

**SECURITY AND GUARDING SERVICES  
INDUSTRY AUTHORITY**

**Consultation Paper on Proposal to Replace  
the “Certification of Employment by  
Prospective Employer” Criterion for Issuing  
a Security Personnel Permit**

This consultation paper can be found on the Internet at:  
<http://www.info.gov.hk/sb/eng/sgsia/consult.html>

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**I. Introduction**

**A. The legislation**

The Security and Guarding Services Ordinance (SGSO) (Cap 460) was enacted in December 1994 to provide for a licensing scheme to regulate the security industry. Under the scheme, a person will require a security personnel permit (SPP) and a company will require a licence before they may provide security services in Hong Kong. The SGSO replaces the former Watchmen Ordinance (Cap 299), enacted in 1956, under which Watchman’s Permits were issued.

**B. The licensing authorities**

2. The Security and Guarding Services Industry Authority (“the Authority”) was established on 1 June 1995 under the SGSO. One of its main functions is to specify the criteria and conditions for issuing SPP. The Authority is also responsible for considering and determining applications for security company licence. The Commissioner of Police (“the Commissioner”) is the licensing authority for SPP.

**C. Background for the Review**

3. When the SGSO was introduced in 1995 to replace the former Watchmen Ordinance, there were already some 116,000 people in the security workforce who were issued with Watchman Permits. In order to accommodate these serving security guards, a 5-year phased programme to replace the former Watchman’s Permits by the SPP was launched and it was completed by end of April 2002.

4. The Authority considers that it is an opportune time to review the existing Criteria for Issuing a Security Personnel Permit (“the Criteria”), which was first promulgated on 4 August 1995. It is hoped that amendments of the Criteria would further ensure that only fit and

proper persons with the necessary proficiency in security work are issued with SPP, thereby helping to enhance the quality of the security service and standard of the security industry.

5. This consultation paper invites comments on the Authority's proposal to change the requirement for first-time applicants for SPP to produce a letter of employment from the prospective employer.

## **II. Existing Criteria and Proposed Amendments to the Criteria**

6. Being the licensing authority for SPP, the Commissioner is empowered under section 14(5) of the SGSO to issue an SPP when he is satisfied that an applicant is a fit and proper person to hold the permit and meets the criteria specified by the Authority. There are four categories of SPP, namely Categories A, B, C and D, in relation to different types of security work. Pursuant to s.6(1)(b)(i) of the SGSO, the Authority has specified the criteria in relation to each of the four types of security work that must be satisfied by a person before the Commissioner may issue an SPP.

### **A. Existing Criterion**

7. Under the existing Criteria, to apply for Categories A, B, C and D SPP, an applicant on his/her first application for an SPP must, in addition to fulfilling other requirements, produce a letter of employment from the prospective employer.

### **B. Proposed Amendment**

8. It is proposed that the production of a "Certification of Employment by Prospective Employer" for application of Categories A, B and C SPPs should be replaced by "Proficiency in Security Work".

9. To be regarded as having sufficient level of proficiency in security work, an applicant must satisfy one of the followings -

- (a) He/she must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application (A person who has already passed the trade test before the commencement of the revised criteria is eligible to apply for an SPP within 1 year from the effective date of the revised criteria.); or

- (b) He/she must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application; or
- (c) He/she must produce a letter of employment from the prospective employer.

Item (c) will cease to have effect 6 months after the effective date of the amended criteria as published in the Gazette.

10. Working experience may be substantiated by relevant documentary evidence provided by employers/applicant or a statutory declaration of experience by the applicant.

### **C. Rationale for the Proposed Amendment**

11. After years of implementation of the SGSO, the existing “Certification of Employment by Prospective Employer” criterion is no longer considered appropriate or necessary. The Authority has been urged to amend this criterion to facilitate people who wish to join the security industry.

12. In response to this request, the Authority proposes to replace this criterion, as applicable to Categories A, B and C SPP, by “Proficiency in Security Work”. This new criterion may ensure that people entering into and serving in the security industry have proficiency necessary in performing their security duties. With the new criterion in place, applicants may apply for SPP directly and speedily without the involvement of their prospective employers, thus minimizing disputes between employers and jobseekers, especially in the current economic climate.

13. The “Proficiency in Security Work” criterion is proposed to include two alternatives -

- (a) passage in a trade test recognized by the Authority; or
- (b) at least 3 years of cumulative experience in performing security work in Hong Kong over the past 5 years.

14. For the implementation of the proposed amendments, a trade test for Categories A, B and C SPP has been developed by the Security and Services Training Board (“SSTB”) of the Vocational Training Council. The trade test sets skill guidelines for security personnel, enables them to obtain a recognized vocational qualification and

enhances their status. The SSTB has conducted a public consultation exercise on the trade test with security companies, trade associations, trade unions, course providers under the Authority's Recognition Scheme and Owners Corporations in June 2000. The result of the consultation revealed that a majority of respondents supported the introduction of the trade test for security guards. Three pilot tests for 150 candidates were conducted from October 2000 to May 2001 and voluntary trade tests have been conducted regularly since June 2001.

15. With the successful experience gained from the pilot and voluntary tests, the Authority is confident that the trade test is an appropriate replacement of the employment certification criterion, and it will also help to raise the overall service standard of guarding services in Hong Kong. The questions and the format of the trade test are developed after taking into account the views collected during the consultation conducted by the SSTB, as well as the general educational background of serving and potential security personnel. The test (in the form of multiple choice questions) is simple but adequate in assessing whether a candidate possesses the necessary basic security knowledge. While the Authority and the SSTB have given due consideration to avoid the trade test becoming another hindrance to people wishing to join the security industry, efforts are also made to ensure that people who are granted SPP have acquired the basic security knowledge required for discharging their duties, thus help enhance the quality of the security service.

16. For people who have adequate working experience in the security industry, the Authority considers that they should have possessed the necessary security work knowledge and skills gained from their on-the-job training as well as past hands-on experience. Therefore, sufficient working experience in the security industry would also be accepted as a replacement of the current certification of employment criterion. The Authority therefore also propose that persons with 3 years of cumulative working experience gained lawfully in Hong Kong in the past 5 years should be accepted as having the necessary proficiency in security work without having to sit and pass a trade test.

17. To further enhance the standard of the industry in the long run, the Authority is considering a plan to introduce refresher courses for incumbent SPP holders. The preliminary idea is that applicants for renewal of SPP may have to attend refresher training, that is, in the long run, the requirement to attend refresher training will be made one of the criteria for renewal of SPP. This is not included in the current exercise because refresher courses are not yet available and its organization,

syllabus, etc. are still to be worked out.

### **III. Advice Sought**

18. The Authority aims to promote the standard of security services for the community. It is hoped that the proposed amendments to the Criteria will further ensure that only fit and proper persons with the necessary proficiency in security work are granted SPP to provide security services, thereby helping to enhance public confidence in private security services.

19. The Authority is open to any views and suggestions that members of the security industry and public may offer. Any organization or person who wishes to comment on the issues discussed in this paper, and/or recommend any improvement to the present policy, are requested to **make known their views and send the same on or before 15 November 2002** to –

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**SGSIA Secretariat**

**October 2002**