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PRIVATE SECURITY INDUSTRY ACT (CHAPTER 250A)

PRIVATE SECURITY INDUSTRY (CONDUCT) REGULATIONS 2009

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In exercise of the powers conferred by section 39 of the Private Security Industry Act, the Minister for Home Affairs hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Private Security Industry (Conduct) Regulations 2009 and shall come into operation on 27th April 2009.

Definitions

2. In these Regulations, unless the context otherwise requires —
- “Code of Conduct” means the Code of Conduct specified in the Schedule;

“statutory board” means a body established by or under a public Act for a public purpose.

Obstruction of public officer or employee of statutory board

3. A licensed private investigator, licensed security officer or licensed security service provider shall not, at any time, intentionally interfere with, hinder or obstruct any public officer, or employee of a statutory board, while such public officer or employee is exercising any power or performing any function or discharging any duty under any written law.

Unauthorised sharing of security information

4.—(1) A licensed security agency which deploys any licensed security officer in its employ to carry out any function of a security officer at any premises (referred to in this regulation as the relevant premises) shall not knowingly or negligently publish or communicate to any person any information relating to —

- (a) the security system installed in the relevant premises, including surveillance equipment technology used and methods of installation or use of surveillance equipment at those premises;
- (b) the physical layout of the relevant premises;
- (c) the number and type of licensed security officers the licensed security agency so deploys or any other details of such deployment; and
- (d) any other security arrangements provided at the relevant premises by that licensed security agency or another licensed security agency.

(2) A licensed security officer who patrols or guards any premises (referred to in this regulation as the relevant premises) shall not knowingly or negligently publish or communicate to any person any information relating to —

- (a) the security system installed in the relevant premises, including surveillance equipment technology used and

methods of installation or use of surveillance equipment at those premises;

- (b) the physical layout of the relevant premises;
- (c) the number and type of licensed security officers deployed at the relevant premises or any other details of such deployment; and
- (d) any other security arrangements provided at the relevant premises by any licensed security agency.

(3) Paragraphs (1) and (2) do not apply to the following publication or communication:

- (a) a publication or communication to any owner or lawful occupier of the relevant premises;
- (b) a publication or communication with the consent, express or implied, of an owner or lawful occupier of the relevant premises;
- (c) a publication or communication which is required or authorised by or under written law;
- (d) a publication or communication that is no more than is reasonably necessary in connection with preventing an imminent threat of serious violence to persons or substantial damage to property, or preventing the commission of an offence.

Reporting of incidents by licensed security officer

5.—(1) Where a licensed security officer who patrols or guards any premises becomes aware that any person other than a law enforcement officer is conducting surveillance or has conducted or is about to conduct surveillance of those premises, the licensed security officer shall, without undue delay, make a report to a police station of that fact.

(2) For the purposes of paragraph (1), a licensed security officer is deemed to be aware that a person is conducting surveillance or has conducted or is about to conduct surveillance of any premises if he is informed or learnt of it in a manner and in circumstances that would

reasonably be expected to cause any reasonable person to become aware of that fact.

- (3) In this regulation, “law enforcement officer” means —
- (a) a police officer within the meaning of the Police Force Act (Cap. 235);
 - (b) an officer of customs within the meaning of the Customs Act (Cap. 70);
 - (c) a CPIB officer within the meaning of the Prevention of Corruption Act (Cap. 241);
 - (d) an immigration officer appointed under section 3 of the Immigration Act (Cap. 133);
 - (e) an intelligence officer appointed to such Scheme of Service as the Minister designates;
 - (f) a narcotics officer appointed to the Narcotics Service; or
 - (g) an officer or a soldier of the Singapore Armed Forces.

Unauthorised tampering with security equipment

6. A licensed security officer shall not, without lawful authority, knowingly interfere with, damage, remove or otherwise tamper with any security equipment that has been lawfully installed in any premises in a manner —

- (a) that causes the security equipment to malfunction or could result in it malfunctioning; or
- (b) that prevents or interferes with the accurate recording or transmission of information by the security equipment.

Permitting entry or exit for unauthorised persons

7.—(1) A licensed security officer who is responsible for carrying out any function of a security officer at any premises referred to in section 11(2)(c) of the Act —

- (a) must not knowingly or negligently permit a person to enter those premises without the licensed security officer having, at the time of the person’s entry, the authorisation (express or

implied) of the owner or lawful occupier of those premises for the person's entry; or

- (b) must not knowingly or negligently allow a person, who had entered those premises without the authorisation referred to in sub-paragraph (a) and without reasonable excuse, to leave those premises.

(2) A licensed security officer who prevents any person referred to in paragraph (1)(b) from leaving the premises must, without unnecessary delay, hand that person over to a police officer to take that person to a police station.

[S 545/2015 wef 15/09/2015]

Offence

8. Any person who contravenes regulation 3, 4(1) or (2), 5(1), 6 or 7(1)(a) or (b) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

[S 545/2015 wef 15/09/2015]

Code of Conduct

9. Without prejudice to section 24(11) of the Act, in deciding whether —

- (a) a licensed private investigator;
- (b) a licensed security officer;
- (c) an officer of a licensed private investigation agency; or
- (d) an officer of a licensed security agency,

is a fit and proper person for the purposes of section 24(1)(g) or (h) of the Act, the licensing officer may have regard to any breach by the licensed private investigator, licensed security officer, or officer of a licensed private investigation agency or licensed security agency, as the case may be, of any provision of the Code of Conduct applicable thereto.

Operation of other laws

10. These Regulations do not exclude or limit the operation of any other written law that makes provision for the regulation of security equipment in casino premises or the control of entry or movement of persons within certain areas or places.

THE SCHEDULE

Regulations 2 and 9

CODE OF CONDUCT

1. A licensed private investigator must not give any false representation to any person regarding his level of training, skill or qualification as a private investigator.

2. Any officer of a licensed private investigation agency who is managing the affairs of the agency must provide a private investigator employed by the agency with adequate information and equipment to enable the private investigator to carry out any function assigned to him.

3. When carrying out his function as a security officer, a licensed security officer must —

- (a) not sleep;
- (b) not consume alcohol or be under the influence of alcohol;
- (c) not be absent from the place where he is deployed without valid reasons;
- (d) not use any threatening or abusive language;
- (e) keep his uniform clean and tidy; and
- (f) respond promptly to any request for assistance by any person within the premises where he is deployed if the person has suffered any personal injury, or any damage to or loss of his property, within the premises.

4. A licensed security officer must not give any false representation to any person regarding his level of training, skill or qualification as a security officer.

5. Any officer of a licensed security agency who is managing the affairs of the agency must provide a security officer employed by the agency with adequate information and the requisite uniform to enable the security officer to carry out any function assigned to him.

6. A licensed private investigator, a licensed security officer, an officer of a licensed private investigation agency who is managing the affairs of the agency and an officer of a licensed security agency who is managing the affairs of that agency must have a reasonable knowledge and understanding of the provisions of the Act and of this Code that are applicable to him.

THE SCHEDULE — *continued*

7. An officer of a licensed private investigation agency who is managing the affairs of the agency, and an officer of a licensed security agency who is managing the affairs of that agency, must take reasonable steps to ensure that the licensed private investigators and licensed security officers employed by the respective agency comply with the applicable provisions of the Act and of this Code in relation to that agency's business.

Made this 23rd day of April 2009.

BENNY LIM
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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