



THE PRIVATE SECURITY COMPANIES ORDINANCE, 2001



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THE PRIVATE SECURITY COMPANIES ORDINANCE, 2001

ORDINANCE No. VI OF 2001

[7th February, 2001]

An ordinance to provide for regulation of private security companies in the Islamabad Capital Territory

WHEREAS it is expedient to provide for regulation, licensing and control of private security companies in the Islamabad Capital Territory and for matters connected therewith and ancillary thereto;

AND WHEREAS the National Assembly and the Senate stand suspended in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999 and Provisional Constitution Order No.1 of 1999;

AND WHEREAS the President is Satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, read with the Provisional Constitution (Amendment) Order No.9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement.— (1) This Ordinance may be called the Private Security Companies Ordinance, 2001.

(2) It extends to the whole of the Islamabad Capital Territory, Islamabad.

(3) It shall come into force at once.

2. Definitions.— (1) In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) “company” means a company incorporated under the Companies Ordinance, 1984 ([XLVII of 1984](#));

(b) “Competent Authority” means the Chief Commissioner Islamabad Capital Administration;

(c) “licence” means a licence granted under this Ordinance for carrying on the business of a private security company by providing for consideration, security guards or security arrangements for the protection of persons or property or to prevent the theft or unlawful taking of property;

(d) “licensee” means the holder of a licence;

- (e) “Licensing Officer” means the licencing officer appointed by the Chief Commissioner, Islamabad Capital Administration, and shall include an Assistant Licensing Officer;
- (f) “private security company” means any company, registered under the Companies Ordinance, 1984 ([XLVII of 1984](#)) carrying on, maintaining or engaged in the business of providing for consideration security guards or making other arrangements for the security of other persons and their property functioning under a valid licence issued by the competent authority;
- (g) “prescribed” means prescribed by rules made under this Ordinance; and
- (h) “security guard” includes any watchman of other person engaged by the licensee for the protection of persons or property or to prevent the theft or robbery at the protected places.

3. Ordinance not to apply to Civil and Armed Forces, etc.—(1) The provisions of this Ordinance shall not apply to—

- (a) any member of Armed Forces, police or any civil armed force; and
- (b) any inspector, guard, watchman, or other persons employed by an individual employer for inspection, protection, guarding of his residence or commercial or business premises or for the protection of persons or property of such employer who is not engaged in the business of private security company.

4. Private security companies’ employees not to wear certain uniform. The persons employed by the private security company shall not wear uniform akin to uniform of armed force, police or any civil armed force and shall wear the uniform as may be prescribed.

5. Prohibition of maintenance of a company without a licence. No person shall carry on the business of a private security company or maintain or provide security guards or security arrangements for consideration unless holds a licence for the purpose issued under this Ordinance.

6. Procedure for grant and renewal of licence, etc.—(1) Whoever desires to engage in the business of maintaining a private security company shall, after he has got such company registered under the Companies Ordinance 1984 ([XLVII of 1984](#)), make an application for grant of a licence to the Licensing Officer and shall, with his application, furnish such information, attach documents and pay such fee in the form and manner as may be prescribed.

(2) On receipt of an application under sub-section (1), the Licensing Officer may after such verification and enquiry as he may deem necessary and subject to such conditions including furnishing of security as may be prescribed, grant or refuse to grant the licence.

(3) A licence issued under sub-section (2) shall be—

- (i) valid for such period as may be prescribed; and

(ii) renewable on an application made in the form and on payment of such fee as may be prescribed.

(4) A licence shall not be granted if—

- (a) satisfactory evidence has not been produced of the good moral character of the officers of the company holding managerial or executive positions or any of its officers holding a managerial or an executive positions has been convicted of an offence involving fraud or moral turpitude;
- (b) it is not in the public interest to do so;
- (c) security-clearance is not provided as may be prescribed; or
- (d) the private security company is not registered under the Companies Ordinance, 1984 ([XLVII of 1984](#)):

Provided that the reasons for refusal to grant a licence shall be recorded in writing and shall be communicated to the applicant.

(5) The Licensing Officer may, at any time, under the directions of the Federal Government, vary or revoke any of the conditions of a licence or impose any additional conditions thereto.

(6) The Licensing Officer shall, before taking any action under sub-section (5), notify to the licensee his intention of the proposed action and provide him an opportunity to show cause against such action.

7. Appeal. Any person aggrieved by any order made by the Licensing Officer under section 6 may, within thirty days, appeal against such order to the Secretary, Ministry of Interior, Government of Pakistan, whose decision shall be final.

8. Exhibition of licence. Every licensee shall exhibit his licence or a certified copy thereof in a conspicuous place at his principal place of business and at every branch where the licensee carries on the business of private security company.

9. Penalties. Any person who—

- (a) carries on the business of private security company without a licence;
- (b) fails to comply with the conditions of the licence;
- (c) fails to exhibit the licence or certified copy thereof at a conspicuous place in the office or place of business of the private security company;
- (d) not being the holder of a licence keeps, uses or exhibits any sign, writing, painting or other mark implying that he holds a licence to carry on the business of a private security company;

- (e) being a licensee, or an applicant for grant of licence, knowingly makes a false or incorrect statement or omits to furnish any particular which he is required to furnish; and
- (f) being a licensee, violates the relevant provisions of the Companies Ordinance, 1984 ([XLVII of 1984](#)).

shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to two hundred thousand rupees, or with both, and in case of default in payment of fine, the offender shall be liable to imprisonment which may extend to one year.

10. Revocation of licence.— (1) The Licensing Officer may, by an order in writing, revoke a licence—

(a) if he satisfied that the licensee—

- (i) has ceased to carry on the business for which he has obtained the licence or has applied for liquidation, winding up of the company or the company has been dissolved;
- (ii) has obtained the licence by providing false information in contravention of the provision of this Ordinance;
- (iii) has been convicted of any offence involving moral turpitude or, any of the officer of the licensee holding a managerial or executive position, partner, employee or security guard has been convicted of any offence involving fraud or moral turpitude;
- (iv) is contravening, or has contravened, any of the provisions of this Ordinance or the rules made thereunder; or

(b) if it is found that the security guards employed by him do not possess the prescribed qualifications or training;

(c) if the company fails to provide services to its clients as per agreement signed by it or as per the prescribed procedure ; and

(d) if it is considered necessary to do so in the public interest.

(2) The Licensing Officer shall, before revoking any licence under sub-section (1), give the licensee a notice to show cause in writing specifying a date, not less than thirty days from the date of the notice, on which the revocation shall take effect unless the licensee satisfies the Licensing Officer that the licence was not liable to be revoked.