

[Français](#)[English](#)[Home](#) > [Alberta](#) > [Statutes and Regulations](#) > [Alta. Reg. 71/1991](#) > Complete text

## Private Investigators and Security Guards Regulation, Alta. Reg. 71/1991

Citation: Private Investigators and Security Guards Regulation, Alta. Reg. 71/1991

Enabling Statute: [Private Investigators and Security Guards Act](#), R.S.A. 2000, c. P-23

URL: <http://www.canlii.org/ab/laws/regu/1991r.71/20080115/whole.html>

Version downloaded by CanLII on 2008-01-15

**Warning:** This document predates the last update of the collection. It might have been modified or omitted since this last update.

(Consolidated up to 33/2007)

ALBERTA REGULATION 71/91

Private Investigators and Security Guards Act

PRIVATE INVESTIGATORS AND  
SECURITY GUARDS REGULATION

### Table of Contents

<b>1</b>	Definition
<b>2</b>	Qualifications of applicant
<b>3</b>	Application form
<b>4</b>	Affidavit
<b>5</b>	Licences
<b>6</b>	Licence fees
<b>7</b>	Temporary licence
<b>8</b>	Security bond
<b>9</b>	Identification cards
<b>10</b>	Advertising
<b>11</b>	Surrender of licence
<b>12</b>	Uniforms and equipment
<b>13</b>	Records and returns

- 14** Prohibition
- 15** Peace officer
- 16** Restricted weapons
- 17** Prohibition
- 17.1** Expiry
- 18** Repeal

Schedule

Definition

1 In this Regulation, "Act" means the *Private Investigators and Security Guards Act*.

AR 71/91 s1

Qualifications of applicant

**2(1)** An applicant for a licence under the Act

- (a) shall be at least 18 years of age, and
- (b) shall be of good character.

**(2)** An applicant for a licence under the Act, other than a renewal of a licence, shall give his fingerprints when requested to do so.

**(3)** Where the Administrator refuses to issue a licence or a renewal of a licence he shall give written reasons for his decision.

AR 71/91 s2;270/94

Application form

**3(1)** An applicant for

- (a) a private investigation agency licence, or
- (b) a security guard agency licence

shall forward to the Administrator an application in Form 1.

**(2)** An applicant for

- (a) a private investigator's licence, or
- (b) a security guard's licence

shall forward to the Administrator an application in Form 2.

**(3)** An applicant for the renewal of

- (a) a private investigation agency licence, or
- (b) a security guard agency licence

shall forward to the Administrator an application in Form 3.

**(4)** An applicant for the renewal of

(a) a private investigator's licence, or

(b) a security guard's licence

shall forward to the Administrator an application in Form 4.

AR 71/91 s3

Affidavit

4 An applicant shall attach an affidavit in Form 5 to the application for a licence.

AR 71/91 s4

Licences

5 A licence issued by the Administrator shall be in Form 6.

AR 71/91 s5

Licence fees

6 The fees payable for a licence under the Act are as follows:

**Type of Licence Year for which licence  
is issued**

		1995	1996	1997 and following years
agency licence	(a) private investigation \$300 \$400	\$500		
licence	(b) security guard agency \$250 \$300	\$400		
licence	(c) private investigator's \$ 30 \$ 40	\$ 50		
	(d) security guard's licence	\$ 20	\$ 25	\$ 30

AR 71/91 s6;318/94

Temporary licence

**7(1)** If a person who holds a private investigation agency licence or security guard agency licence dies, the Administrator may without payment of a fee grant a temporary licence to that person's executor or administrator, and in such a case, all employees of the deceased person who hold licences under the Act are deemed to be licensed as employees of the executor or administrator.

**(2)** If the Administrator receives an application for a licence he may, if special circumstances exist, issue a temporary licence in Form 8 pending his decision for a period stated in the licence that does not exceed 3 months.

**(3)** A temporary licence issued under subsection (2) terminates on the issuance of the permanent licence, and the temporary licence shall be returned to the Administrator.

**(4)** When a temporary licence is issued by the Administrator no refund of fees paid for a licence may be made unless the final decision of the Administrator is not to issue a permanent licence.

