



Private Security Personnel and Private Investigators Regulations 2011

Anand Satyanand, Governor-General

Order in Council

At Wellington this 14th day of March 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 114 of the Private Security Personnel and Private Investigators Act 2010, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- 1 Title**

These regulations are the Private Security Personnel and Private Investigators Regulations 2011.
- 2 Commencement**

These regulations come into force on 1 April 2011.
- 3 Interpretation**

In these regulations, unless the context otherwise requires, **Act** means the Private Security Personnel and Private Investigators Act 2010.
- 4 Requirements relating to making emergency appointment of responsible employee**
 - (1) A person (**Y**) who is to employ or engage a person, or permit a person to act, as a responsible employee in reliance on section 61 of the Act must provide the Licensing Authority with the following information:
 - (a) Y's full name, the name of Y's employer (if any), Y's position, and Y's contact details, including an address for service of a notice under section 61(3) of the Act:
 - (b) if Y is a licensee, Y's licence number:
 - (c) the full name and date of birth of the person to be employed, engaged, or permitted to act as a responsible employee:
 - (d) the certificate of approval application number of the person to be employed, engaged, or permitted to act as a responsible employee:
 - (e) the date on which the person is to begin his or her employment, engagement, or action as a responsible employee:

- (f) the full address of the place at which the person will be employed, engaged, or permitted to act as a responsible employee.
- (2) The information required by subclause (1) must be provided—
 - (a) by telephoning, during normal working hours, the telephone number specified on the Licensing Authority's Internet site; or
 - (b) by e-mailing the address specified on the Licensing Authority's Internet site; or
 - (c) by using the on-line service provided by the Licensing Authority.

5 Record-keeping

- (1) This regulation applies to a person (A) who—
 - (a) is a licensee; or
 - (b) is not a licensee, but who employs or engages any other person, or permits any other person to act, as a crowd controller.
- (2) A must keep a complete and up-to-date record of—
 - (a) every person employed or engaged by A who is the holder of a certificate of approval that is—
 - (i) issued under section 54 of the Act;
 - (ii) issued under section 60 of the Act; and
 - (b) every person employed, engaged, or permitted by A to act as a responsible employee under section 61 of the Act.
- (3) The record must include,—
 - (a) in respect of every person described in subsection (2)(a)(i),—
 - (i) the person's full name; and
 - (ii) the number of the person's certificate of approval; and
 - (b) in respect of every person described in subsection (2)(a)(ii),—
 - (i) the person's full name; and
 - (ii) the number of the person's temporary certificate of approval; and
 - (c) in respect of every person described in subsection (2)(b),—

- (i) the person's full name; and
- (ii) the number of the person's application for a certificate of approval under section 46 of the Act; and
- (iii) the dates on which the person was employed, engaged, or permitted to act as a responsible employee.

6 Record-keeping by licensees and certificate holders about competency, knowledge, and skills

- (1) Each licensee and certificate holder must keep records of his or her own compliance with any regulations made under section 114(1)(h) of the Act (which relates to prescribing the competency, knowledge, and skills required for licences and certificates of approval).
- (2) Records kept under subclause (1) must include (without limitation) the name of any training course attended, the name of any training provider, and the dates on which any training or assessment occurred.

7 Information shown on register of licensees

The register of licensees must show in relation to each licensee, in addition to the information required under section 97(2)(a) to (f) of the Act, the following information:

- (a) the licence number:
- (b) any condition imposed under section 33(7) of the Act:
- (c) whether the licensee has complied with any applicable regulations made under section 114(1)(h) of the Act:
- (d) the date on which the licence expires.

8 Information shown on register of certificate holders

The register of certificate holders must show in relation to each certificate holder, in addition to the information required under section 97(3)(a) to (e) of the Act, the following information:

- (a) the number of the certificate of approval:
- (b) any condition imposed under section 53(7) of the Act:
- (c) whether the certificate holder has complied with any applicable regulations made under section 114(1)(h) of the Act:

- (d) the date on which the certificate of approval expires:
- (e) whether the certificate is a temporary certificate of approval issued under section 60(2) of the Act.

9 Collecting licence or certificate of approval

- (1) The Licensing Authority may require an individual to whom a licence or certificate of approval is issued to collect the licence or certificate in person.
- (2) If the Licensing Authority requires an individual to collect a licence or certificate of approval in person under subclause (1), the person must—
 - (a) collect it—
 - (i) from a branch or outlet of the organisation that produces the licence or certificate on behalf of the Licensing Authority; or
 - (ii) if there is no such organisation, from the address specified for the purpose on the Licensing Authority's Internet site; and
 - (b) provide evidence of his or her identity (as specified in regulation 10) when collecting it.

10 Verifying identity when collecting licence or certificate of approval

- (1) The forms of identification that are evidence of identity for the purposes of regulation 9 are the following:
 - (a) a New Zealand driver licence;
 - (b) a passport;
 - (c) an 18+ card issued by the Hospitality Association of New Zealand;
 - (d) a firearms licence issued under section 24 of the Arms Act 1983.
- (2) A form of identification referred to in subclause (1) may not be used as evidence of identity for the purposes of regulation 9 if it has expired more than 2 years previously.

11 Photographs

A photograph submitted to the Licensing Authority under section 24, 46, or 111 of the Act may be submitted in electronic form or non-electronic form, and must—

- (a) be of good quality; and
- (b) be a full front view of the face, head, and shoulders of the person, with the head filling most of the photograph; and
- (c) have a plain, light-coloured background (not white or dark) with no background shadow; and
- (d) show the person without a head covering, hat, headband, bandanna, or scarf (except for religious or medical reasons, but subject to paragraph (e)); and
- (e) clearly show facial features from the bottom of the chin to the top of the forehead and both edges of the face; and
- (f) be a colour photograph; and
- (g) be a good likeness of the person.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 April 2011, prescribe certain matters under the Private Security Personnel and Private Investigators Act 2010 (the **Act**), which also comes into force on that date. The matters prescribed in these regulations include—

- information to be provided to the Licensing Authority in relation to emergency appointments:
 - record-keeping requirements:
 - additional information to be shown on registers:
 - collecting a licence or certificate of approval:
 - photograph requirements.
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2011/44

**Private Security Personnel and Private
Investigators Regulations 2011**

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 17 March 2011.

These regulations are administered by the Ministry of Justice.
