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THE PRIVATE SECURITY REGULATION ACT

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**THE PRIVATE SECURITY REGULATION (PROCEDURE FOR
APPOINTMENT OF MEMBERS OF THE BOARD) REGULATIONS**

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THE PRIVATE SECURITY REGULATION (PROCEDURE FOR APPOINTMENT OF MEMBERS OF THE BOARD) REGULATIONS

[Legal Notice 9 of 2017]

1. Citation

These Regulations may be cited as the Private Security Regulation (Procedure for appointment of members of the Board) Regulations.

2. Compliance

For the purpose of nominations of members under section 11(1)(b)(vi), (vii), (viii), and (ix) of the Act, the nominating institutions shall comply with the Act, these Regulations and the Code of Conduct.

3. Qualifications for nomination

A person shall be qualified to be nominated for appointment as a member of the Board of the Authority under section 11(1)(b)(vi), (vii), (viii) and (ix) if that person—

- (a) is a citizen of Kenya;
- (b) meets the requirements of Chapter Six of the Constitution and has served the public with distinction; and
- (c) has at least fifteen years' of experience in security matters.

4. Disqualification

A person shall not be qualified to be nominated as a member of the Board under section 11(1)(b)(vi), (vii), (viii) and (ix) of the Act if that person—

- (a) is a member of a governing body of a political party;
- (b) is an un-discharged bankrupt;
- (c) has been convicted, whether in Kenya or elsewhere, of an offence and sentenced to imprisonment for a term exceeding six months with or without option of a fine;
- (d) is unable to perform the functions of the office due to mental incapacity;
- (e) has been removed from public office on grounds of contravening the Constitution of Kenya; or
- (f) is a State Officer or Public Officer.

5. Procedure for nomination

In the process of nominating a person for appointment to the Board under section 11(1)(b) (vi), (vii), (viii) and (ix), the nominating bodies shall—

- (a) notify the eligible persons of the vacancy notified by the Cabinet Secretary and invite the interested persons to apply for the positions;
- (b) conduct an interview for the shortlisted persons to determine the candidate's capacity to articulate security issues and consider personnel welfare;
- (c) recommend to the Cabinet Secretary two names of the selected candidates for appointment as members.

6. Conditions for nomination

For the purpose of these Regulations, the nominating bodies shall ensure that the nominations made under Regulation 5 comply with the following—

- (a) rotational representation in order to give small and large scale firms or associations an opportunity to represent;
- (b) participating firms and associations—

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- (i) have current membership and subscription fees and other charges fully paid-up or have been duly excused from the payment;
 - (ii) have obtained the current Tax compliance certificate;
 - (iii) are not the subject of winding-up and liquidation or compounding of their debts.
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THE PRIVATE SECURITY (GENERAL) REGULATIONS

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THE PRIVATE SECURITY (GENERAL) REGULATIONS

[Legal Notice 108 of 2019]

PART I – PRELIMINARY

1. Citation

These Regulations may be cited as the Private Security (General) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires-

"Act" means the Private Security Regulation Act (Cap. 207);

"Authority" means the Private Security Regulatory Authority established under section 7 of the Act;

"large scale employee association" means an organization of employees of large scale private security firms;

"large scale private security firm" means a private security firm whose membership exceeds three thousand employees;

"small scale employee association" means an organization of employees of small scale private security firms; and

"small scale private security firm" means a private security firm whose membership does not exceed three thousand employees.

PART II – PROCEDURE FOR APPOINTMENT OF MEMBERS OF THE BOARD

3. Formation of Associations

(1) Pursuant to section 11 of the Act, two or more private security firms or two or more private security service providers may form an association.

(2) Each association shall regulate the affairs of its members in accordance with its rules and regulations.

4. Association to maintain a register of members

(1) Every registered association representing employees and every association representing private security firms shall keep a register of its members, in which shall be entered—

- (a) the name, address and occupation of the members, in the case of individual members;
- (b) the name and physical address of the registered office, in the case of body corporate members;
- (c) the date on which each member was admitted to membership;
- (d) the payments made by each member in respect of entrance fee, monthly subscriptions or any other matter and the dates of such payments; and
- (e) the date on which any member ceases to be a member.

(2) Every association shall submit its register to the Authority for verification before an election is conducted.