AR 71/91 s7

Security bond

**8(1)** A security bond as required by section 6 of the Act shall be deposited with the Administrator.

**(2)** The security bond shall be in Form 7 and comply with the following conditions:

- (a) the security bond company shall be licensed under the *Insurance Act*;
- (b) the bond shall be in the penal sum of \$5000 and payable to the Minister of Finance;
- (c) the terms of the bond shall ensure the faithful, honest and lawful conduct of the licensee and his employees.

**(3)** One security bond will meet the requirements of section 6 of the Act in cases where a private investigation agency licence and a security guard agency licence are to be issued in the name of the same person, and the form of the bond may be suitably modified if the bond recognizes that the person to whom the bond is issued is authorized to do business as both a private investigation agency and a security guard agency and that the bond is intended to apply to both functions.

AR 71/91 s8;27/2002

Identification cards

**9(1)** The holder of a licence under the Act shall be issued an identification card bearing the signature of the Administrator.

**(2)** No person shall be in possession of an identification card unless it bears the signature of the Administrator.

AR 71/91 s9

Advertising

**10(1)** Where, in the opinion of the Administrator, a person is making false, misleading or deceptive statements in an advertisement, circular, pamphlet or similar material, the Administrator may order the immediate cessation of the use of that material.

**(2)** The holder of a security guard agency licence or a private investigation agency licence shall forward to the Administrator a copy of all circulars, pamphlets or similar material used for advertising the services of the agency.

AR 71/91 s10

Surrender of licence

**11(1)** If a licence under the Act is suspended or cancelled or the licensee ceases to be employed by the agency, the licence and the identification card issued to the licensee shall be returned forthwith to the Administrator.

**(2)** If a private investigation agency licence or a security guard agency licence is terminated due to the death of the licensee, the licence and the identification card issued to the licensee shall be returned forthwith to the Administrator and held by him pending the granting of a temporary licence to the executor or administrator of the estate of the licensee.

**(3)** When a licence has been cancelled due to the termination of the licensee's employment with the agency in respect of which the licence was issued, it cannot be reactivated except through a new application and the payment of the prescribed fee.

AR 71/91 s11

Uniforms and equipment

**12(1)** A security guard shall wear a uniform while employed as a security guard.

**(2)** A private investigator who is also licensed as a security guard shall not act as a private investigator while in uniform.

**(3)** Uniforms, including blazers and slacks, equipment, badges and insignia worn by security guards, shall be of a colour, pattern and design approved in writing by the Administrator.

**(4)** A security guard shall not wear a uniform, equipment, badge or insignia similar in colour, pattern or design to the uniforms, equipment, badges or insignia used by the municipal police or the Royal Canadian Mounted Police located in the area in which the security guard intends to be employed.

**(5)** The uniform worn by a security guard shall

- (a) plainly display the word "Security" or the words "Security Guard" on the chest of the outermost garment being worn,
- (b) have on the chest pocket of any blazer being worn a crest displaying the agency name and the word "Security", and
- (c) have on each upper sleeve of the outermost garment being worn shoulder flashes displaying the agency name except when a blazer is being worn as part of the uniform.

**(6)** A security guard shall not have on a uniform any insignia or badge that uses or displays the word "Police".

**(7)** A security guard shall not wear as part of his uniform a combination of belt and shoulder strap commonly known as Sam Browne equipment or any belt and shoulder strap that may be similar in design to the belt and shoulder strap equipment normally worn by municipal police or members of the Royal Canadian Mounted Police.

**(8)** Notwithstanding subsection (7), a security guard who has been authorized and granted a permit under section 16(2) to carry a restricted weapon as described in the *Criminal Code* (Canada) may wear Sam Browne equipment when actually carrying the restricted weapon and performing the specific duty provided for under section 16(2).

AR 71/91 s12;212/2005

Records and returns

**13(1)** In addition to the requirements set out in section 12(a) of the Act, the holder of a private investigation agency licence or security guard agency licence shall keep complete records of the name and address of each person acting for or employed by the licensee and record the date on which the employment commenced and terminated, and this information shall be included in the return made annually to the Administrator as required by section 13 of the Act.

