer;
- (c) a badge indicating, in conspicuous letters, the name of the proprietary security employer;
- (d) insignia bearing, in conspicuous letters, the words “Private Security”;
- (e) communication devices;

- (f) pens and pocket diaries; and
- (g) such other equipment as may be required for the execution of specific duties, including, where appropriate, flashlights, high visibility jackets and raincoats.

Proprietary security employer to employ persons to perform support security service

41. (1) A proprietary security employer may employ such suitably trained persons as it considers necessary to provide a support security service.

(2) Prior to the employment of a person pursuant to subsection (1), the proprietary security employer shall ensure that the person has not been convicted of an indictable offence.

PART VIII

SECURITY OFFICERS

Requirement to hold security officer's licence

42. An individual who wishes to offer or provide a security service listed under Part I of Schedule 3, other than as a close protection officer, a peace enforcement officer or a private investigator, shall—

- (a) apply for a security officer's licence; and
- (b) be employed by a security service operator or a proprietary security employer.

Application for security officer's licence

43. (1) An individual who—

- (a) is not less than eighteen years;
- (b) has not been convicted of an indictable offence, nationally or internationally; and
- (c) has not been convicted of more than three summary offences within the ten years immediately preceding the date of his application,

may apply for the issuance of a security officer's licence.

(2) An application for the issuance of a security officer's licence shall be made in the prescribed form.

(3) An application made under this section shall be accompanied by—

- (a) the prescribed fee;
- (b) a certificate of character or equivalent documentation from the jurisdiction in which the applicant has been resident in the five years prior to making the application;
- (c) a certificate of medical fitness issued by a medical practitioner; and
- (d) a certificate attesting to training in the provision of the security service as required by the Standards.

(4) It shall be a condition of a licence that the licensee consents to the entry of an Inspector on the premises specified in the licence during working hours or such other times as the premises are open to the public or otherwise in use by the licensee, for the purposes of the exercise of his powers under sections 27 and 28.

44. (1) The Authority shall, within sixty days of receiving an application under section 43, evaluate the application and conduct an investigation of the applicant to determine if the applicant is fit and proper to be issued with a security officer's licence.

(2) Where the Authority decides to issue a security officer's licence, it shall notify the applicant of its decision and, upon payment of the prescribed fee, the Authority shall issue the security officer's licence.

(3) Where the Authority intends to refuse to grant a security officer's licence it shall notify the applicant of its intention and give the applicant fourteen days to submit written representations to the Authority.

(4) Where the Authority decides not to issue a security officer's licence, it shall notify the applicant and provide him with the reasons for the refusal in writing.

Duration of security officer's licence

45. (1) Subject to section 46, a security officer's licence shall be valid for three years.

(2) Where a person is the holder of a security officer's licence and wishes to apply for a new security officer's licence, he shall apply to the Authority not less than ninety days and not more than one hundred and twenty days prior to the date of expiration of his security officer's licence.

Duration of security officer's licence where licensee at least sixty-five years

46. Where an individual who is sixty-five years or over is issued with a security officer's licence, the security officer's licence shall be valid for one year.

Duties of a security officer

47. (1) Upon being issued a security officer's licence, the security officer shall submit to the Authority a sworn affidavit of compliance in the form set out in Form 2 at Schedule 4.

Form 2
Schedule 4

(2) A security officer shall comply with this Act, the Code of Ethics, the Guidelines and the Standards.

(3) A security officer shall, while performing his duty—

- (a) wear the prescribed uniform; and
- (b) present his licence to any person upon request

Powers of a security officer

48. (1) The powers of a security officer, in relation to the premises to which he is assigned, are—

- (a) to search any person who is on or seeks entry onto the premises;
- (b) to examine any article that is on or is being delivered or brought onto the premises;
- (c) to exclude or remove any person from the premises who, without good cause—
 - (i) refuses to be searched; or

- (ii) refuses to allow an article in his possession to be examined;
 - (d) to exclude or remove any person from the premises in order to—
 - (i) protect persons or property; or
 - (ii) allow business to proceed without interference or delay;
 - (e) to require any person who is on or seeks entry onto the premises to identify himself;
 - (f) to detain any person who—
 - (i) without lawful permission, enters or attempts to enter the premises;
 - (ii) he suspects, or has reasonable cause to suspect, is engaged in an unlawful activity on the premises; or
 - (iii) commits an arrestable offence in his presence on the premises,
 and deliver the detained person as soon as possible into the custody of a police officer;
 - (g) to seize any weapon, other than a weapon that is in the lawful possession of a person on the premises, and deliver the seized weapon as soon as possible into the custody of a police officer; and
 - (h) to seize any article which he has reason to believe is being unlawfully removed from the premises.
- (2) In exercising the power conferred under—
- (a) subsection (1)(c), (d), (g) or (h), the security officer may use reasonable force; and
 - (b) subsection (1)(f), the security officer—
 - (i) may use reasonable force; and

- (ii) shall, as soon as practicable, inform the person of the reason for the detention.