(3) An association that fails to keep a register of its members in accordance with paragraph (1), shall not be eligible for election.

5. Advertisement of vacancies

Whenever a vacancy occurs in the membership of the Board relating to the members specified under section 11 (1) (b) (vi), (vii), (viii) and (ix) of the Act, the Cabinet Secretary

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shall, by advertisement in at least one local daily newspaper of national circulation, invite applications from persons who qualify for appointment under section 11 of the Act.

6. Election of representatives by associations

(1) Within seven days of the advertisement under regulation 4, an association shall notify its members of the—

- (a) existence of the vacancy;
- (b) date of election which shall not be later than twenty-one days from the date of notification.

(2) An association participating in an election shall—

- (a) appoint an independent person, called a scrutineer, to manage the handling of ballots and prepare a report on the election results;
- (b) only publish the result of the election after it has received a report from the scrutineer and Authority.

(3) The membership of associations shall be divided into the following categories which shall be the electoral constituencies for purposes of elections under these Regulations—

- (a) small scale employee associations;
- (b) large scale employee associations;
- (c) small scale private security firms; and
- (d) large scale private security firms.

(4) A voter shall vote for three candidates in every constituency to which the voter is entitled to vote and the Cabinet Secretary shall appoint a representative in accordance with regulation 10.

7. Nomination of candidates

(1) A person shall be eligible for election as a representative if the person is supported by at least—

- (a) one hundred registered members, in the case of a representative of a small association;
- (b) one hundred registered members, in the case of a representative of a large association;
- (c) five registered members, in the case of a representative of large private security firms; or
- (d) twenty registered members, in the case of a representative of small private security firms.

(2) The nomination form shall be as prescribed in Form PSR 1 set out in the First Schedule.

(3) Every association shall notify its members on the date of collection and return of the nomination forms.

(4) Upon receipt of all nomination forms, an association shall prepare ballot papers and submit the papers to the persons conducting the elections on the election day.

(5) A person shall not be eligible for election unless the person—

- (a) is an employee of the rank of a supervisor of a small private security firm, in the case of a representative of a small association;
- (b) is an employee of the rank of a supervisor of a large private security firm, in the case of a representative of a large association;
- (c) is a small private security firm, with its registered office within Kenya, in the case of a representative of a small private security firm; or
- (d) is a large private security firm, with its registered office within Kenya, in the case of a representative of a large private security firm.

(6) A natural person standing for election under these Regulations shall—

- (a) be registered with the Authority as a private security service provider;
- (b) not have a criminal record;
- (c) meet the requirements of Chapter Six of the Constitution.

8. Conduct of elections

(1) The associations referred to under regulation 6 shall be responsible for their respective elections and shall ensure that—

- (a) the elections are open for every member willing to vie or vote;
- (b) the representatives of employee organizations are employees of registered private security firms without ownership rights; and
- (c) the representatives of the registered private security firms are persons with ownership rights.

(2) No person shall be eligible to vote in an association if the person has not paid their membership entrance fee or has more than one year's arrears of the monthly subscriptions.

(3) For the avoidance of doubt—

- (a) every member, whether body corporate or natural person shall have one vote and shall be accorded equal voting rights;
- (b) only members who are natural persons shall elect representatives of employee associations; and
- (c) only registered private security firms shall elect representatives of private security firms.

(4) The Authority shall have oversight powers and may intervene in any manner necessary to ensure effective conduct of the elections.

9. Procedure to be followed in taking the secret ballot

(1) The ballot shall be conducted jointly by an officer of the association, the scrutineer and a representative chosen by the members, if the members elect to have a representative.

(2) Each association shall furnish the persons responsible for conducting the ballot with

- (a) a list of eligible voters;
- (b) an adequate supply of ballot papers as set out in Form PSR 2 in the First Schedule; and
- (c) a ballot box fitted with lock and key.

(3) The names of all candidates in the election shall be printed on the ballot paper or sent to every voter on a separate piece of paper along with the ballot paper.

(4) A person responsible for conducting elections shall not vie for any post and shall make arrangements to enable—

- (a) an eligible voter who may not be able to attend the poll on the election day, to vote in advance by post or by proxy using Form PSR 3 in the First Schedule;
- (b) every eligible voter, at a place adjacent to the ballot box, to obtain a ballot paper, mark and fold it, and deposit it in the ballot box; and
- (c) every eligible voter to vote without interference from the association, its officials or other members.

