

DEPARTMENT OF POLICE

NOTICE 3088 OF 2025

NOTICE CALLING FOR PUBLIC COMMENTS

**PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)
DRAFT AMENDMENT TO THE PRIVATE SECURITY INDUSTRY REGULATIONS,
2002**

The Minister of Police, under section 35 of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001) and after consultation with the Council of the Private Security Industry Regulatory Authority, hereby intends to make the Regulations in the Schedule.

The draft amendments are contained in the Schedule to this Notice and are hereby published for general information and written comment from interested and / or affected persons.

Any written comment must be submitted to the Office of the Director: Private Security Industry Regulatory Authority. The comment must reach the said office not later than four weeks from the date of this Gazette at the following address:

Postal address:

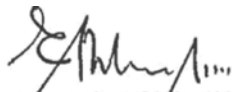
The Director
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MR. ES MCHUNU, MP

Minister of Police

Date: 07 / 03 / 2025

SCHEDULE

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

Definition

1. In this Schedule, "the Regulations" means the Private Security Industry Regulations published under Government Notice No. R.190, in Government Gazette No. 23120 of 14 February 2002.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended-

- (a) by the insertion of the following definition:

'ammunition' means ammunition as defined in section 1 of the Firearms Control Act, 2000 (Act No. 60 of 2000);

- (b) by insertion after the definition of 'Board' of the following definition:

'bolt action rifle' means a type of firearm action where the handling of cartridges into and out of the weapon's barrel chamber is operated by manually manipulating the bolt directly via a handle, which is most commonly placed on the right-hand side of the weapon;

- (c) by insertion after the definition of 'director' of the following definitions:

'firearm' means a firearm as defined in section 1 of the Firearms Control Act, 2000 (Act No. 60 of 2000);

'Firearms Control Act' means the Firearms Control Act, 2000 (Act No. 60 of 2000);

'handgun' mean a handgun as defined in section 1 of the Firearms Control Act;

(d) by the insertion after the definition of "repealed legislation" of the following definition:

'security business' includes an employer of in-house security officers to the extent that these regulations apply to such a person as contemplated in the Act;

'semi-automatic' means a semi-automatic as defined in section 1 of the Firearms Control Act;

(e) by the insertion after the definition of "these Regulations" of the following definition:

'weapon' means a weapon as defined in item 4 of the Code of Conduct for Security Service Providers, 2003 and includes -

(a) any object other than a firearm;

(b) a dangerous weapon; and

(c) handcuffs and any similar device, object or equipment manufactured, designed or adapted to restrain a person who is under arrest.

Insertion of regulations 13A , 13B and 13C in the Regulations

3. The following Regulations are hereby inserted after Regulation 13:

13A. Firearms and ammunition

Issuing of firearms and ammunition to security officers and duties relating thereto.

- 13A. (1) A security business may only issue a firearm to a security officer employed by it for the rendering of a security service if -
- (a) the issuing of the firearm by the security business is in accordance with all applicable laws;
 - (b) the receipt and possession of the firearm by the security officer is in accordance with all applicable laws;
 - (c) the firearm is in good working condition and free from any defect which may render it an inherent source of danger to any person;
 - (d) the security business and the security officer are both registered as security service providers in terms of the Act and their respective registrations are not suspended or withdrawn;
 - (e) the security business is not deregistered;
 - (f) the security officer is in possession of his or her certificate of identification as contemplated in regulation 9(2) of these regulations;
 - (g) the security officer is in possession of an original document from the security business, signed by the licence holder of the firearm or a person authorized thereto in writing by the licence holder, containing the name, address, firearm licence particulars and registration number of the security business as well as the name and employment address of the security officer, and stating that the possession of the firearm by the security officer is authorized for rendering a security service as described in the document and for the period and place specified in the document;
 - (h) the security officer is on 'duty or standby duty, or is about to perform duty or standby duty;