Voluntary surrender
of security officer's
licence

49. Where a security officer wishes to surrender his licence for cancellation, he shall notify the Authority, in writing, and the Authority shall cancel the licence, subject to the conditions set out in the Guidelines.

Replacement of
security officer's
licence

50. A security officer shall within fourteen days of the loss, theft, defacing, destruction or otherwise misplacing of his operator's licence inform the Authority of the occurrence and the Authority may, on application made by the security officer and upon payment of the prescribed fee, issue to the security officer a certified copy of the licence.

PART IX

SPECIAL SECURITY OFFICERS

Requirement to hold
special security
officer's licence

51. (1) An individual shall not offer or provide security service as a—

- (a) close protection officer;
- (b) peace enforcement officer; or
- (c) private investigator,

unless he is the holder of a special security officer's licence.

(2) A special security officer's licence issued under this Part shall indicate under which of the categories referred to in subsection (1) the licensee is licensed.

Application for
special security
officer's licence

52. (1) An individual who—

- (a) is not less than eighteen years; and
- (b) has not been convicted of an indictable offence,

may apply for the issuance of a special security officer's licence.

(2) An application for the issuance of a special security officer's licence shall be made on the prescribed form.

(3) An application under this section shall be accompanied by—

- (a) the prescribed fee;
- (b) a certificate of character or equivalent documentation from the jurisdiction in which the applicant has been resident in the five years prior to making the application;
- (c) a certificate of medical fitness issued by a medical practitioner;
- (d) a certificate attesting to the relevant training as required by the Standards; and
- (e) where not employed by a security service operator or a proprietary security employer, the relevant policy of insurance set out in the Guidelines.

(4) It shall be a condition of a licence that the licensee consents to the entry of an Inspector on the premises specified in the licence during working hours or such other times as the premises are open to the public or otherwise in use by the licensee, for the purposes of the exercise of his powers under sections 27 and 28.

53. (1) The Authority shall, within sixty days of receiving an application under section 52, evaluate the application and conduct an investigation of the applicant to determine if the applicant is fit and proper to be issued with a special security officer's licence.

(2) Where the Authority decides to issue a special security officer's licence, it shall notify the applicant of its decision and, upon payment of the prescribed fee, the Authority shall issue the special security officer's licence.

(3) Where the Authority intends to refuse to grant a special security officer's licence it shall notify the applicant of its intention and give the applicant fourteen days to submit written representations to the Authority.

(4) Where the Authority decides not to issue a special security officer's licence, it shall notify the applicant and provide the applicant with reasons for the refusal, in writing.

Duration of special security officer's licence

54. (1) A special security officer's licence shall be valid for the period specified in the licence, but the period shall not exceed two years.

(2) Where a person is the holder of a special security officer's licence and wishes to apply for a new special security officer's licence, he shall apply to the Authority not less than ninety days and not more than one hundred and twenty days prior to the date of expiration of his special security officer's licence.

Duties of a special security officer

55. (1) Upon being issued a special security officer's licence, the special security officer shall submit to the Authority a sworn affidavit of compliance in the form set out in Form 2 at Schedule 4.

Schedule 4

(2) A special security officer shall comply with this Act, the Code of Ethics, the Guidelines and the Standards.

(3) A special security officer shall present his licence to any person upon request.

Obligations of special security officer

56. (1) A special security officer shall notify the Authority of any change in his particulars within fourteen days of the change.

(2) A special security officer shall keep the following records for six years:

- (a) the nature of the service provided; and
- (b) the name and address of the person to whom the service was provided.

(3) A special security officer who contravenes subsection (1) commits an offence and is liable to an administrative fine—

- (a) in the case of an individual, of five hundred dollars; and
- (b) in the case of a company, of one thousand dollars.

57. Where a close protection officer is employed to ^{Powers of close protection officers} protect a person, the close protection officer may, in the performance of his duty, use reasonable force where necessary.

58. (1) In the performance of his duties, a peace ^{Powers of peace enforcement officers} enforcement officer may, in relation to the premises to which he is assigned—

- (a) search any person who is on or seeks entry onto the premises;
- (b) examine any article that is on or is being delivered or brought onto the premises;
- (c) exclude or remove any person from the premises who, without good cause—
 - (i) refuses to be searched; or
 - (ii) refuses to allow an article in his possession to be examined;
- (d) exclude or remove any person from the premises in order to—
 - (i) protect persons or property; or
 - (ii) allow the business of authorised personnel to proceed without interference or delay;
- (e) require any person who is on, or seeks entry onto, the premises to identify himself;
- (f) detain any person who—
 - (i) without lawful permission, enters or attempts to enter the premises;

- (ii) he suspects, or has reasonable cause to suspect, is engaged in an unlawful activity on the premises; or
 - (iii) commits an arrestable offence in his presence on the premises,
- and deliver the detained person as soon as possible into the custody of a police officer;
- (g) seize any weapon, other than a weapon that is in the lawful possession of a person, on the premises, and deliver the seized weapon as soon as possible into the custody of a police officer; and
 - (h) seize any article which he has reason to believe is being unlawfully removed from the premises.
- (2) In exercising a power conferred under—
- (a) subsection (1)(c), (d), (g) or (h), the peace enforcement officer may use reasonable force; and
 - (b) subsection (1)(f), the peace enforcement officer—
 - (i) may use reasonable force; and
 - (ii) shall, as soon as possible, inform the person of the reason for the detention.