**(2)** A private investigation agency filing a return required under section 13 of the Act shall include in the return the number of investigations carried out during the year and a breakdown according to the type of investigation.

**(3)** A security guard agency filing a return required under section 13 of the Act shall include in the return the following information for the year:

- (a) the number of businesses under the contract for security guard service;
- (b) the number of security guard services supplied by the agency broken down by type of service according to whether the service was for
  - (i) escorts,
  - (ii) patrolling, or
  - (iii) other services.

AR 71/91 s13

Prohibition

14 A licensee shall not act as a bailiff or hold himself out as a bailiff for any person either with or without remuneration.

AR 71/91 s14

Peace officer

15 A person to whom a licence is granted under the Act is not an authorized peace officer.

AR 71/91 s15

Restricted weapons

**16(1)** A person licensed as a security guard, a security guard agency, a private investigator or a private investigation agency shall not carry a restricted weapon as described in the *Criminal Code* (Canada).

**(2)** Notwithstanding subsection (1), the local registrar of firearms as described in the *Criminal Code* (Canada) may authorize a person licensed under the Act to carry a restricted weapon in the execution of a specific duty if the application is supported by a statement from a senior member of the police service located in the area in which the specific duty is to be performed that

(a) the nature of the work to be performed by the licensee is such that it is necessary and in the public interest that the licensee be permitted to carry a restricted weapon,

(b) the licensee is fully trained in the use of restricted weapons,

(c) the licensee has complete knowledge of the law with respect to the use of force, and

(d) the licensee is fully qualified to obtain a permit to carry a restricted weapon as is required by the *Criminal Code* (Canada).

AR 71/91 s16

#### Prohibition

17 A holder of a security guard agency licence or private investigation agency licence shall not use the word "police" in the name of the agency, its letterhead or its advertising material or in any other way that may create the impression that the agency is performing a police function.

AR 71/91 s17

#### Expiry

17.1 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on March 31, 2009.

AR 53/2003 s3;33/2007

#### Repeal

18 The *Private Investigators and Security Guards Regulations* (Alta. Reg. 568/65) are repealed.

AR 71/91 s18

Schedule

Form 1

Licence type:  Private investigation agency  Security guard agency

Trade name of business \_\_\_\_\_ Application date \_\_\_\_\_

Principal office location \_\_\_\_\_ Office telephone number \_\_\_\_\_

Branch office location \_\_\_\_\_ Office telephone number \_\_\_\_\_

Branch office location \_\_\_\_\_ Office telephone number \_\_\_\_\_

Applicant's name \_\_\_\_\_ Birthdate \_\_\_\_\_ Birthplace \_\_\_\_\_

Address \_\_\_\_\_ Residence telephone number \_\_\_\_\_

Previous address - if less than 6 months at the above address \_\_\_\_\_

If you hold an existing licence of a similar type complete these entries Trade name of business (in full) Province that issued the licence

I am currently a

Special constable  Member of a police force  Member of an auxiliary force  Other peace officer State the name of the officer force or municipality

Partners  See attached \_\_\_\_\_

Name \_\_\_\_\_ Birthdate \_\_\_\_\_ Birthplace \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_ Birthdate \_\_\_\_\_ Birthplace \_\_\_\_\_

Address \_\_\_\_\_

References: list 3 people, not relatives, to whom your business reputation is well known \_\_\_\_\_

Name \_\_\_\_\_ Business/Occupation \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_ Business/Occupation \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_ Business/Occupation \_\_\_\_\_

Address \_\_\_\_\_

Licence fee amount  
enclosed \$ \_\_\_\_\_

Payment must be a company  
money cheque or order payable  
to the Minister of Finance

If the applicant or any member of the partnership was born outside Canada, immigration papers or citizenship documents must be attached.

I hereby make application to carry on a business under the aforesaid trade name and for a licence to engage in the business of employing and/or hiring private investigators and/or security guards.