- (i) the necessary particulars of the issuing of the firearm and ammunition are entered into all the registers that must be kept by the security business in terms of law;
- (j) the security business and the security officer are not under State investigation in respect of an offence specified in the Schedule to the Act relating to the unlawful use of force or an offence provided for in Schedule 2 of the Firearms Control Act, or are not being criminally prosecuted in respect of such an offence;
- (k) there is no pending improper conduct enquiry initiated by the Authority into an alleged violation of the Code of Conduct, by the security business or the security officer relating to an offence contemplated in paragraph (i);
- (l) the possession of the firearm by the security officer is reasonably necessary for rendering a security service, taking into account the nature of the security service, the contract between the security business and its client, the circumstances under which the Service is rendered, the nature of the firearm and any other relevant fact;
- (m) the security officer has successfully completed the security training required for the rendering of the security service in question, any training, instruction or guidance required by law in respect of a possession, handling and use of the firearm, as well as any further or additional training necessary or required to handle the firearm in a proper and safe manner;
- (n) the security officer is not under the influence of a substance which has an intoxicating or narcotic effect;
- (o) the security officer is in a mentally stable condition and the security business has no reason to believe that he or she will use the firearm for an unlawful purpose or in an unlawful or negligent manner;

- (p) the firearm is to be carried in a public place, the security officer is in possession of the holster, holder or other container required in terms of the Firearms Control Act for the carrying of the firearm in the public place;
- (q) such issuing does not include security officers possessing firearms at the following public places:
 - (i) Taxi rank;
 - (ii) Cemetery;
 - (iii) Stadium;
 - (iv) Shopping Malls;
 - (v) Church;
 - (vi) Restaurants;
 - (vii) Parks;
 - (viii) Hospital
 - (ix) Public and Private Schools; or
 - (x) Any other similar public establishments.
- (r) the security officer is under proper control and supervision in the rendering of the security service for the purposes of which a firearm is provided;
- (s) the security officer, is provided with no more than a reasonable quantity of ammunition for the purposes of rendering the relevant security service and the ammunition meets any applicable requirements contemplated in the Firearms Control Act;
- (t) the security officer signs for receipt of the firearm and all ammunition provided to him or her immediately upon such receipt; and
- (u) A security service provider using or intending to use firearms in a public place as envisaged in sub-regulation (1) of this regulation must meet the following requirements-

- (i) the public place must not be declared a firearm free zone as by the Minister in terms of Section 140 of the Firearms Controls Act;
- (ii) the use of firearms must be in the interest of public safety;
- (iii) firearms must not be used unless a risk assessment report has been submitted to the Authority;
- (iv) steps must be taken to mitigate identified risks in terms of paragraph (b) of this regulation; and
- (v) there is no other alternative means of protection without using high calibre firearms.

(2) A person applying in terms of section 23(1) of the Act for registration as a security service provider must include in the application form for registration as security service provider, information relating to its intention to render security services requiring the use of firearms and if applicable, the number and type of firearms to be used.

(3) The Registrar of Firearms when considering an application in terms of section 20(2)(a) of the Firearms Control Act, must in the prescribed form:

- (a) Request the Authority to confirm the registration status of the applicant security service provider in line with regulations 13(5)(d) and 21(2) of the Regulations of the Firearms Control Act; and
- (b) Provide the Authority with the information relating to the type, calibre, make, model and all marked serial numbers of the firearms the applicant intends to use.

(4) The Registrar must also include, in the request for verification the details of the proposed responsible person by the security service provider for the Authority to verify his or her registration status with the Authority.

(5) The Authority shall issue a form contemplated in sub-regulation (3) to the Registrar against payment of a fee to be determined by the Authority from time to time.

(6) The Authority shall upon receipt of the request for verification by the Registrar as contemplated in sub-regulation (3), assess and issue its recommendation in respect of the status of registration of the security business against the records of the Authority.

(7) (1) A security business which is using firearms or intending to use firearms to render security services must, within 30 days of being issued with the firearm licence, provide the Authority with the following particulars-

- (a) details of competency certificates issued to security service provider in terms of the Firearms Control Act;
- (b) details of firearm licence issued to security service provider in terms of the Firearms Control Act;
- (c) the total number of firearms and ammunition issued to the security officers for purposes of rendering security services;
- (d) full particulars of security officers issued with firearms and ammunition; and
- (e) any additional information that the Authority may require.