Voluntary surrender
of special security
officer's licence

59. Where a special security officer intends to surrender his licence, he shall notify the Authority in writing of such intention and the Authority shall within fourteen days of receipt of such notification, cancel the licence, subject to conditions set out in the Guidelines.

Replacement of
special security
officer's licence

60. A special security officer shall within fourteen days of the lost, theft, defacing, destruction or otherwise misplacing of his operator's licence inform the Authority of the occurrence and the Authority may, on application

made by the special security officer and upon payment of the prescribed fee, issue to the special security officer a certified copy of the licence.

PART X

THE PRIVATE SECURITY SERVICE REVIEW COUNCIL

61. (1) There is established a review council to be known as the Private Security Service Review Council. Establishment of the Private Security Service Review Council

(2) The Review Council shall be appointed by the President and shall consist of five persons, as follows:

- (a) a Chairman and a Deputy Chairman, each of whom shall be an Attorney-at-law of at least ten years' standing, nominated by the Judicial and Legal Services Commission;
- (b) a suitably qualified person with experience in human resource management;
- (c) a suitably qualified person with experience in the protective services; and
- (d) a suitably qualified person with experience in the private security industry.

(3) The appointment of a person under subsection (2) shall be by instrument, in writing.

(4) The names of all persons appointed to the Review Council as first constituted and every change in the constitution of the Review Council thereafter shall be published in the *Gazette*.

(5) The remuneration and terms and conditions of a person appointed under this section shall be determined by the President and reviewed by the Salaries Review Commission in accordance with section 141 of the Constitution.

62. (1) A person shall be appointed to the Review Council for a period not exceeding three years and is eligible for reappointment. Tenure of persons appointed

(2) A person appointed to the Review Council may resign his office by letter addressed to the President.

Removal of persons appointed

63. (1) The President may terminate the appointment of a person appointed to the Review Council upon being satisfied that the person—

- (a) has been declared bankrupt;
- (b) is incapable of performing his duties;
- (c) has neglected his duties or has engaged in conduct that would bring his office into disrepute; or
- (d) has been convicted of an indictable offence or an offence under this Act.

(2) Where a person appointed to the Review Council is temporarily absent from Trinidad and Tobago or is temporarily prevented by illness or any other cause from exercising his functions, the President may appoint another person to act in his stead during the period of his absence or incapacity.

Functions of the Review Council

64. (1) The Review Council shall review decisions of the Authority in relation to the refusal, suspension or revocation of a licence.

(2) The Review Council may make rules to regulate its own procedure for the conduct of its business.

Procedure in respect of requests for review

65. (1) Where an affected person wishes to have a decision of the Authority reviewed, the affected person shall, within fourteen days of receipt of the notice of the decision of the Authority, file a written statement with the Review Council, requesting a review and setting out the grounds for the review.

(2) The Review Council shall cause a copy of the written statement filed under subsection (1) to be provided to the Authority.

(3) The Review Council shall—

- (a) hear and determine a review within ninety days of the date of receipt of the written statement under subsection (1); and
- (b) give its reasons in writing for its decision.

(4) For the purposes of this section, an “affected person” means a person—

- (a) who is refused a licence; or
- (b) whose licence is suspended or revoked.

66. In making its decision with respect to a request Powers of the Review Council for a review under section 65, the Review Council may—

- (a) dismiss the review; or
- (b) confirm, vary, amend or set aside the decision of the Authority.

67. An appeal from a decision of the Review Council Appeals from decisions of the Review Council shall be to a Judge of the High Court.

PART XI

OFFENCES AND PENALTIES

68. (1) A person shall not obstruct an Inspector in the Obstructing an Inspector exercise of his powers under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable, on summary conviction, to a fine of fifteen thousand dollars and to imprisonment for two years.

69. (1) An Inspector shall not disclose any information Disclosure of information by an Inspector acquired by him by reason of his office or employment under this Act unless—

- (a) the disclosure is done in the execution of, or for the purposes of, this Act;
- (b) the disclosure is necessary for the purpose of an investigation or legal proceedings; or
- (c) the disclosure is required by law.

(2) An Inspector who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of thirty thousand dollars and imprisonment for five years.

Falsifying of report
of inspection

70. (1) In carrying out his functions under this Act, an Inspector shall not falsify his report.

(2) An Inspector who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of thirty thousand dollars and imprisonment for five years.

Offences in relation
to security service
operator

71. (1) A person who applies to be a security service operator shall not furnish in its application any false or misleading information.

(2) A security service operator shall not employ an individual as a security officer or a special security officer unless the individual is the holder of a security officer's licence or a special security officer's licence, respectively.

(3) A security service operator shall not offer or provide armed security service unless at least one of its directors is the holder of a Firearm User's Licence issued under the Firearms Act.

(4) A security service operator shall not permit any of its employees to carry a firearm in the performance of his duties unless the employee is the holder of a Firearm User's (Employee's) Certificate issued under section 18 of the Firearms Act.

