



BELIZE

**PRIVATE SECURITY AND INVESTIGATION SERVICES
(CONTROL) ACT
CHAPTER 138:01**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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This edition contains a consolidation of the following laws-

Page

**PRIVATE SECURITY AND INVESTIGATION
SERVICES (CONTROL) ACT (COMMENCEMENT)
ORDER**

3 - 4

**PRIVATE SECURITY AND INVESTIGATION SERVICES
(CONTROL) REGULATIONS**

5 - 31

CHAPTER 138:01

PRIVATE SECURITY AND INVESTIGATION SERVICES

(CONTROL) ACT

COMMENCEMENT ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Commencement of Chapter 138:01.

CHAPTER 138:01

129 of 2002.
Act 37 of 2002.

PRIVATE SECURITY AND INVESTIGATION SERVICES
(CONTROL) ACT
(Section 19)

[26th October, 2002]

Short title. 1. This Order may be cited as the

**PRIVATE SECURITY AND INVESTIGATION
SERVICES (CONTROL) ACT.**

Commencement
of Chapter
138:01.

2. In exercise of the powers conferred upon me by section 19 of the Private Security and Investigation Services (Control) Act, and all other powers thereunto me enabling, **I, RALPH H. FONSECA**, Minister responsible for police and security matters, do hereby appoint the 1st day of November, 2002 as the day when the said Act shall come into force.

MADE this 21st day of October, 2002.

(RALPH H. FONSECA)
*Minister of Home Affairs,
Minister responsible for police
and security matters*

CHAPTER 138:01

**PRIVATE SECURITY AND INVESTIGATION
SERVICES (CONTROL) REGULATIONS**

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Interpretation.
3. Application for licence.
4. Application to be made to District Formation Commanders.
5. Grant/refusal of licence.
6. Form and duration of licence.
7. Licence conditions.
8. Renewal or variation of licence.
9. Licensing criteria.
10. Fees.
11. Register of licences.
12. Records to be kept by licensees.
13. Dress and badges.

- 14. Forms.
- 15. Commencement.

FIRST SCHEDULE - FORMS

SECOND SCHEDULE - TABLE OF FEES

CHAPTER 138:01

PRIVATE SECURITY AND INVESTIGATION SERVICES
(CONTROL) REGULATIONS
(Section 18)

135 of 2002.
Act 37 of
2002.

[2nd November, 2002.]

1. These Regulations may be cited as the Short title.

**PRIVATE SECURITY AND INVESTIGATION
SERVICES (CONTROL) REGULATIONS.**

2. (1) In these Regulations, unless the context otherwise requires: - Interpretation.

“the Act” means the Private Security and Investigation Services (Control) Act; CAP. 138:01

“Commissioner” means the Commissioner of Police and includes any person acting on his authority;

“Form” means a form prescribed in the First Schedule; First Schedule.

“licensee” or “licence holder” means a person holding a licence under the Act and these Regulations.

- (2) Other words and phrases used in these Regulations but not defined herein shall have the meanings respectively assigned to them in the Act.

3. (1) An application for a licence under the Act shall be made to the Commissioner in Form **PSI 1**, as set out in the First Schedule to these Regulations. Application for licence. First Schedule.

(2) An application for a licence shall be accompanied by the following:

- (a) a recent police record of the applicant;
- (b) proper documentation with respect to the applicant's identity, business ownership, work permits, where necessary, and trade licences;
- (c) at least two references, one being from the applicant's previous employer (where applicable);
- (d) two recent passport size photographs of the applicant, and
- (e) any other additional information as may be required by the Commissioner.

(3) Where the applicant is a company, the application for a licence shall be made on behalf of the Company, by the Director, Manager, Secretary or other senior representative of such company.

Application to
be made to
District Form-
ation
Commanders.

4. (1) An application for a licence under these Regulations shall be made in the first instance to the Officer-in-Charge of the Police District in which the applicant ordinarily resides, or in the case of a company, where the head office of the company is situated.