(8) A security business providing firearms to security officers employed by it must –

- (a) maintain all firearms licensed to it and which are provided to security officers in a proper working condition, free of any defects which may render them an inherent source of danger;
- (b) have and adhere to proper and safe procedures in respect of the issuing and returning of and control over firearms and ammunition provided to security officers and must have and enforce a-proper disciplinary code in respect of the conduct of security officers regarding their receipt, possession, carrying, use, safekeeping and return of the firearms and ammunition, and in respect of the conduct of all its other personnel involved with such functions;

- (c) ensure that firearms and ammunition provided to security officers are returned for safekeeping as soon as possible after completion of their duties or work shifts;
- (d) actively monitor whether security officers who are provided with firearms and ammunition are trained, instructed and guided as contemplated in sub-regulation (1);
- (e) actively monitor whether security officers also possess their own firearms or is provided with firearms by any other person while rendering a security service, and take any appropriate steps in this regard to ensure compliance with the Act;
- (f) ensure that security officers provided with firearms are properly assessed to the satisfaction of the Authority, including an assessment of their visual and audio capacity, locomotive system, neurological system and general mental and emotional condition at the cost of the security business, at least every 12 months, or within a shorter period which may be reasonably necessary in the circumstances, to verify that they do not suffer from any physical or mental condition that would render their continued possession of a firearm and ammunition as posing an unreasonable risk or as undesirable;
- (g) ensure that the security officers provided with firearms undergo at least one proper practical training session acceptable to the Authority, at the cost of the security business, at least every 12 months, or within a shorter period as may be reasonably necessary relevant firearm and ammunition;
- (h) ensure that the security officers provided with firearms attend at least one briefing session acceptable to the Authority, at the cost of the security business, every 12 months, or within a shorter period as may be reasonably necessary in the circumstances, during which they are properly informed of the relevant legal aspects and procedures and of their legal duties regarding the possession, carrying, safekeeping and use of firearms and ammunition provided to them;

- (i) timeously inform a client of the security business on whose premises a security officer is rendering a security service of the possession of a firearm by the security officer unless the contract between the security business and its client provides for the possession of a firearm;
 - (j) properly investigate to establish all the relevant facts, or cause to be properly investigated, and keep a full record of such investigation, every incident involving the discharge of a firearm by a security officer;
 - (k) take all relevant steps provided for in law and all steps that may be necessary or prudent in the circumstances, in regard to the discharge of a firearm by a security officer, and
 - (l) inform the director in writing within 10 days after the use of a firearm by a security officer if such use caused any death, personal injury or damage, providing the particulars within the knowledge of the security business.
- (9) The director may direct a security business to furnish the director within such a reasonable time as may be determined by the director with information in writing regarding its procedures and disciplinary code contemplated in sub regulation (8)(b) and its compliance with any other duty contemplated in sub regulation (8).
- (10) A security business which requires the use of a handgun or shotgun must issue such firearm to a security officer as contemplated in sub-regulation (1) only for the rendering of one or more of the following security services-
- (a) Reaction services or armed response services;
 - (b) Protection of valuables which are being transported (cash-in-transit);
 - (c) Private investigator services;
 - (d) Environmental protection or anti-poaching services;
 - (e) Close protection services;

- (f) Protection and security services at Critical Infrastructure;
- (g) Static guard and guard on site; or
- (h) Escort services and vehicle recovery.

(11) A security business which requires the use of a bolt action rifle must issue such firearm to a security officer as contemplated in sub-regulation (1) only for the rendering of one or both of the following security services –

- (a) Environmental protection services; or
- (b) Anti-poaching services.

(12) A security business which requires the use of a semi-automatic rifle must issue such firearm to a security officer as contemplated in sub-regulation (1) only for the rendering of one or more of the following services –

- (a) Protection of valuables which are being transported (cash-in-transit);
- (b) Protection and security services at Critical Infrastructure; or
- (c) Anti-poaching services.

(13) The Authority may recommend and approve the use of firearms contemplated in sub-regulations (10), (11) and (12) where there are good grounds compelling the issuing of such firearms by a security business belonging to a different category or class specified in the mentioned subparagraphs.