(5) A security service operator shall not assign its operator's licence.

(6) A security service operator shall make full disclosure to an Inspector of any equipment or article in its possession and any security service it provides during an inspection.

(7) A person who contravenes this section or who fails to comply with section 35(7) or 35(8) commits an offence and is liable on summary conviction, in the case of—

- (a) a body corporate, to a fine of two hundred and fifty thousand dollars;
- (b) a director or other officer of a body corporate, to a fine of one hundred thousand dollars and imprisonment for twenty years; or
- (c) any other individual, to a fine of thirty thousand dollars and imprisonment for five years.

72. (1) A proprietary security employer shall make full disclosure to an Inspector of any security service it utilises and any equipment or article related to the provision of the security service in its possession, during an inspection. Offences in relation to a proprietary security employer

(2) A person who contravenes this section or who fails to comply with section 40(3) or 40(4) commits an offence and is liable on summary conviction, in the case of—

- (a) a body corporate, to a fine of two hundred and fifty thousand dollars;
- (b) a director or other officer of a body corporate, to a fine of one hundred thousand dollars and imprisonment for twenty years; or
- (c) any other individual, to a fine of thirty thousand dollars and imprisonment for five years.

73. (1) A person who applies to be a security officer shall not furnish in his application any false or misleading information. Offences in relation to a security officer

(2) A security officer shall not carry a firearm in the performance of his duties unless he is the holder of a Firearm User's (Employee's) Certificate issued under the Firearms Act.

(3) A security officer shall not handle a dog unless he has attended and successfully completed a course of training in the control of dogs that is recognised by the Minister with responsibility for animal health and welfare or local government, in accordance with the Dog Control Act, or such other prescribed training in the control of dogs.

(4) Where the employment of a security officer comes to an end by reason of his resignation, dismissal or retirement, the security officer shall immediately deliver up to the security service operator any uniform, equipment, Firearm User's (Employee's) Certificate and other articles which were supplied to him for the execution of his duties.

(5) Where a security officer dies, any person in possession of any uniform, equipment, Firearm User's (Employee's) Certificate and other articles which were supplied to the security officer for the execution of his duties shall, within fourteen days of the security officer's death, deliver the articles to the security service operator with which the security officer was employed.

(6) A security officer shall not assign his security officer's licence.

(7) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars and imprisonment for three years.

Offences in relation
to a special security
officer

74. (1) A person who applies to be a special security officer shall not furnish in his application any false or misleading information.

(2) A special security officer shall not carry a firearm in the performance of his duties unless he is the holder of a Firearm User's (Employee's) Certificate issued under the Firearms Act.

(3) A special security officer shall not handle a dog unless he has attended and successfully completed a course of training in the control of dogs that is recognised by the Minister with responsibility for animal health and welfare or local government, in accordance with the Dog Control Act, or such other prescribed training in the control of dogs.

(4) A special security officer shall not assign his special security officer's licence.

(5) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars and imprisonment for three years.

75. (1) A person, other than a licensee, who takes ^{Personation} or uses any name, title or description implying or calculated to lead persons to believe that he is a licensee commits an offence.

(2) A person who holds himself out as providing security service, in contravention of this Act, commits an offence.

(3) A person who commits an offence under this section is liable on summary conviction to a fine of thirty thousand dollars and imprisonment for five years.

76. A person who forges or tampers with a licence, ^{Forging or tampering with a licence} identification badge or other document issued pursuant to this Act commits an offence and is liable on summary conviction, in the case of—

- (a) a security service operator, to a fine of one hundred and seventy five thousand dollars;
- (b) a director or other officer of a security service operator, to a fine of one hundred thousand dollars and imprisonment for twenty years;

- (c) a security officer or special security officer, to a fine of thirty thousand dollars and imprisonment for five years; and
- (d) a person other than a person referred to in paragraph (a), (b) or (c), to a fine of twenty thousand dollars and imprisonment for three years.

Using security
service in
contravention of Act

77. (1) No person shall utilise or obtain a security service listed under Part I of Schedule 3 unless he is satisfied that the provider of the service is licensed to provide that service.

(2) No person shall utilise or obtain, from a company, a support security service unless he is reasonably satisfied that the company is a security service operator licensed to provide that service.

(3) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and imprisonment for twenty years.

Confidentiality

78. A member of the Board or any person in the service of the Authority who, without lawful excuse—

- (a) communicates or reveals any information or matter connected with or related to the functions of the Authority to another person; or
- (b) obtains, reproduces or retains possession of any information or matter connected with or related to the functions of the Authority which that member or person is not authorised to obtain, reproduce or retain,

commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and imprisonment for two years.

Declaration of
interest

79. (1) The members of the Board, the Chief Executive Officer and any other person attending a

meeting of the Board who has an interest, whether direct or indirect, in a matter before the Board, shall declare his interest to the Board.

(2) A declaration of interest made under subsection (1) shall be recorded in the minutes of the meeting of the Board, and the Board, excluding the person whose interest is being considered, shall determine whether the interest is sufficiently material so as to constitute a conflict of interest.