\_\_\_\_\_  
(Applicant's signature)

Form 2

Indicate the type of  
licence being applied for

Private  
investigator

Security  
guard

Applicant's name \_\_\_\_\_

Application date \_\_\_\_\_

Address \_\_\_\_\_

Birthdate \_\_\_\_\_

Birthplace \_\_\_\_\_

If you were born outside Canada  
attach immigration papers or  
citizenship documents

List place(s) of residence and employment for the immediate past  
3 years prior to the filing date of this application

Prospective employer \_\_\_\_\_

Agency name \_\_\_\_\_

Address \_\_\_\_\_

List any convictions for an offence under the *Criminal Code* (Canada) or any proceedings pending that may lead to such a conviction.

Offence \_\_\_\_\_

Penalty imposed or  
pending particulars

Conviction  
date

Place of  
conviction

List any previous experience in investigation, police duties or security guard work.

I am currently a

Special  
constable

Member  
of a  
police  
force

Member  
of an  
auxiliary  
force

Other  
peace

State the  
name of the  
officerforce or  
municipality

Give particulars if you have ever been refused a licence as a private investigator and/or security guard anywhere in Canada

References:

List 2 people, not relatives, to whom your character  
is well known

Name \_\_\_\_\_

Business/Occupation \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Business/Occupation \_\_\_\_\_

Address \_\_\_\_\_

Licence fee amount enclosed \$ \_\_\_\_\_

Payment must be a company cheque or money order payable to the Minister of Finance

I hereby make application for a licence as a private investigator and/or security guard.

\_\_\_\_\_  
(Applicant's signature)

Form 3

Indicate the type of agency renewal being applied for

Private Investigation

Security guard

Trace name of business \_\_\_\_\_ Application date \_\_\_\_\_

Address \_\_\_\_\_ Telephone number \_\_\_\_\_

Branch manager's name \_\_\_\_\_ Branch address \_\_\_\_\_

Branch manager's name \_\_\_\_\_ Branch address \_\_\_\_\_

Applicant's name \_\_\_\_\_

Address \_\_\_\_\_

Partner's name \_\_\_\_\_

Address \_\_\_\_\_

Partner's name \_\_\_\_\_

Address \_\_\_\_\_

State any changes in the facts set out in the original application or any prior renewals. \_\_\_\_\_

I am currently a

Special constable

Member of a police force

Member of an auxiliary force

Other peace

State the name of the officer force or municipality

Give details of any unsatisfied judgments recorded against you \_\_\_\_\_

Licence fee amount enclosed \$ \_\_\_\_\_

Payment must be a company cheque or money order payable to the Minister of Finance

\_\_\_\_\_

I hereby apply for renewal as a private investigation agency and/or security guard agency and have furnished the above information in support thereof.

\_\_\_\_\_  
(Applicant's signature)

Form 4

Applicant's Name

Licence renewal type

Application

date

Private investigator

Security guard

Address \_\_\_\_\_

Employing agency's name \_\_\_\_\_ Current I.D. card no. \_\_\_\_\_

Agency address \_\_\_\_\_

State any changes in the facts set out in your original application for licence or any prior renewal applications \_\_\_\_\_

I am currently a

Special constable

Member of a police force

Member of an auxiliary force

Other peace

State the name of the officer force or municipality

Licence fee amount enclosed \$ \_\_\_\_\_

Payment must be a company cheque or money order payable to the Minister of Finance \_\_\_\_\_

I hereby apply for renewal of a licence as a private investigator and/or security guard and have furnished the above information in support thereof.

\_\_\_\_\_ (Applicant's name) \_\_\_\_\_

Form 5

I, \_\_\_\_\_, of the \_\_\_\_\_

of \_\_\_\_\_ in the Province of \_\_\_\_\_

make oath and say:

1 That I have made application for a licence under the *Private Investigators and Security Guards Act*;

2 That I have not been convicted of any offence under an Act of the Parliament of Canada or any legislature of any province or regulations made under them, excluding minor traffic offences, other than the following:

\_\_\_\_\_

3 That there are not any proceedings pending that might lead to a conviction under an Act of the Parliament of Canada or any legislature of any province or regulations made under them excluding minor traffic offences other than the following:

\_\_\_\_\_

4 That I have not been refused a licence to act as a private investigator, security guard or both except as follows:

\_\_\_\_\_

5 That I have never used a name other than the name given in this affidavit except as follows:

\_\_\_\_\_

Sworn before me at the \_\_\_\_\_

of \_\_\_\_\_ in the \_\_\_\_\_

of \_\_\_\_\_ this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_

(Applicant's signature)