(14) A security business is prohibited from issuing firearms to security service providers whose details have not been disclosed or recorded in accordance with regulation 10 of these regulations.

(15) A security business which is in possession of and using firearms to render security services must notify the Authority in writing within 14 days of the number and details of firearms lost by, stolen from, sold by or transferred by security businesses or destroyed in terms of the Firearms Control Act.

(16) Every security business which is in possession of, and using firearms to render security services must install a tracking device in every firearm to track possession and use of such firearms as part of the reporting procedures contemplated in section 4(b) of the Act.

(17) The installation of the tracking device shall be conducted by a service provider authorised and approved by the Authority.

(18) The Director may cause an audit of all firearms in issuing, possession of or presumably in possession of a security business to be performed as often as may be necessary.

(19) For the purposes of an audit contemplated in sub-regulation (19) every security business must provide the information required by the Director in the prescribed form, for the purposes of an audit and return such properly completed form to the Authority within the time period determined by the Director.

(20) (1) A security business must store every firearm in respect of which it has a licence and all ammunition in a safe and secure place in the manner required by the Firearms Control Act, as well as in accordance with any directives which the director may issue in terms of these regulations.

(21) A security officer may only carry and use a firearm provided to him or her by the security business by which he or she is employed in accordance with all applicable legal provisions and must –

(a) report to a responsible official of the security business any discharge of the firearm, as well as the loss of the firearm or any ammunition, as soon as reasonably possible after the event and furnish the necessary particulars to enable the security business to complete any relevant register contemplated in these regulations;

- (b) report to a responsible official of the security business any information which he or she has regarding the discharge of a firearm as well as the loss of a firearm, issued to any other security officer by that security business, as soon as reasonably possible after the event and furnish the necessary particulars to enable the security business to complete any relevant register;
 - (c) at all times take reasonable steps to prevent the loss, theft or unauthorized possession or use of the firearm and ammunition provided to him or her;
 - (d) return the firearm and ammunition provided to him or her to a responsible official of the security business as soon as reasonably possible after the completion of his or her duties or work. shift in the rendering of a security service; and
 - (e) return to a responsible official of the security business, when so requested, any document provided by it in terms of law to authorize the possession of the firearm by the security officer.
- (22) The director may, if there is a sound reason for such a step, through a notice served on a security business, or with the approval of the Minister if the notice is of general application —
- (a) determine conditions, in addition to those already contained in any applicable law, regarding the storage and safekeeping of firearms and ammunition by a security business, or any class or category of security businesses;
 - (b) prohibit the issuing of a firearm or a particular type of firearm to a security officer employed by the security business for the rendering of a particular security service, whether generally or in a specific instance;
 - (c) prohibit the issuing of a particular type of firearm to a security officer employed by the security business for the rendering of a security service in a defined place or area, whether generally or in a specific instance, and

(d) determine that the conditions as stated by the director in the notice must be complied with by the security business regarding the issuing, possession, carrying or use of firearms by a security officer employed by it.

(23) A security business must, for the purposes of these regulations, keep all the registers, records and documentation that it is obliged to keep in terms of regulation 10(f)(vi) and (vii) of these regulations at its administrative offices.

(24) Every register contemplated in this regulation must comply with the following requirements:

- (a) it must be kept safely, available for inspection by the Authority for a period of 4 years from the date of the last entry that is made in the register;
- (b) it must consist of pages which are all numbered in sequence and all information recorded in it must be written or printed in permanent ink;
- (c) no changes to the information recorded must be made;
- (d) no recording or information may be deleted;
- (e) a new entry must be made to correct any information that may have been captured incorrectly and cross-referencing to the relevant provision made; and
- (f) an entry of any action that must be recorded in it, must be made without undue delay.

(25) A security business issuing firearms to security officers employed by it must keep a register containing the following particulars:

- (a) all the firearms in respect of which the security business has a licence specified by make, type, calibre and serial number as well as the date and other particulars of the acquisition, disposal, transfer, loss, theft or destruction thereof, and
- (b) a detailed record of the issuing of such firearms and of ammunition to security officers, describing the firearm and ammunition, the

date, time and place of such issuing, particulars of the security service and where it is to be rendered, the name, registration number and signature of the security officer, the return of the firearm and ammunition and the name of the person issuing the firearm and ammunition.