(3) Where the Board finds that the interest of the person is such as to constitute a conflict of interest, that person shall not—

- (a) vote or take part in any decisions of the Board on that matter; or
- (b) solicit the support of any member, officer or employee of the Authority to obtain an advantage over any other person in the matter being considered.

(4) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and imprisonment for three years.

(5) This section applies *mutatis mutandis* to a member of the Review Council and any person attending a meeting of the Review Council.

PART XII

MISCELLANEOUS

80. No action or other proceeding for damages shall be instituted against a member of the Board or an employee, or any person in the service of the Authority, for any act done in good faith in the performance of a duty or in the exercise of a power pursuant to this Act. ^{Protection of employees}

81. (1) The Minister may, on the recommendation of the Authority, make regulations providing for—

- (a) uniforms, authorised insignia and other equipment to be worn or used by security officers;
- (b) training and other standards for licensees;
- (c) the selection of laboratories to conduct blood testing which have been certified by the International Organisation for Standardization;
- (d) the procedure relative to the filing, hearing and determination of complaints from the public as it relates to the private security industry;
- (e) forms to be prescribed under this Act;
- (f) matters to be prescribed under this Act; and
- (g) such other matters as are necessary or expedient for giving effect to this Act.

(2) Regulations made under this section may prescribe that a contravention thereof shall constitute an offence punishable on summary conviction, in the case of—

- (a) a body corporate, to a fine of one hundred and seventy five thousand dollars;
- (b) a director or other officer of a body corporate, to a fine of one hundred thousand dollars and imprisonment for twenty years; and
- (c) any other individual, to a fine of thirty thousand dollars and imprisonment for five years.

(3) Regulations made under this section shall be subject to negative resolution of Parliament.

82. The Minister may, by Order—

Amendment of
Schedules

- (a) amend Schedules 1, 2 and 4 on the recommendation of the Authority; and
- (b) subject to negative resolution of Parliament, amend Schedule 3.

83. (1) Notwithstanding Part VI, a company which offered or provided a security service immediately before the coming into force of that Part may, subject to subsection (2), continue to offer or provide the security service without a licence for a period of eighteen months after the coming into force of that Part.

Transitional in
relation to a
company

(2) The company referred to in subsection (1) shall inform the Authority where it continues to offer or provide a security service after the commencement of Part VI, within one month of the coming into force of that Part.

(3) The company referred to in subsection (1) which wishes to continue to provide a security service after the expiration of the eighteen-month period referred to in subsection (1), shall apply for an operator's licence, in accordance with this Act, within fifteen months of the coming into force of Part VI.

84. (1) An individual who offered or provided a security service listed under Part I of Schedule 3 immediately before the coming into force of Part VIII or Part IX may continue to offer or provide the service without a licence under this Act for a period of eighteen months after the coming into force of Part VIII or Part IX, respectively, or such longer period as the Minister may, by Order, specify.

a Transitional in
relation to
individuals

(2) Where the individual referred to in subsection (1) is authorised to act as an estate constable under the Supplemental Police Act and is not employed by the State, a Statutory Authority or a State Enterprise, the individual shall surrender his precept to the Commissioner of Police.

(3) The individual referred to in subsection (1) shall inform the Authority where he continues to offer or provide a security service listed under Part I of Schedule 3 after the commencement of the respective Part, within one month of the coming into force of the respective Part.

(4) Where the individual referred to in subsection (1) wishes to continue to provide a security service listed under Part I of Schedule 3 after the expiration of the eighteen-month period referred to in subsection (1), he shall apply for a security officer's licence or special security officer's licence, in accordance with this Act, within fifteen months of the coming into force of Part VIII or Part IX, respectively.

(5) Upon the expiration of the eighteen-month period referred to in subsection (1), an individual who belongs to the categories of persons listed under Part III of Schedule 3 shall not be allowed to—

- (a) apply for a licence; or
- (b) offer or provide a security service.

SCHEDULE 1

[Sections 3 and 35]

CODE OF CONDUCT FOR SECURITY SERVICE OPERATORS

Part I. Recruitment, Vetting and Training

1. A security service operator shall not employ anyone under the age of 18 years to perform a security service.

2. In determining whether to recruit an employee, security service operators shall comply with the Equal Opportunity Act.

3. A security service operator shall exercise reasonable care and diligence in the selection and vetting of applicants for employment.

4. Prior to hiring, authorising or deploying any person to carry out a security service, a security service operator shall—

- (a) conduct and complete background checks of the applicant;

- (b) require the applicant to provide at least three letters of reference that address both the applicant's abilities, experiences, skills and qualifications as well as the applicant's general character;
- (c) validate the applicant's credentials, qualifications and skills; and
- (d) validate that the applicant is medically and psychometrically suited for the particular job and environment for which he is being hired or deployed.

5. A security service operator shall comply with the industrial and labour laws and shall at all times treat its employees with dignity and respect.