(A Justice of the Peace in and for the  
Province of Alberta) \_\_\_\_\_

Form 6

Licence

Licence number: \_\_\_\_\_

Licence type: \_\_\_\_\_

Name of licensee: \_\_\_\_\_

Business trade name: \_\_\_\_\_

Location: \_\_\_\_\_

Dated issued: \_\_\_\_\_ Expiry date: Midnight, Dec. 31/\_\_\_\_

Administrator: \_\_\_\_\_

Form 7

Bond  
Under  
Private Investigators and Security Guards Act

Know all men by these presents that \_\_\_\_\_

of \_\_\_\_\_ in the Province of \_\_\_\_\_

(hereinafter called the principal) and \_\_\_\_\_

a body corporate and being a guarantee and surety authorized to do business in the Province of Alberta (hereinafter called the surety) are bound unto Her Majesty the Queen in the penal sum of \$5000 to be paid to the Minister of Finance of the Province of Alberta, for which payment to be made, the principal and surety jointly and severally bind themselves, their heirs, executors, administrators, successors and assigns firmly by these presents.

Signed, sealed and dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WHEREAS the principal has applied for a licence under the *Private Investigators and Security Guards Act* by which when issued the principal will be authorized to do business in the Province of Alberta as a private investigation agency and/or security guard agency from \_\_\_\_\_, 20\_\_ to December 31, 20\_\_:

Now the condition of the above written bond or obligation is such that if on the granting of such licence(s), the principal and his employees perform faithfully, honestly and lawfully in the business or employment in respect of which the licence is held, then this obligation shall be void and of no effect but otherwise shall be and remain in full force.

If the principal or any employee of the principal fails in any respect to perform faithfully, honestly and lawfully in the business or employment in respect of which the licence is held as a private investigation agency, security guard agency or both, or private investigator, security guard or both, the surety agrees to pay all claims under this bond within 60 days after the claims are submitted to him by the Administrator, provided that the aggregate amounts of such claims shall not exceed the penal sum of this bond.

Provided always that if the surety at any time gives 3 calendar months' notice in writing to the principal and to the Minister of Finance of the Province of Alberta of its intention to put an end to the suretyship hereby entered into then this bond and all accruing responsibility on its part and of its funds and property shall from and after the last day of that 3-month period cease and terminate in respect of any acts or deeds of the principal subsequent to such determination, but the surety and its funds and property shall be and remain liable hereon for all and any deeds, acts or defaults done or committed by the principal or his employees in the business as a private investigation agency, security guard agency or both from the date of this bond up to such determination.

(witness signature-required if (principal signature)  
the principal is a natural person)

Form 8

Temporary Licence

Under the *Private Investigators and Security Guards Act* and subject to the limitations under the Act

\_\_\_\_\_ (name and address of licensee)

is licensed to act as a private investigator/security guard while in the employ of \_\_\_\_\_ (name of employer)

\_\_\_\_\_ (address of employer)

This licence terminates on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

or on the date that a permanent licence is granted.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_(Administrator)

Form 9

Police Interview Report

Interviewing officer's name	Police department	Date
_____	Edmonton Calgary	_____
Applicant's name	Agency's name	_____

The applicant has been interviewed and fingerprints were taken and forwarded to the Royal Canadian Mounted Police, Ottawa. In the event that this subject has a criminal record, your office will be duly notified.

Licence issue is: \_\_\_\_\_ Recommended \_\_\_\_\_ Not recommended \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_(Interviewing officer's signature)

AR 71/91 Sched.;27/2002

Copyright of the Statutes and Regulations belongs to the Province of Alberta. Official copies of Alberta legislation are available from the [Alberta Queen's printer](#). The Alberta Statutes and Regulations collections are subject to this [Copyright and Disclaimers Statements](#).

- [Scope of Databases](#)
- [RSS Feeds](#)
- [Terms of Use](#)
- [Privacy](#)
- [Help](#)
- [Contact Us](#)
- [About](#)

by



for the



Federation of Law Societies of Canada