

Private Security Industry (Exemptions) Order 2009

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No. S 172

PRIVATE SECURITY INDUSTRY ACT (CHAPTER 250A)

PRIVATE SECURITY INDUSTRY (EXEMPTIONS) ORDER 2009

In exercise of the powers conferred by section 37 of the Private Security Industry Act, the Minister for Home Affairs hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Private Security Industry (Exemptions) Order 2009 and shall come into operation on 27th April 2009.

Definitions

2. In this Order, unless the context otherwise requires —

“construction workplace” means any place where construction works are being carried out;

“construction works” means the construction, extension, installation, carrying out, repair, maintenance, renewal, removal, alteration, dismantling or demolition of —

- (a) any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level;
- (b) any road, motorway, harbour works, railway, cableway, canal or aerodrome;
- (c) any drainage, irrigation or river control work;
- (d) any electrical, water, gas or telecommunication works;
- (e) any bridge, viaduct, dam, reservoir, earthworks, pipeline, sewer, aqueduct, culvert, drive, shaft, tunnel or reclamation,

and includes any works which form an integral part of, or are preparatory to, the works described in paragraphs (a) to (e), including site clearance, earth-moving, excavation, laying of foundation, site restoration and landscaping;

“statutory board” means a body established by or under a public Act for a public purpose.

Persons exempt from having private investigator’s licence

3.—(1) Section 6 of the Act shall not apply to any person who carries out for reward the functions of a private investigator —

- (a) in the course of his employment with a statutory board in connection with the discharge of any powers or performance of any duties under any written law administered by the statutory board; or
- (b) solely by searching for information from the World Wide Web through the Internet, or by obtaining information or securing evidence from any Internet website which is accessible to members of the public, or which he is authorised to access, without the use of —
 - (i) electronic mail;
 - (ii) any facility where persons can communicate with each other in real time through text messages (commonly known as a chat room) or other similar interactive facility; or