(26) (a) A security business must keep a register with sufficient information of every instance where a firearm issued to a security officer employed by it was discharged by that security officer or any other security officer employed by it for any purpose whatsoever.

(b) The register contemplated in paragraph (a) must contain at least the following -

(i) name and registration number of the security officer discharging the firearm;

(ii) full particulars of the firearm and ammunition;

(iii) the date, time, place and circumstances pertaining to the discharge of the firearm;

(iv) particulars of any damage, injury or death caused by the discharge of the firearm;

(v) the report of the security officer contemplated in sub - regulation 22(a) and (b);

(vi) information and documentation regarding the investigation by the security business into the discharge of the firearm;
and

(vii) any further relevant facts regarding the incident.

(27) A security business must keep a register regarding the performance of its functions contemplated in sub- regulation (8)(f), (g) and (h), containing at least -

(a) the time, date and venue of the assessment session, the practical training session and the briefing session;

- (b) the names of the persons and institutions handling the sessions contemplated in paragraph (a), and their contact particulars;
- (c) the names and signatures of security officers attending the sessions contemplated in paragraph (a);
- (d) the results, outcomes and findings, as the case may be, of the assessment session, practical session and briefing session; and
- (e) types of firearms and the number of ammunition used during assessment, training and briefing sessions.

(28) In performing any function contemplated in this regulation an inspector has all the powers of entry, search and seizure contemplated in section 34 of the Act, as well as all the powers provided for in this regulation.

(29) An inspector may at any reasonable time without prior notice, require from a person contemplated in section 34(1)(d) of the Act the production to him or her all or any registers, records, files or documents that a security business must keep in terms of any law relating to the issuing, return, possession, use or storage of firearms and ammunition, as well as any further information that an inspector may require to ascertain compliance with the provisions of these regulations by a security business, its officials or its security officers.

(30) A security business having firearms or providing firearms to security officers employed by it must, at the request of an inspector, produce for inspection and examination all firearms and ammunition under its control and every licence to possess a firearm issued to it.

(31) An inspector who has reasonable grounds to believe that a person is a security officer and has or recently had a firearm or ammunition in his or her possession, may direct such person to:-

- (a) provide his or her full name and employment address;
- (b) provide the name and contact particulars of his or her employer;

- (c) produce the document contemplated in sub-regulation 13(1)(f) in respect of the possession of the firearm;
- (d) produce a licence if the security officer is in possession of a firearm licensed to him or her;
- (e) answer questions regarding the whereabouts of the firearm, and
- (f) furnish any other information reasonably required by the inspector for the purposes of these regulations.

(32)(a) An inspector may without warrant seize any firearm or ammunition in possession of a security service provider if the inspector has reasonable grounds to suspect that the security service provider is not in lawful possession of the firearm or ammunition, and, in the case of a security officer, the security officer is not in possession of the documentation required in terms of sub-regulation 13(1)(e) and (f) in respect of such firearm.

(b) The inspector seizing a firearm or ammunition contemplated in paragraph (a) must as soon as possible thereafter hand the firearm and ammunition to a member of the Service at a police station, who has to receive such firearm and ammunition and keep it in safe custody pending a further investigation, subject to the applicable provisions in chapter 14 of the Firearms Control Act.

13B Weapons

Issuing of weapons to and possession of weapons by security officers

(1) A security business may only issue a weapon to a security officer employed by it for the rendering of a security service if the -

- (a) requirements, with the necessary changes, contemplated in sub-regulation (1)(a), (b), (d), (e), (g), (k), (m), (n) and (p) are complied with,

- (b) requirements with the necessary changes, contemplated in sub-regulation (1)(i) and (j) are complied with in the case of a dangerous weapon;
- (c) security officer is well-trained in the proper handling and use of the weapon and successfully trained in accordance with any applicable standards imposed by law; and
- (d) weapon is free of any defect or characteristic which may render it an inherent source of danger or capable of easily causing excessive personal harm or damage.

(2) The security business must register such weapons with the Authority including the evidence supporting the training of security officers in the use of such weapons.

