

Statutory Instrument No. 31 of 1990

CONTROL OF SECURITY GUARD SERVICES ACT
(Cap. 21:07)

CONTROL OF SECURITY GUARD SERVICES (AMENDMENT)
REGULATIONS, 1990

(Published on 4th May, 1990)

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SCHEDULE

IN EXERCISE of the powers conferred on the Minister of Presidential Affairs and Public Administration by section 20(1) of the Control of Security Guard Services Act, the following Regulations are hereby made —

Citation	1. These Regulations may be cited as the Control of Security Guard Services (Amendment) Regulations, 1990.
Application for licence	2. (1) An application for a security guard licence shall be made to the Controller in a form that may be prescribed and shall contain all the information specified in section 5 of the Act. (2) An applicant or his representative shall, if requested by the Controller to do so, furnish in writing any further information that the Controller may require, or, where the Controller seeks to interview him or his representative, attend such interview.
Issue of licence	3. (1) The Controller shall, after consideration of an application made under regulation 2, issue the applicant with a licence upon payment by the applicant of the fee prescribed in regulation 15. (2) The Controller shall, in writing inform the applicant of his decision regarding his application for a licence in a manner that may conform in substantial detail to a form that may be prescribed.
Period of validity of licence	4. A licence issued under these Regulations shall, unless previously cancelled or surrendered, be valid for 12 months from the date on which it was issued.

<p>5. (1) A licence may, upon its expiry, be renewed by application to the Controller in a form that may be prescribed, and every such application shall be accompanied by the fee prescribed in regulation 15.</p> <p>(2) Every application for the renewal of a licence shall be made not later than 2 months before the licence expires.</p> <p>(3) The Controller shall, in writing, inform the applicant of his decision regarding his application for renewal of a licence in a form that may be prescribed.</p>	Renewal of licence
<p>6. No person who has been issued with a licence shall transfer such licence to any other person without first obtaining the written consent of the Controller.</p>	Restriction on transfer of licence
<p>7. Every licensee shall display his licence in a conspicuous place in his business premises.</p>	Display of licence
<p>8. (1) Every licensee shall maintain a record of names of his employees, dates of their employment, dates of termination of their services and the reasons for such termination.</p> <p>(2) Every licensee shall submit to the Controller not later than 60 days after the end of the calendar year in which his licence was issued or renewed, an annual return in respect of his employees giving the number and names of his employees, and the names of employees dismissed from his employ.</p>	Maintenance of records and annual returns
<p>9. Every licensee shall make available for inspection by the Controller or a police officer upon demand his licence or any record in respect of his employees.</p>	Inspection of records
<p>10.(1) Every licensee shall ensure that whenever a security guard is on duty such security guard displays on his person an identity card which shall be in a form that may be prescribed.</p> <p>(2) It shall be an offence for a security guard not to display his identity card on his person whenever he is on duty.</p> <p>(3) Any person who contravenes the provisions of sub-regulation (2) of this regulation shall be guilty of an offence and liable to a fine of P50 or to imprisonment for 3 months in default of payment.</p>	Display of identity cards
<p>11. No licensee shall employ (from within or outside Botswana) as a security guard any person who has been convicted of an offence involving moral turpitude or against whom criminal proceedings are pending.</p>	Employment of security guards with convictions
<p>12. (1) No licensee shall display or cause to be displayed any advertisement which is indecent or in any way objectionable, or which does not relate to the services which he offers or renders.</p> <p>(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence and shall be liable to a fine of P50 or to imprisonment for 3 months in default of payment.</p>	Control of advertisements
<p>13. (1) Where the Controller has decided to cancel or suspend a licence in accordance with section 11 of the Act the licensee shall surrender such licence for endorsement or cancellation or suspension as the case may be to the Controller, within the period specified by the Controller.</p> <p>(2) The Controller shall give his decision to cancel or suspend a licence in a form that may be prescribed.</p>	Cancellation and surrender of licences
<p>14. Any person aggrieved by the decision of the Controller not to issue him with a licence or renew his licence may appeal to the Minister.</p>	Appeals

Fees	15. The following fees shall be payable to the Controller: — (a) P300 in respect of an application for the issue of a licence; (b) P200 in respect of an application for renewal of a licence; (c) P100 in respect of an appeal to the Minister against the decision of the Controller.
Offences and penalties	16. Any person who contravenes any provision of these Regulations, for which no other penalty is prescribed, shall be guilty of an offence and liable on conviction to a fine of P1 000 or to imprisonment for 6 months in default of payment.
Repeal of S.I. 16 of 1987	17. Control of Security Guard Services Regulations, 1987 are hereby repealed.