6. A security service operator shall ensure that security officers and special security officers in its employ are licenced under the Act, suitably experienced and qualified, adequately and appropriately trained for the service they are employed to perform and that an appropriate number of security officers and special security officers is first aid certified. A security service operator shall keep written records of all training provided and undergone by security officers and special security officers in its employ. In considering what minimum standards of training are appropriate, a security service operator shall have regard to the Regulations, the Guidelines and the Standards.

7. A security service operator shall regularly monitor security officers and special security officers to ensure that in the performance of their duties, they are not under the influence of alcohol and dangerous drugs.

8. A security service operator shall ensure that its employees are familiar with this Code and the relevant laws which govern their conduct.

9. A security service operator shall establish internal procedures so that its employees may express grievances, and so that these grievances may be resolved within the company.

10. A security service operator shall take reasonable steps to ensure that its security officers and special security officers are trained in etiquette and to respect local customs, traditions, culture and religious practices wherever they operate.

11. A security service operator shall take reasonable steps to ensure that its security officers and special security officers, to the extent reasonably practicable, do not cause undue harm to the physical environment in which they operate.

12. A security service operator shall, upon request by the Authority, provide documentary evidence that it has complied with the provisions of this Code on the recruitment, employment and training of its security officers and special security officers.

13. A security service operator shall ensure that every dog which it has in its possession or control is provided with adequate and appropriate food, water, shelter, exercise and veterinary care as may be required.

Part II. Contracting and Subcontracting

1. Any contract to provide a security service entered into by a security service operator shall comply with the Act.

2. A security service operator shall not accept an assignment from a client which would require the security service operator or its employees to engage in or facilitate an illegal act.

3. A security service operator shall take reasonable steps to ensure that any other security service operators which it subcontracts to provide a security service comply with the Act.

4. A security service operator shall not divulge to a third party confidential information about a present or past client gained as a result of a contract with that client.

5. A security service operator shall establish internal policies with regard to confidentiality and protection of information, as well as policies with regard to information sharing with other security service operators and other persons and entities.

6. A security service operator shall establish internal policies to avoid conflicts of interest.

7. Where a security service operator is contemplating entering into a contract that might give rise to a conflict of interest, the security service operator shall—

- (a) avoid that conflict of interest by taking all reasonably practicable steps to do so; or
- (b) not enter into the contract, where it is not reasonably practicable to avoid that conflict of interest.

8. A security service operator shall not accept a contract that may require it to engage in offensive operations, contrary to Part IV of this Code.

Part III. Operations and Risk Management

1. Where a task to be undertaken by a security service operator involves a reasonably foreseeable risk of injury to a person, the security service operator shall take appropriate steps to reduce the risk of injury to the lowest level reasonably practicable, including the provision of appropriate protective gear to security officers and special security officers in its employ.

2. In respect of a contract to provide a security service where the use of force may be required, a security service operator shall—

- (a) make a written assessment of the risk to security officers and special security officers;
- (b) regularly review and revise the risk assessment referred to in paragraph (a); and
- (c) take steps to reduce the risk of injury to the lowest level reasonably practicable, including the provision of appropriate protective gear.

Part IV. Constitutional Rights, the Use of Force and the Detention of Individuals

1. A security service operator shall ensure that security officers and special security officers are trained not to use—

- (a) physical or lethal force directed at any person except to the extent that it is reasonably required under the circumstances in order to defend themselves or any other person from force or the imminent threat of force; and
- (b) physical force directed at any person except to the extent that it is reasonably required under the circumstances in order to defend any property from the threat of capture or damage.

2. A security service operator shall ensure that security officers and special security officers are trained to arrest and detain an individual in accordance with the Act, and shall require its security officers and special security officers to report any such arrest to it and the client without delay.

3. A security service operator and the security officers and special security officers in its employ shall treat all apprehended persons humanely and shall not subject them to torture or other cruel, inhumane or degrading treatment or punishment under the Constitution.

Part V. Use of Weapons

Chap. 16:01

1. A security service operator shall comply with the Firearms Act.

2. A security service operator shall establish appropriate internal company policies to ensure the safe storage and handling of firearms and ammunition, having regard to the laws of Trinidad and Tobago including the Firearms Act and to the Guidelines.

3. A security service operator shall take reasonable steps to ensure that firearms and ammunition are used only by persons who are suitably qualified to do so.

4. A security service operator shall establish and maintain internal policies and procedures to determine the suitability of security officers and special security officers to carry a firearm in the performance of their duties, regardless of whether they are in possession of a Firearms User's Licence or a Firearms User's (Employee's) Certificate.

5. A security service operator shall not require or permit a security officer or special security officer to carry a firearm in the performance of his duties if he has—

- (a) been convicted of an offence punishable by a term of imprisonment of more than three years;
- (b) had other employment or engagement contracts terminated as a result of any contravention of the Act; or
- (c) had a history of other conduct that reasonably brings into question his fitness to carry a firearm.

6. A security service operator shall comply with the Guidelines and the Standards in relation to the use of firearms in the provision of a security service.

Part VI. Post-Incident Management

1. A security service operator shall have suitable written procedures as to the practical steps to be taken following an incident involving serious harm, injury or death to a security officer, special security officer or a third party.