(3) The Authority may issue a certificate of registration which contains particulars of the security business in the use of weapons, including such further information as the Authority may determine under the seal of the Director.

(4) The provisions of sub-regulation (1) apply, with the necessary changes, to a security business allowing a security officer employed by it to possess a weapon provided by the security officer or by a person other than the security business, or who should reasonably be aware that the security officer is in possession of a weapon while rendering a security service.

(5) A security business issuing a weapon to a security officer employed by it, or allowing the security officer to possess a weapon provided by the security officer or by a person other than the security business, must –

- (a) comply, with the necessary changes, with sub-regulation (2)(b)
- (b) actively monitor whether, and ensure that, a security officer who possesses a dangerous weapon, complies with sub-regulation 13B(1)(c);

(c) comply, with the necessary changes, with sub-regulation (8) (e) and (f) in the case of a dangerous weapon; and

(d) keep a written record of and properly investigate to establish the relevant facts of every incident involving the use of a weapon causing any death, personal injury or damage, in order to enable the security business to take all steps that are reasonably necessary in this regard and to provide the director with all relevant information required in terms of these regulations.

(6) The provisions of sub-regulation 13A(9) are applicable, with the necessary changes, in regard to the compliance by a security business with the duties contained in this regulation.

(7) A weapon may be used by a security service provider only when it is necessary for self-defence, the defence of another person, or the protection of property.

(8) A security service provider must not use a weapon during assemblies, demonstrations or protests, meetings or any other incidents classified as crowd management under the Regulation of Gatherings Act 1993 (Act No. 205 of 1993), unless the use of such weapon is authorised and permitted in terms of law.

(9) The security service provider must conduct a risk assessment prior issuing the security officer with any weapon in terms of sub-regulation (1), including a firearm, to ensure that the weapon is free from any defect or characteristic which may render it inherent source of danger or capable of easily causing excessive possible harm, injury or damage.

(10) The security officer issued with a weapon in terms of sub-regulation (1), must be actively monitored to ensure that he or she complies with these regulations and other applicable laws, including conditions and rules of a contract concluded between the security service provider and client.

(11) The security business using or intending to use any weapon other than a firearm, to render security services, must -

- (a) inform the Authority within a period of 14 days of such use or intention to use weapons;
- (b) provide the Authority with information regarding the type and total number of weapons is using or intending to use for the rendering of security services;
- (c) provide full particulars of security officers issued with weapons for purposes of rendering security services; and
- (d) report any incident involving the use of a weapon causing death, personal injury or damage.

(12) A security business must store every firearm, ammunition or weapon in a safe and secure manner as prescribed in the Firearms Control Regulations, 2004, as well as in accordance with any directives that the Director may issue in terms of these Regulations.

(13) A security business must store all weapons in its possession or under its control in a safe and secure manner, and in compliance with any applicable law.

(14) A security officer may carry and use a weapon only in accordance with all applicable legal provisions and must report to the security business employing him or her of any use of a weapon causing death, personal injury or damage, or any loss thereof, as soon as reasonably possible after the event and provide the necessary particulars to enable the security business to complete the register contemplated in these regulations.

(15) The provisions of sub-regulation 22(b) are, with the necessary changes, applicable with regard to the use and loss of a weapon.

(16) The director may, if there is a sound reason for such a step, exercise the powers contemplated in sub-regulation (23), with the necessary changes, in regard to weapons.

Prohibited Weapons

(17) Notwithstanding the provisions of regulation 13B, security service providers may not use the following weapons in the rendering of security services –

- (a) Tasers;
- (b) Tear gas;
- (c) Water cannon;
- (d) Sponge grenade;
- (e) Rubber / Plastic bullet; and
- (f) Any other weapon that may harm civilians.

(18) A security service provider using or intending to use any prohibited weapon as envisaged in sub-regulation (1) of this regulation must meet the following requirements-

- (a) the use of prohibited weapons must be in the interest of public safety;
- (b) the prohibited weapon must not be used unless a risk assessment report has been submitted to the Authority;
- (c) steps have been taken to mitigate identified risks in terms of paragraph (b) of this regulation; and
- (c) there is no other alternative means of protection without using prohibited weapon.