(2) Officers-in-Charge of Police Districts shall forward all such applications to the Police Headquarters in Belmopan, accompanied by a report on the fitness of the applicant to hold a licence and a Police Inspection Report of the intended business premises of the applicant. In forwarding applications, the Formation or District Police Commanders shall ensure that proper documentation in respect of identity, business ownership, vetting reports, trade licences and, where applicable, valid work permits are attached to the

application together with the Formation Commander's recommendation.

5. (1) In determining whether or not to grant a licence; the Commissioner shall apply the criteria for the time being prescribed under regulation 9 of these Regulations. Grant/refusal of licence.

(2) The Commissioner may refuse to grant a licence until –

(a) he is satisfied as to the identity of the applicant;

(b) the applicant has supplemented his application with such further information, if any, as the Commissioner may require after receiving the application;

(c) the Commissioner has been able to carry out such further inquiries, if any, in relation to the applicant as he considers appropriate; and

(d) the applicant has paid the appropriate fees.

(3) In considering applications under these Regulations, the Commissioner may consult with or refer to any person, body, matter or other authority as may seem appropriate for the effectual consideration of such applications.

6. (1) A licence granted under these Regulations shall be in one of the forms set out in the First Schedule hereto, as appropriate. Form and duration of licence. First Schedule.

(2) No licence shall be valid unless signed both by the Commissioner of Police and the holder thereof. In the case of a company, the licence shall be signed by the owner, manager or senior representative thereof.

(3) Every licence granted under these Regulations shall expire on

the 31st December of the year in which it is issued.

Licence
conditions.

7. (1) In granting a licence under these Regulations, the Commissioner may impose such conditions as he may consider appropriate, including -

- (a) conditions containing requirements as to the training, registration and insurance which the licensee is to undergo, while the licence remains in force,
- (b) conditions as to the manner in which the licensee is to carry out specified activities of its security operations and business which he is licensed to carry out;
- (c) conditions imposing obligations as to the information to be provided from time to time by the licensee to the Commissioner, and
- (d) such other conditions (whether or not relating to the criteria that would be applied by the Commissioner in determining whether or not to grant the licence) as the Commissioner may see fit.

(2) No licensee shall use the word "Police" or any of its derivatives or cognate expressions to promote any of the activities of its business or that of its employees.

(3) Any person who contravenes the conditions of any licence granted to him under these Regulations commits an offence and shall be liable to the penalty specified in section 16 of the Act.

Renewal or
variation of
licence.

8. A licence may be renewed or varied by an endorsement thereon stating the period of the renewal or, as the case may be, the nature of the variation. Every such endorsement shall be signed by the Commissioner.

9. In considering the grant, refusal, or revocation of licences under these Regulations, the Commissioner shall have regard to, *inter alia*, the following criteria:

- (a) criteria appropriate for securing that persons who engage in any business or activity under a licence are fit and proper persons to engage in such business or activity;,
- (b) the relevant training, experience, qualifications and skills of persons which are necessary to engage in the business for which they are licensed,
- (c) the resources of applicants to engage in such business,
- (d) any other factors relating to such other matters as the Commissioner thinks fit.

10. (1) The fees to be paid with respect to licences issued under these Regulations shall be as set out in the Second Schedule to these Regulations.

Licensing
criteria.

Fees.
Second
Schedule.

(2) If the application is made after the 30th June in any year, only one half of the prescribed fees shall be payable for that year.

(3) No licence shall be issued or renewed until the appropriate fee has been paid in full.

11. (1) The Commissioner shall establish and maintain a register of persons licensed under the Act.

Register of
licences.

(2) The Commissioner shall secure that the register contains the particulars of every person who for the time being holds a licence.

(3) The particulars that must be recorded in an entry in the register relating to the holder of a licence are –

- (a) the name of the holder of the licence;
- (b) an address for the holder of the licence which satisfies the prescribed requirements;
- (c) the time when the licence will cease to have effect unless renewed; and
- (d) the terms and other conditions of the licence.