2. Where a security service operator is aware of the injury or death of a person as a result of any act or omission of any of its security officers or special security officers, the security service operator shall, as soon as is reasonably practicable—

- (a) inform the client of the injury or death;

- (b) complete an incident report including the following information:
 - (i) in the case of death—
 - (A) the time and location of the incident; and
 - (B) the identity of the persons involved including their addresses and other contact information; and
 - (ii) in the case of an injury—
 - (A) the time and location of the incident;
 - (B) the identity of the persons involved including their addresses and other contact information;
 - (C) the injuries sustained;
 - (D) the cause of the injuries; and
 - (E) how and where the injuries were treated;
- (c) undertake an assessment of the circumstances surrounding the incident, including the following information:
 - (i) such information referred to in paragraph (b) as was not known at the time of completion of the incident report;
 - (ii) the facts of the incident;
 - (iii) the cause of the incident; and
 - (iv) whether any provision of this Code or the laws of Trinidad & Tobago was breached; and
- (d) record in writing the outcome of the assessment and any steps taken in consequence of it.

3. Upon completion of an incident report prepared pursuant to clause 2, the security service operator shall provide a copy of the report to the Police Service.

4. A security service operator shall, upon request by the Authority, promptly provide to the Authority copies of any documents prepared under clause 2.

Part VII: Victim Redress & Insurance

1. A security service operator shall—
 - (a) establish effective third-party grievance procedures, so that third parties may complain directly to it in search of redress, and the security service operator can respond directly to the complainants; and
 - (b) take appropriate disciplinary action against its employees for breaches of this Code or any other unlawful behaviour.

2. A security service operator shall ensure that the Authority is kept informed at all times as to the address of its registered office and shall authorise the Authority to publish that address.

3. A security service operator shall ensure that it has, at all times, a policy of insurance to cover any liability for damages in respect of personal injury, death or damage to property arising out of its operations.

4. A security service operator shall annually submit to the Authority documentary evidence of its compliance with this Part.

Part VIII: Reporting and Compliance

1. A security service operator shall immediately report any known or suspected breaches of the Act to the Authority.

2. A security service operator shall not allow harassment or abuse of—

- (a) civilian employees by security officers or special security officers in its employ; or
- (b) security officers or special security officers in its employ by civilian employees.

3. Nothing contained in this Code shall require a security service operator or its employees to disclose information in contravention of the laws of Trinidad and Tobago, or in breach of any contractual obligation with respect to confidentiality, or any legally recognised privilege.

4. A security service operator shall comply with any sanction imposed upon it consequent to a breach of any provision of this Code.

SCHEDULE 2

[Sections 3, 47 and 55]

CODE OF ETHICS FOR SECURITY OFFICERS AND
SPECIAL SECURITY OFFICERS

I, _____, born on _____, of _____, and identifiable by the national identification number _____, a Security Officer or Special Security Officer under the laws of the Republic of Trinidad and Tobago, understand that I am at all times responsible for my actions. Given my position, I have a duty to myself, my employer, my community and Trinidad and Tobago to act in a manner that is legal, ethical and appropriate to the responsibility of the position I hold. Consequently, I commit to act according to the following principles in the discharge of my duties:

1. I will always act with integrity, dignity and respect for the rights of all those with whom I come into contact.
2. I will question anything which I am ordered to do that is unethical or inappropriate.
3. I will discourage my colleagues or superiors from acting in a manner which is illegal, unethical or inappropriate.
4. I will report to the appropriate authorities any illegal or improper conduct or treatment to which I am subjected.
5. I will always be honest in my interactions with people whom I encounter during the discharge of my duties.
6. I will not use alcohol, drugs or other substances which may impair my ability to perform my duties.
7. I will perform my duties in accordance with my training and with respect for local customs, traditions, culture and religious practices.
8. I will perform my duties in a manner to avoid harm to the physical environment in which I function.
9. I will report any known or suspected breaches of the Act to the Authority.
10. I will familiarise myself with the laws, regulations, standards and codes of conduct which govern my work and my industry and ensure that my conduct conforms with them.
11. I will hold myself accountable to my clients and the community in which I work and will not cause any harm to the people, infrastructure or environment in and around which I operate.

12. I will respect and protect the confidential information which comes into my possession as a result of my work and will never use such information to unduly harm or benefit either myself or others.

13. I will always perform my duties in a professional, responsible and ethical manner so as to bring credit to myself, my employer and the community in which I work.

14. I will work for the benefit of the people of Trinidad and Tobago and will perform my duties in accordance with the highest ethical and moral standards in order to contribute to the peace, security and stability of Trinidad and Tobago.