(19) A security service provider using or intending to use any prohibited weapon as envisaged in these regulations and meets the requirements in sub-regulation (18) must -

- (a) submit an application to the Authority within a period of seven (7) days of intention to use prohibited weapons;

- (b) provide the Authority with information regarding the safety of the use of prohibited weapons the service provider intends to use;
- (c) provide the Authority with information regarding the type and total number of prohibited weapons the service provider intends to use for the rendering of security services;
- (d) full particulars of security officers issued with prohibited weapons for purposes of rendering security services; and
- (e) any incident involving the use of a prohibited weapon causing death, personal injury or damage.

Keeping of registers and documents

(20) A security business must keep the registers and documentation contemplated in this regulation at its administrative office as contemplated in regulation 5(1)(b) of the Private Security Industry Regulations.

(21) The provisions of sub-regulation 25 are, with the necessary changes, applicable to the registers and documentation contemplated in this regulation.

(22) (a) A security business must keep a register in which information is recorded of every instance where a weapon possessed by a security officer employed by it was used and caused death, personal injury or damage.

(b) The register contemplated in paragraph (a) must contain the information, with the necessary changes, as contemplated in sub-regulation 27(b).

(23) A security business must keep a register regarding the performance of its functions contemplated in regulation 13B(5)(c) containing at least the information, with the necessary changes, contemplated in 1 regulation 5(5).

(24) A security business must keep a file with all information and documentation regarding its investigation into the use of a weapon contemplated in regulation 13B(5)(d).

Inspections and powers of inspectors

(25) Except to the extent provided otherwise in this regulation, the provisions of regulation 6 are applicable, with the necessary changes, to the powers of inspectors in terms of this regulation.

(26) (a) An inspector may without warrant seize any weapon in possession of a security officer if the inspector has reasonable grounds to suspect that the security officer is not in lawful possession of the weapon or that the weapon has been provided in violation of a provision of regulation 13B.

(b) Section 34(2) of the Act applies to any weapon seized in terms of paragraph (a).

13C General Provisions

Duty on certain persons / Appointment of Responsible Person

(1). Every person referred to in section 21(1)(a)(ii), (iii), (iv), (v), (vi) or (vii) of the Act in relation to a security business, must take all reasonably practicable steps within his or her powers, capacity or functions to ensure that the security business possessing firearms for business purposes or issuing firearms, ammunition or weapons to security: officers employed by it, complies with all the duties contained in these regulations.

(2) A security business must appoint a responsible person to perform any other function that is subject to these regulations, if such person –

(a) is registered as a security service provider;

(b) has successfully completed the security training in terms of the Act; and

(c) is in possession of a competency certificate.

(3) A security business must furnish the Authority with the details of the responsible person in terms of sub-regulation (1) of this regulation, within 10 days of appointment.

Offences and penalties

4. Any person who -

(a) contravenes or fails to comply with a provision of these regulations;

(b) contravenes or fails to comply with a directive, notice or request of the director issued in terms of these regulations;

(c) fails to keep a register, record or file as required in terms of these regulations, or fails to make an entry in such a register without undue delay;

(d) intentionally or negligently makes a false, incorrect or misleading entry or statements in a register that has to be kept in terms of these regulations or in any document contemplated in these regulations;

(e) intentionally or negligently fails to make the reasonable enquiries that are necessary in the circumstances to verify the correctness of any information provided to him or her for the purposes of making an entry in any register that must be kept in terms of these regulations; or

(f) intentionally or negligently provides any false information in complying or purportedly complying with any duty provided for in these regulations,

is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding 24 months, or to both a fine and such imprisonment.

Transitional Provisions

5. Every person deemed to have been registered as a security service provider and providing security service on behalf of a shipping company or at any port facility in South Africa, must within a period of 180 days from the date of promulgation of these Regulations, or within such period as the Director may allow on the basis of a substantiated written application by such security service provider within a period of 60 days from the date of promulgation of these Regulations, comply with these regulations.

Short title and commencement

6. These regulations are called the Amendment to The Private Security Industry Regulations, 2002 and come into operation, unless otherwise specified, 180 days from the date of their publication in this Gazette.