(4) It shall be the duty of the Commissioner to ensure that such arrangements are in force as he considers appropriate for –

- (a) allowing members of the public and such other persons as he thinks fit to inspect the contents of the register; and
- (b) securing that such publicity is given to any modification or revocation of a licence as will bring it to the attention of persons likely to be interested in it.

(5) The Commissioner may impose such fee as it considers reasonable for allowing a person to inspect the register or to take a copy of any part of it.

Records to be kept by licensees. First Schedule.

12. (1) Every licensee shall keep a record of the employment of himself and his employees as are licensed to act as security guards or private investigations in the appropriate form set out in the First Schedule.

(2) The particulars required by the said Form (as to the date and time of commencement and termination of employment) shall be entered as soon as possible after the date and time of the commencement/termination of such employment. The reasons for termination of employment shall be noted in the “Remarks” column.

(3) The records prescribed by Forms **PSI 5, PSI 6 and PSI 7** shall be properly kept by a licensee and be available for inspection by any police officer.

(4) The records maintained under this regulation shall be kept at the principal place of business of the licensee and shall be available for inspection by any police officer at all reasonable hours.

13. (1) The dress of a licensee or of the employees of a licensee shall not resemble any of the uniforms used by the Police Department, whether in colour or insignias. Dress and badges.

(2) Security guards shall wear only such uniforms as are approved in writing by the Commissioner.

(3) The badges worn by security guards shall be of such design as the Commissioner may approve, and shall conform to the following requirements:

(a) Minimum size 2" x 2"

(b) Distinctive colour (s)

(c) Bear legend indicating that its wearer is a "Security Guard"

(4) A security guard shall wear his badge upon his cap or chest where it is clearly visible in its entirety to all persons at all times.

14. (1) The forms set out in the First Schedule shall be used for the purpose of these Regulations with such variations as the circumstances of the case may require. Forms. First Schedule.

(2) The following are the forms set out in the First Schedule: First Schedule.

(a) **Form PSI 1**, being the form of application for a licence.

- (b) **Form PSI 2**, being the form of licence to a Company to provide security or investigation services.
- (c) **Form PSI 3**, being the form of licence to act as a security guard.
- (d) **Form PSI 4**, being the form of licence to act as a private investigator.
- (e) **Form PSI 5**, being the form of record to be kept by a security company showing a monthly return of firearms and ammunition used/handled, to be available for police inspection.
- (f) **Form PSI 6**, being the form of record to be submitted to the Commissioner regarding commencement/termination of employment of security guards/private investigators.
- (g) **Form PSI 7**, being the form of record to be kept by the company regarding hours/place worked by security guards/private investigators.

Commencement. 15. These Regulations shall come into force on the **1st day of November, 2002.**

MADE by the Minister responsible for police and security matters this 1st day of November, 2002.

(RALPH H. FONSECA)
*Minister responsible for police
and security matters*

FIRST SCHEDULE

[Regulations 3 and 14]

FORM PSI 1

**APPLICATION FORM FOR SECURITY COMPANY/SECURITY
GUARD/PRIVATE INVESTIGATOR LICENCE.**

NB. In the case of security guards and private investigators, please delete inapplicable information.

1. Name of applicant

2. Registered office or address of applicant

3. Telephone _____ Telefax _____

Email _____

4. Principal business address, if different

5. If applicant is a company, state and attach certificate of incorporation
and state address of its principal office _____

6. Names of directors, shareholders, officers of applicant company

7. Authorised and paid up share capital of applicant company. (Please show separately)
- _____
- _____
8. If applicant is a partnership firm, state and produce evidence of where established and address of principal office.
- _____
- _____
9. Names and addresses and nationalities of general partners
- _____
- _____
10. If applicant is an individual, state and produce evidence of
- Nationality _____ Date of birth _____
- Place of birth _____
- Social Security No. _____
- Address _____
11. State qualifications, experience, etc. for provision of the service for which the licence is being applied.
- _____
- _____
- _____
12. Have you ever been convicted in Belize or elsewhere of any of the following offences: namely, theft, embezzlement, larceny, dishonesty, false pretences, mail fraud, or of any other offence involving dishonesty, or have you been the subject of any disciplinary proceedings by any

governmental or state regulatory agency or any professional body?
If yes, please give details.

