



# International discussion forum

Involving the security organisations of Asia, Australia, Brazil, New-Zealand, Russia, South-Africa and the United States

## Consolidated overview of responses received to the April-May 2010 questionnaire on 'Licensing'

Month	April-May 2010
Focus theme	Licensing

### 1. In your country:

- a. Is licensing obligatory by law for private security companies, private security guards or both?
- b. Which responsible/competent authority (e.g. the Ministry of the Interior, the Ministry of Justice, other bodies) issues and renews this/these licence(s)?
- c. Does this authority also perform checks and impose (administrative/penal) sanctions in case of infringement?

#### New-Zealand

- a. Our licensing requirements do not extend to in-house security
- b. Yes
- c. A Registrar appointed by the Ministry of Justice. New legislation currently before Parliament will change this to a Licensing Authority, also appointed by MOJ
- d. Yes

#### Australia (CPSISC)

- a. Licensing is obligatory for all private organisations throughout all Australian jurisdictions. No one individual can perform security services without holding the relevant licensing for those services in which they deliver. Please refer to Attachment A for summary of requirements under each jurisdiction.
- b. Yes, for example, under both the Casino Control Act and the Transport Operations (Passenger Transport) Act 1994, (national legislations), a casino or passenger transport can employ security officers/crowd control directly; however, the individual must still be licensed. These organisations are not governed by the Security Providers Acts.
- c. Attachment B lists the relevant State/Territory authorities that issue and renew licences.
- d. Yes, these authorities perform checks and impose sanctions in case of infringement.

#### Brazil (World Security Federation/Fenavist)

- a. In Brazil, to exercise any activity related to private security (in-house security, armed escorts, personal security, transport of valuables/CIT, educational courses, and building security) an authorisation by the Federal Police is required in accordance with act 7.102/83 and ordinance 387/2003.
- b. The Department of Federal Police, which is bound to the Ministry of Justice, which is a part of the Federal Government.
- c. Yes, checks are performed at least once a year where the licence is up for renewal. There are also some sporadic checks to ensure companies comply with the legal requirements imposed on them.

### 2. Which are the main issues, obstacles and/or challenges you have been or are faced with regarding licensing? These may be related to legislation, organisation, policies, procedures or other circumstances.

#### New-Zealand

Currently the biggest issue would be with long waiting times. This will be reduced under new



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legislation as the licensing period will extend to 5 years (currently annual) and renewals will be staggered - on the anniversary of issue rather than the current situation in which all licences are renewed on the same date. Also the current legalisation only includes basic police/background checks, with no requirements for competence.

## Australia (CPSISC)

To date, there is no national licensing in Australia – it is regulated by the individual States/Territories. However, the Ministerial Council for Policing and Emergency Management is overseeing a process led by the Security Industry Regulators Forum that has resulted in agreement amongst the jurisdictions on the qualifications to be used for licensing in all jurisdictions. CPSISC has no direct responsibility for this overall process but has been directed by the Commonwealth Government to manage a process to ensure that the qualifications determined by all regulators as necessary for licensing requirements are aligned to the regulatory requirements for people seeking licences. CPSISC will continue to work closely with all stakeholders to assist with the implementation of the agreement. Any other issues or challenges possibly rest with the regulators and/or organisations themselves.

## Brazil (World Security Federation/Fenavist)

In Brazil, two main issues are currently being tackled: strengthening of the current legislation (due to evolutions in private security services) and the time it takes to process all the administration by the Federal Police. To solve the first issue, we are awaiting the approval of the new legislation for private security services, the Private Security Statute. To solve the second one, since 2005, the Federal Police launched an online tool (Gesp – Electronic Management of Private Security), which allows users (private security companies) to handle all administrative process online (work authorisations, buying ammunition/weapons, renewing licences, etc.).

3. Which main objectives or ambitions did/would you like to achieve regarding licensing through your organisation's work?

## New-Zealand

Embedding mandatory pre-training and ongoing professional development.

## Australia (CPSISC)

That national licensing utilises the national training package units of competency to align to licensing requirements – hence, all security personnel have benchmark training delivered and assessed.

## Brazil (World Security Federation/Fenavist)

Fenavist has been working with the national parliament to approve a new private security act which will elevate standards for private security. This will, in turn, allow only the most serious companies to operate, which results in a better quality of services for the end user.

4. Which methodology did you use or are you planning to use to accomplish the above-mentioned objectives?

## New-Zealand

Have made submissions on the new legislation, also working with industry groups around design of appropriate qualifications.

## Australia (CPSISC)

As previously stated, CPSISC does not have direct input into determining licensing requirements (that is the realm of regulators); however, works closely with all stakeholders to assist that national competency based training supports the licensing systems in each jurisdiction.



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## Brazil (World Security Federation/Fenavist)

We seek dialogue with representatives in the political arena for the approval of the new Private Security Statute in the Deputy Chamber.

5. Which solutions, responses, initiatives and/or projects were/will be generated in order to overcome the issues, obstacles and/or challenges you identified regarding licensing (cf. question 2.)?

## New-Zealand

New legislation is partially addressing these issues, but more work needs to be done by industry on the competency issue.

## Australia (CPSISC)

As per answer question 2.

## Brazil (World Security Federation/Fenavist)

The main work has already been done, we are now awaiting the approval of the new private security legislation (this year still), but the process prior to getting to this stage was quite long. Many meetings with all private security stakeholders (companies, employees, police and many others) were organised, which sometimes took more than a year. After these meetings, the regulatory bodies drafted the minutes of the meeting, which were then sent to parliament, leading to a public debate in 2009 and to the creation of the new Private Security Statute, which awaits voting in congress.

6. In case you have any other comments and/or additional information you wish to share, please feel free to do so here:

## New-Zealand

N/A

## Australia (CPSISC)

Please refer to Attachments A and B.

## Brazil (World Security Federation/Fenavist)

The World Security Federation took Brazil as an example, because a lot of information is available on licensing. Globally speaking, we see that many countries have different needs and consequently different ways to deal with private security. Some have regulatory agencies, others not, some have specific legislation, others not.

Should you have any queries and/or concerns related to this consolidated overview and/or the focus theme, please do not hesitate to contact the CoESS General Secretariat:

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