

CAYMAN ISLANDS



Private Security Services Law, 2007

PRIVATE SECURITY SERVICES REGULATIONS, 2008

(SL 5 of 2008)

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CAYMAN ISLANDS



Private Security Services Law, 2007

**PRIVATE SECURITY SERVICES
REGULATIONS, 2008**

(SL 5 of 2008)

The Governor, in exercise of the powers conferred by section 20 of the Private Security Services Law, 2007, makes the following regulations —

Citation

1. These Regulations may be cited as the Private Security Services Regulations, 2008.

Definitions

2. In these Regulations —

“**emblem**” means any distinctive badge, design or device, including any associated caption; and

“**work permit**” has the meaning assigned to it in section 2 of the *Immigration Law (2007 Revision)*.

Licences to be signed

3. No licence shall be of any effect unless it is signed by both the Commissioner and —
 - (a) the licensee; or
 - (b) where the licensee is a body corporate, the general manager, secretary or another officer of the body corporate.

Applications for licences

4. (1) An application for a security business licence shall —
- (a) if the applicant is an individual, be made using Form 1 in Schedule 1; or
 - (b) if the applicant is a body corporate, be made using Form 2 in Schedule 1.
- (2) An application for a security guard's licence shall be made using Form 3 in Schedule 1.
- (3) An application for the renewal of a licence shall be made in a form approved by the Commissioner.
- (4) An application for a security guard's licence or for renewal of such a licence shall be accompanied by two passport-sized photographs of the applicant.
- (5) An application for a licence or for renewal of a licence may be lodged at Police Headquarters in George Town or at the police station that is nearest to —
- (a) the principal place of business of the applicant or licensee, as the case may be, in the case of a security business licence; or
 - (b) the place of residence of the applicant or licensee, as the case may be, in the case of a security guard's licence.
- (6) Where the intended holder of a security business licence is a body corporate, application for the licence or any renewal of the licence may be made on its behalf by the general manager, secretary or another officer of the body corporate.

Form of licence

5. (1) A security business licence shall be issued in Form 4 in Schedule 1.
- (2) A security guard's licence shall be issued in Form 5 in Schedule 1.

References to police

6. (1) The holder of a security business licence shall not, in any contract or advertisement or otherwise in connection with any of the activities of the business, use the word "police" or other words that carry a suggestion that the business is a branch or activity of, or is otherwise associated with, the Royal Cayman Islands Police Force.
- (2) A licensee who contravenes this regulation commits an offence and is liable on summary conviction to a fine of one thousand dollars.



Uniforms

7. (1) No security guard shall, while on duty for the purposes of a security business, wear a uniform other than the uniform (in this regulation referred to as “the approved uniform”) for the time being approved in writing by the Commissioner for wear by guards employed in that business.
- (2) An applicant for, or the holder of, a security business licence may submit uniforms for the Commissioner’s approval under this regulation —
- (a) by submitting one or more colour photographs, satisfactory to the Commissioner, of each item of apparel, clearly showing its style and colour and any emblem featured on it; or
 - (b) in such other manner as the Commissioner may think fit in a particular case.
- (3) For the purposes of this regulation, a uniform is not the approved uniform if —
- (a) it differs in style or colour from the approved uniform; or
 - (b) there is displayed on any item of it any emblem not featured in the approved uniform.
- (4) The Commissioner may decline to approve a uniform —
- (a) that, in his opinion, too closely resembles in colour or styling, or by virtue of any emblem featured on it —
 - (i) a uniform worn by constables or special constables;
 - (ii) a uniform worn by any personnel of Her Majesty’s armed forces; or
 - (iii) a uniform approved under this regulation in respect of a security business other than that of the applicant or licensee; or
 - (b) if, in his opinion, the wearing of such a uniform by security guards would be contrary to the public interest.
- (5) The holder of a security business licence who desires to change the uniform of the security guards employed in his business may at any time submit new uniforms to the Commissioner for approval under this regulation.
- (6) The Commissioner may decline to issue a security business licence to an applicant if no uniform for use by security guards employed in the business is for the time being approved under this regulation.
- (7) If this regulation is contravened by a security guard, the holder of the licence for the security business concerned commits an offence and is liable on summary conviction to a fine of one thousand dollars.
- (8) A licensee shall not be convicted by a court for a contravention of this regulation if the court is satisfied that the licensee took all reasonable steps to prevent the contravention.