SCHEDULE

FORM A (Regulation 2)

APPLICATION FOR LICENCE/RENEWAL OF LICENCE

1. Applicant
(in block capitals)

2. Address of Applicant
.....
.....

3. Directors of Applicant:

Name	Address	Nationality
1.		
2.		
3.		
4.		

Beneficial share holders of the applicant

Name	Address	Nationality	No. of Shares held
1.			
2.			
3.			
4.			

4. If this is your first application please answer the questions that follow, if not, give the number of your licence and the date of last renewal

.....

5. Has any application for a licence made by you ever been rejected, cancelled or surrendered? If so please give full details

.....

.....

6. Number of persons presently in your employ

.....

7. Location of security guard service

Plot No. Town

Street Name Submitted by

Signature

Date: in my capacity as

.....

FORM B
(Regulation 3)

SECURITY GUARD SERVICE LICENCE

(NAME OF
LICENSEE) is hereby
licensed to engage in or carry on the business of providing security guards and to
advertise himself as a person engaged in or carrying on such business, subject to the
following conditions:—

2.
.....
3.
.....
4.
.....
5.
.....

Date of issue

Fee paid

Receipt Number

Name:

.....
Signature

FORM C
(Regulation 2)

**STATUTORY DECLARATION BY APPLICANT/DIRECTOR/
SHARE HOLDERS
(CONFIDENTIAL)**

1. Full Name of applicant/
Director/Share holders
(Name in block capitals)

2. Address

3. Capacity of applicant in applicant security guard service
.....
(whether proprietor, partner, director, etc.)

4. Name of security guard service of which you are proprietor, shareholder, partner,
director, etc.
.....

5. Have you ever been convicted of any offence? If yes, please give the following
details:

(a) Nature of offence with which you were charged
.....

(b) Nature of sentence
(whether fine or imprisonment)

(c) If fine, please specify the amount, if imprisoned, please specify length of term
.....

(d) Country in which you were convicted
.....

(e) Date of conviction
.....

6. Are there any criminal proceedings pending against you? If yes, please give the
following details:

(a) Nature of offence with which you are charged
.....

(b) Date charged

(c) Country in which the proceedings are pending

.....

I swear that this declaration was made in good faith and that the contents thereof are to the best of my knowledge, true and correct. I am aware of the consequences of making a false statement; and that this information may be used in evidence in legal proceedings against me.

Date Signature/or thumb print

Thus signed and sworn before me this day 19....

.....
Commissioner of Oaths

.....

FORM D
(Regulations 3 and 5)

NOTICE OF REFUSAL TO ISSUE/RENEW LICENCE

TO:
(Name of applicant)

Address of applicant

.....

.....

Your application for a security guard licence/renewal of a security guard licence is hereby refused on the following grounds:

.....

.....

.....

.....

.....

You may, within 30 days of being served with this notice, lodge with the Minister a written notice of appeal setting out the grounds thereof and the submissions made in relation thereto, and shall, at the same time, lodge a copy of such appeal with me.

Date Name

Signature
Controller of Security Guard Services

.....

FORM E
(Regulation 13)

NOTICE OF SUSPENSION/CANCELLATION OF LICENCE

TO:
.....
(Name of applicant)

Address of applicant
.....
.....

Your security guard licence is hereby suspended/cancelled with effect from on (date) the following grounds:

.....
.....
.....
.....
.....

Date Name

Signature
Controller of Security Guard Services

.....

FORM F

IDENTITY CARD
(Regulation 10)

.....

Emblem of Security
Guard Service

Name of Employer:

Identity No.

Name of holder

Address of holder

Photograph
of
holder

.....

Signature

The holder of this Card is an employee of

.....

.....

Date

.....
Name of Employer

Signature

MADE this 20th day of April, 1990.

M.S. MORAFHE,
*Minister of Presidential Affairs
and Public Administration.*