13. Have you ever been adjudged a bankrupt, or has any bankruptcy proceedings or any regulatory action ever been taken against you either in Belize or elsewhere? If yes, please give full details.

14. State the activity or activities which the applicant proposes to carry on in Belize for which licence is required: (Please tick the appropriate box)

- | | | |
|----|-------------------------------|--------------------------|
| 1. | Security Guard | <input type="checkbox"/> |
| 2. | Private Investigator | <input type="checkbox"/> |
| 3. | Security Company | <input type="checkbox"/> |
| 4. | Private Investigation Company | <input type="checkbox"/> |

Proposed date of commencement of service/s to be offered

15. State number of security guards or private investigators employed or proposed to be employed by the company, if the applicant is a company.

16. State your financial standing.

17. Do you have an insurance coverage? If so give details.

18. State below any other material information which you consider relevant to the assessment of your application.

The above information is true and correct and I undertake to inform the Commissioner without delay of any material change in the information supplied on this form.

Name (block capitals)

Signed _____ Date _____

NB. It is an offence to give any false or misleading information

OFFICIAL USE ONLY

Recommendation and
Signature of the
Police District Commander

Decision and
Signature of the
Commissioner of Police

Date of Approval

Licence no. and Expiry date _____

Biographical Affidavit'

NOTES:

- A. This form applies to and should be completed by each director, shareholder and principal officer of an applicant company. **If the applicant is an individual, this form need not be filled in.**
- B. Complete all sections as fully as possible and attach supplementary sheets where appropriate. Delete where not applicable.
- C. If answer is "no" or "none", so state.

Full name and address of applicant company (do not use group names)

In connection with the above-named applicant, I hereby make representations and supply information about myself as hereinafter set forth.

1. Affiant's full name (initials not acceptable)

2. a) Have you ever had your name changed? Yes () No ()

If "Yes", give previous name and reason for the change

b) Other names used at any time _____

3. Affiant's Social Security No. /Passport No. /National Insurance No or other similar identification number applied to official Record Systems. (Indicate which identification is given)

4. a) Date of birth _____

b) Place of birth _____

5. Affiant's business address _____

Business telephone No. _____

6. List your residences for the last five (5) years starting with your current address, giving:-

DATES	ADDRESS	CITY AND STATE
_____	_____	_____
_____	_____	_____

7. Education: Dates, Names, Locations and Degrees

High School _____

College _____

Degree awarded _____

Graduate studies _____

Others _____

8. Present or proposed position with the applicant company.

9. List complete employment record (up to and including present jobs, positions, directorships or officerships) for the past ten (10) years giving:

DATE	EMPLOYER AND ADDRESS	TITLE
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. a) May present employer be contacted. () Yes () No
b) May former employers be contacted. () Yes () No
c) List names, addresses, phone/fax numbers of two independent referees.

11. List any professional, occupational, and vocational licences issued by any public or governmental licensing agency or regulatory authority which you currently hold or have held in the past. (State date licence issued, issuer of licence, date terminated, reasons for termination)

12. During the last ten (10) years, have you ever been refused a professional, occupational, or vocational licence by any public or governmental licensing agency or regulatory authority, or has any such licence held by you ever been suspended or revoked?
() Yes () No

If "Yes", give details _____

13. Will you or members of your immediate family subscribe to or own, beneficially or of record, shares or stock of the applicant company or its affiliates?
() Yes () No

If "Yes", give details _____

14. Have you ever been adjudged a bankrupt? () Yes () No
If "Yes", please supply particulars.

15. a) Have you ever been convicted or had a sentence imposed or suspended or had pronouncement of a sentence suspended or pardoned for conviction of or pleaded guilty to any information or indictment charging any offence involving embezzlement, theft, larceny, or mail fraud, or a violation of any corporate securities statute or any international financial services statutes, or any other offence involving dishonesty, or have you been the subject of any disciplinary proceedings of any governmental or state regulatory agency?
() Yes () No

If "Yes" give details _____

b) Has any company been so charged allegedly as a result of any action or conduct on your part? () Yes () No

If "Yes: give details. _____

Dated and signed this _____ day of _____ 20 _____.