Vehicles

8. (1) No vehicle shall be used in connection with a licensed security business if it features any emblem other than an emblem for the time being approved in writing by the Commissioner for use by that business.
- (2) An applicant for, or the holder of, a security business licence may submit an emblem for the Commissioner's approval —
- (a) by submitting one or more colour photographs, satisfactory to the Commissioner, of each emblem to be featured on the vehicles, together with written specifications of its dimensions;
 - (b) by presenting a vehicle featuring the emblem for inspection; or
 - (c) in such other manner as the Commissioner may think fit in a particular case.
- (3) The Commissioner may decline to approve an emblem —
- (a) that, in his opinion, too closely resembles in colour or styling, or by virtue of any caption —
 - (i) an emblem featured on vehicles used by the Royal Cayman Islands Police Force;
 - (ii) an emblem featured on vehicles used by personnel of Her Majesty's armed forces; or
 - (iii) an emblem approved in respect of a security business other than that of the applicant or licensee; or
 - (b) if, in his opinion, it would be contrary to the public interest for such an emblem to be featured on vehicles used by a security business.
- (4) The holder of a security business licence who desires to change the emblem used on his vehicles may at any time submit a new emblem to the Commissioner for approval.
- (5) The Commissioner may decline to issue a security business licence to an applicant if no suitable emblem for use on vehicles is for the time being approved under this regulation, unless he is satisfied that no emblems, or no vehicles, are to be used for the purposes of the business.
- (6) If this regulation is contravened, the holder of the licence for the security business concerned commits an offence and is liable on summary conviction to a fine of one thousand dollars.

Records

9. (1) It shall be a condition of every security business licence that the licensee shall keep and maintain records, as required by this regulation, in relation to the persons employed in the business as security guards.



- (2) In relation to each security guard, a record shall be kept of the following particulars —
 - (a) the date on which the person was first employed in the business as a security guard;
 - (b) the salary at which he was employed, and particulars of any salary increases thereafter;
 - (c) the number and date of issue of his work permit, if any;
 - (d) the number and date of issue of his security guard's licence; and
 - (e) the date, if any, on which he ceased to be so employed.
- (3) In addition to the foregoing, a daily record shall be kept of the places at which each security guard was stationed on that day.
- (4) A record kept under this regulation in relation to a particular security guard shall be maintained at all times while the security guard is employed as such in the security business and for a period of two years after he ceases to be so employed.
- (5) A record kept under this regulation shall be produced for inspection upon demand made by a constable.
- (6) A person who fails to produce such a record when required under this regulation to do so commits an offence and is liable on summary conviction to a fine of one thousand dollars.

Licensee to give notice of certain events

- 10.** It shall be a condition of every security business licence that the licensee shall forthwith notify the Commissioner in writing of —
 - (a) any dismissal, resignation or retirement of any director or partner in the business;
 - (b) the names and addresses of any new director or partner in the business;
 - (c) the reasons for any dismissal, resignation, retirement or termination of service of any security guard employed in the business; and
 - (d) the conviction of any security guard employed in the business for any offence.

Fees

- 11.** The fees set out in Schedule 2 shall be payable in the circumstances referred to therein.

Transitional provisions

- 12.** (1) No offence shall be deemed to arise from the wearing by a security guard, at any time within ninety days after the date on which these regulations come into operation, of a uniform of the type worn by him in the course of his employment as a security guard immediately before that date.
- (2) No offence shall be deemed to arise from the use in connection with a security business, at any time within ninety days after the date on which these regulations come into operation, of a vehicle that features only emblems of the type featured on the vehicle in the course of such use immediately before that date.
- (3) During a period of ninety days referred to in paragraph (1) or (2), a uniform or vehicle may be submitted for the Commissioner's approval in the manner prescribed in regulation 7 or 8, as the case may require.



SCHEDULE 1

Regulation 4(1)(a)

FORMS

Form 1

THE PRIVATE SECURITY SERVICES LAW, 2007

THE PRIVATE SECURITY SERVICES REGULATIONS, 2008

Application for Security Business Licence to be Issued to an Individual

(This form to be completed by the applicant for the licence)

1. Your full name and address:
.....
.....
2. Your date and place of birth:
.....
.....
3. Do you possess Caymanian status?
If not, what is your nationality and how long have you been resident in the Cayman Islands?
.....
.....
Work permit No.
4. Have you ever been convicted of a criminal offence? If so, give details of any offence(s) and the year(s) in which conviction(s) recorded:
.....
.....
5. Have you previously been refused a security business licence?
.....
6. Are you an undischarged bankrupt?
.....
7. Are you currently subject to the provisions of a deed of arrangement or other scheme or arrangement with creditors?
.....



8. Give details of relevant training or experience in the business of providing security guards:

.....
.....

9. Give details of proposed courses of training to be provided to security guards:

.....
.....