Signed: _____

Date: _____

SCHEDULE 3

[Sections 3, 4, and 84]

LIST OF SECURITY SERVICES, SUPPORT SECURITY SERVICES AND PROHIBITED PERSONS

PART I

SECURITY SERVICE

1. The provision of personnel in the following categories:
 - (a) Security officers;
 - (b) Close protection officers;
 - (c) Peace enforcement officers; and
 - (d) Private investigators.
2. Canine Service.
3. Armed Courier Service.
4. Security and safety consultancy service including—
 - (a) Provision of security risk mitigation solution; and
 - (b) Security risk assessment and security programme development.
5. Provision of security training.
6. Chauffeur service with a qualified security driver.
7. Activities related to the opening, closing or engaging of locking mechanisms by means of a specialised device, for the benefit of another person, with the exception of the installing of a lock as part of a person's occupation as a builder, the cutting of a

key that is not marked restricted, patented or trademarked and the selling of self-installed security systems.

8. Armoured Car Service.
9. Marine Security.

PART II
SUPPORT SECURITY SERVICE

1. Provision, Installation, Design or Repairs of—
 - (a) Alarm and electronic devices;
 - (b) Electronic security;
 - (c) Security Systems;
 - (d) Emergency command and control centre operations for security purposes;
 - (e) X-Ray scanners for security purposes;
 - (f) Closed circuit TV Systems and other forms of monitoring for security purposes;
 - (g) Intercom systems (both Audio and Video) for security purposes;
 - (h) Electrical fencing and outdoor perimeter security systems;
 - (i) Electronic locks with keypads;
 - (j) Access control systems with badging capabilities;
 - (k) Automated Slides and barriers;
 - (l) Electronic asset tracking alarm solutions;
 - (m) Intruder detection systems; and
 - (n) Home Integrated security systems

where the provision, installation, design or repair is done for the benefit of another person.

2. Cash in transit operations and security cash management, including—
 - (a) Payroll delivery and packaging;
 - (b) Cash counting and vaulting;
 - (c) Coin collection and supply;
 - (d) Cash deposits and cash trans-shipments; and
 - (e) Automated Teller Machine Replenishment.

3. Custodial Management:
 - (a) Prisoner Transportation;
 - (b) Escorting of detainees; and
 - (c) Operation of Rehabilitation and Halfway Houses.
4. Provision and Installation of Global Positioning Systems (GPS) as it relates to security.

PART III

CATEGORIES OF PERSONS

- | | |
|-------------|---|
| Chap. 15:01 | 1. A police officer, as defined under the Police Service Act. |
| Chap. 15:02 | 2. An estate constable, as defined under the Supplemental Police Act. |
| Chap. 25:04 | 3. An officer, or Assistant Commissioner, as defined under the Municipal Police Service Regulations. |
| Chap. 15:03 | 4. A member of the Special Reserve Police, established under the Special Reserve Police Act, who is employed full-time. |
| Chap. 14:01 | 5. A member of the Trinidad and Tobago Defence Force, established under the Defence Act. |
| Chap. 78:01 | 6. An Officer, as defined under the Customs Act. |
| Chap. 78:01 | 7. An extra guard, as defined under the Customs Act. |
| Chap. 35:50 | 8. A fire officer, as defined under the Fire Service Act. |
| Chap. 35:54 | 9. A member of the Auxiliary Fire Service, established under the Auxiliary Fire Service Act. |
| Chap. 18:01 | 10. An immigration officer, appointed under the Immigration Act. |
| Chap. 13:02 | |
| Chap. 15:06 | 11. A prison officer, under the Prison Service Act. |
| | 12. An employee of the Strategic Services Agency. |
| Chap. 48:50 | 13. A Transport Officer or a Traffic Warden, as defined under the Motor Vehicles and Road Traffic Act. |
| Chap. 67:01 | 14. A Game Warden, as defined under the Conservation of Wild Life Act. |

SCHEDULE 4

[Sections 35, 47 and 55]

COMPLIANCE FORMS

FORM 1

AFFIDAVIT OF COMMITMENT TO COMPLY WITH THE CODE OF CONDUCT
FOR SECURITY SERVICE OPERATORS

I, _____, of _____, on behalf of my company, _____ registered under the Companies Act, Chap. 81:01, with registration number _____, of which I am duly authorised by the company, do hereby swear, attest and affirm that my company, _____, will adhere to, comply with and uphold the Code of Conduct for a Security Service Operator, consistent with the Private Security Industry Act and the Private Security Industry Regulations. This commitment applies to my company, _____, in its entirety including all owners, officers, directors and employees.

Sworn: _____

Name: _____

Date of Birth: _____

Identification Number: _____

Dated this _____ day of _____, _____.

Commissioner of Affidavits

FORM 2

AFFIDAVIT OF COMPLIANCE WITH THE PRIVATE SECURITY
INDUSTRY ACT

I, _____, of _____, do hereby swear, attest and affirm that I meet all legal and regulatory requirements under the Private Security Industry Act, and the Private Security Industry Regulations to become (tick one):

- () a Security Officer, or
- () a Special Security Officer

under the laws of the Republic of Trinidad and Tobago.

Sworn: _____

Name: _____

Date of Birth: _____

Identification Number: _____

Dated this _____ day of _____, 20____

Commissioner of Affidavits

Passed in the Senate this _____ day of _____, 2022.

Clerk of the Senate

No. 7 of 2022

SECOND SESSION
TWELFTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to establish the Private Security Service Authority and to regulate the private security industry and for other related matters

Received and read the

First time

Second time

Third time