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

(Signature of Declarant)

Address _____

Personally appeared before me the above named _____ personally known to me, being duly sworn, deposes and says that he executed the above instrument and that the statements and answers contained therein are true and correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Justice of the Peace

FORM PSI 2**COMPANY LICENCE TO PROVIDE * SECURITY/PRIVATE
INVESTIGATION SERVICES**

THIS IS TO CERTIFY that _____ of _____
(Type name of company) *(Address)*

is licensed to engage in the business of providing * security/private investigation services.

The license holder shall observe the following conditions:

1. Security guards shall wear only such uniform as is approved to such company by the Commissioner of Police.
2. The company, security guard or private investigator shall not use the word 'police' for the promotion of business activity.
3. Uniforms shall not resemble any of those used by the Belize Police Department.
4. The licensee must display the license conspicuously at the address above to show its being engaged in such business.
5. The license shall be subject to review by any police officer on demand.
6. No company engaged in the business of providing security guard or private investigation services shall employ any person as a security guard or private investigator without such person being the holder of the relevant license.
7. Other conditions as contained in the Act and the Regulations, or as stipulated in writing by the Commissioner of Police.

License No. _____ Date of Issue: _____

Sig. of Company Representative

Commissioner of Police

Print name: _____

Date of Expiry _____

*** Delete when not applicable**

Form PSI 3

Front

SECURITY GUARD LICENSE

Passport
Size
Picture

Name: _____

Date of Birth: _____

Nationality: _____

This is to certify that _____

(printed name of bearer)

of _____ whose photograph

(Belize Address)

appears hereon is licensed as a Security Guard and is employed by

(Name of Security Company)

Back

This license expires on the 31st December of the current year.

Endorsement: _____

Signature of Holder

Commissioner of Police

Date

Form PSI 4

Front

PRIVATE INVESTIGATOR'S LICENSE

Passport
Size
Picture

Name: _____

Date of Birth: _____

Nationality: _____

This is to certify that _____

(printed name of bearer)

of _____ whose photograph

(Belize Address)

appears hereon is licensed as a Private Investigator and is employed by

(Name of Security Company)

Size of Photograph: Not less than 1 1/8 x 1 1/4 or more than 1 1/2 x 1 1/2

Back

This License expires on the 31st December of the current year.

Endorsement: _____

Signature of Holder

Commissioner of Police

Date

RM PSI 7

NAME OF SECURITY COMPANY**SECURITY GUARD OR PRIVATE INVESTIGATOR
RECORD OF HOURS WORKED ETC.**

1. Nature of Employment i.e.,
Security Guard/Private Investigator: _____
2. Name of Security Guard/
Private Investigator: _____
3. Place of employment: _____
4. Date and time tour of
duty commenced: _____
5. Date and time tour of duty concluded: _____
6. Signature of Employee: _____
7. Certification and
Signature of Employer: _____

SECOND SCHEDULE

[Regulation 10]

TABLE OF FEES

	Type of Service Provided	Belizean (or a local company)	Non-Belizean (or a foriegn company)
1.	Security Guard	\$25.00 per annum	\$75.00 per annum
2.	Private Investigator	\$200.00 per annum	\$600.00 per annum
3.	Security Company*	\$300.00 per annum	\$900.00 per annum
4.	Private Investigation Company*	\$500.00 per annum	\$1,500.00 per annum

* A security company or a private investigation company includes a firm, a statutory body, and any body of persons, corporate or unincorporate.