**I DECLARE that the
information furnished
in this application is
true and correct to the
best of my knowledge
and belief**

}

.....
(Signature of applicant)

Note: The Private Security Services Law, 2007 provides penalties for false or misleading statements in this application.



Form 2**Regulation 4(1)(b)**

THE PRIVATE SECURITY SERVICES LAW, 2007

THE PRIVATE SECURITY SERVICES REGULATIONS, 2008

Application for Security Business Licence to be Issued to a Body Corporate

(This form to be completed by the general manager, secretary or another officer of the applicant for the licence)

1. Full name of body corporate applying for licence:
.....
2. Address of applicant's principal place of business:
.....
.....
3. Full name and designation of officer completing this form on behalf of the body corporate:
.....
Contact details:
.....
.....
4. Full name, designation and contact details of all directors and other officers of the body corporate:
.....
.....
.....
.....
5. Has the applicant ever been convicted of a criminal offence? If so, give details of any offence(s) and the year(s) in which conviction(s) recorded:
.....
.....
6. Have any of the directors or officers of the body corporate ever been convicted of a criminal offence? If so, give details of any offence(s), the name(s) of the offender and the year(s) in which conviction(s) recorded:
.....
.....

7. Is the applicant currently the subject of any resolution or petition for its winding up?
.....
8. Is any director of the applicant an undischarged bankrupt?
.....
9. Is any director of the applicant currently subject to the provisions of a deed of arrangement or other scheme or arrangement with creditors?
.....
10. Give details of relevant training or experience of directors/managers of the company in the business of providing security guards:
.....
.....
11. Give details of proposed courses of training to be provided to security guards:
.....
.....

I DECLARE that the information furnished in this application is true and correct to the best of my knowledge and belief

}

.....
(Signature of applicant)

Note: The Private Security Services Law, 2007 provides penalties for false or misleading statements in this application.



Form 3

Regulation 4(2)

**THE PRIVATE SECURITY SERVICES LAW, 2007
THE PRIVATE SECURITY SERVICES REGULATIONS, 2008**

Application for Security Guard's Licence

(This form to be completed by the applicant for the licence)

1. Your full name and address:
.....
.....
2. Your date and place of birth:
.....
.....
3. Do you possess Caymanian status?
If not, what is your nationality and how long have you been resident in the Islands?
.....
.....
Work permit No.
4. Have you ever been convicted of a criminal offence? If so, give details of any offence(s) and the year(s) in which conviction(s) recorded:
.....
.....
5. Have you previously been refused a security business licence?
.....

**I DECLARE that the
information furnished
in this application is
true and correct to the
best of my knowledge
and belief**



.....
(Signature of applicant)

Note: The Private Security Services Law, 2007 provides penalties for false or misleading statements in this application.



Form 4

Regulation 5(1)



CAYMAN ISLANDS

THE PRIVATE SECURITY SERVICES LAW, 2007

THE PRIVATE SECURITY SERVICES REGULATIONS, 2008

Security Business Licence

..... is hereby licensed to carry on a
(name of licensee)

business of providing security guards for a period of years, commencing on

.....

(date)

This licence is subject to the conditions prescribed under the Law and to the following additional conditions:

.....

.....

.....

Commissioner of Police

.....

Licensee/General Manager/Secretary



Form 5

Regulation 5(2)



CAYMAN ISLANDS
THE PRIVATE SECURITY SERVICES LAW, 2007
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Security Guard's Licence

..... is hereby licensed to act as a
(*name of licensee*)

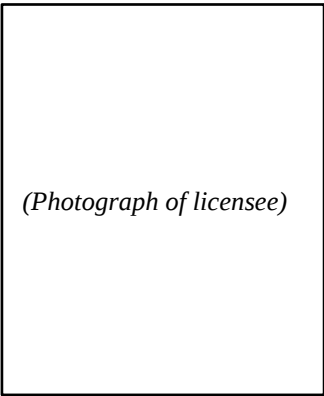
security guard for a period of months, commencing on

.....

(*date*)

This licence is subject to the conditions prescribed under the Law and to the following additional conditions:

.....
.....



(*Photograph of licensee*)

.....
Commissioner of Police

.....
Licensee

SCHEDULE 2**Regulation 11****FEES**

<i>Type of licence</i>	<i>Fee payable on issue</i>	<i>Fee payable on renewal</i>	
		<i>If lodged in due time</i>	<i>If accepted late</i>
Security business licence	\$750	\$300	\$500
Security guard's licence	\$100	\$50	\$75

Made in Cabinet the 4th day of March , 2008.

Carmena Watler
Clerk of the Cabinet.