(5) The name of each member to whom a ballot paper is issued, or proxy form received, shall be marked off on the list of members by the person handing out the ballot papers.

(6) The persons conducting the elections shall—

- (a) examine the ballot papers;
- (b) count the valid votes; and
- (c) jointly sign the certificates for the results of the ballot set out in the Form PSR 4 in the First Schedule.

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(7) The signed copy of the certificate shall be posted in the registered office of the association and in every branch office for a period of not less than one week after the conclusion of the secret ballot.

(8) The cost of conducting an election shall be borne by the respective associations.

10. Appointment of elected representatives

After the expiry of seven days from the date of elections, an association shall submit the election results to the Cabinet Secretary who shall appoint one person from the three members elected for each constituency, to be members of the Board as provided under section 11 (1)(b)(vi) and (vii) of the Act.

11. Appointment of representative of residents association

(1) Within twenty-eight days of issuance of the advertisement under regulation 5, every registered residents association intending to nominate a person for appointment in the Board shall submit to the Cabinet Secretary the name and particulars of the nominee in Form PSR 5 in the First Schedule.

(2) Upon lapse of the twenty-eight days specified in paragraph (1), the Cabinet Secretary shall appoint one of the nominees to represent the interests of residents in the Board.

12. Appointment of nominee by the Kenya Private Sector Alliance

(1) Within twenty-eight days of issuance of the advert under regulation 5, the Kenya Private Sector Alliance shall nominate three persons for appointment in the Board in Form PSR 6 in the First Schedule.

(2) Upon lapse of the twenty-eight days specified in paragraph (1), the Cabinet Secretary shall appoint one of the nominees to represent the interests of the private sector.

13. Vacation of Positions

(1) All positions in the Board under section 11 (1) (b) (vi), (vii), (viii) and (ix) of the Act shall fall vacant upon gazettelement of these Regulations and shall be filled in accordance with these Regulations.

(2) A member of the Board who vacates office under paragraph (1) shall be deemed to have served one term.

PART III – APPLICATION FOR REGISTRATION AS PRIVATE SECURITY SERVICE PROVIDERS

14. Application for registration as an individual private security service provider

(1) An application for registration or renewal of registration as an individual private security service provider under Part III of the Act shall be in Form PSR 7 in the First Schedule.

(2) The fees payable under section 29(1) of the Act shall be as set out in the Second Schedule.

15. Application for registration as a corporate private security service provider

(1) An application for registration or renewal of registration as a corporate private security service provider under Part IV of the Act shall be in Form PSR 8 in the First Schedule.

(2) The fees payable under section 29(1) of the Act shall be as set out in the Second Schedule.

16. Additional requirements for registration

An application for registration under the Act shall be accompanied by—

- (a) a copy of the national identity card or valid passport of the person, in the case of individuals;

- (b) a copy of the certificate of incorporation or other formal registration document of the firm, in the case of firms;
- (c) valid tax compliance certificate;
- (d) audited accounts of the firm or six months bank statements in case of individuals;
- (e) proof of compliance with—
 - (i) the set minimum wages published under the Labour Institutions Act (Cap. 234); and
 - (ii) all statutory deductions;
- (f) a copy of the insurance policy for the firm;
- (g) a certificate of good conduct for every director, partner, trustee, administrator and management staff;
- (h) a private security training certificate for every director, partner, trustee, administrator and management staff;
- (i) two passport sized photographs for every director, partner, trustee, administrator and management staff;
- (j) a clear and complete set of fingerprints for every director, partner, trustee, administrator and management staff;
- (k) a list of all security equipment and tools of trade;
- (l) one sample set of uniform accompanied by a full photograph of a guard in uniform;
- (m) three clear (front, back and side) photographs of a branded vehicle, if any;
- (n) a copy of the firm's human resource policy including details of the duties and salary structure of employees;
- (o) a certificate of compliance for safe handling, care and use of animals issued by a certified veterinary surgeon;
- (p) a licence issued by the Communications Authority of Kenya for the use of any communication equipment ; and
- (q) any other information that the Board may specify.

17. Initial Registration under the Act

For the purposes of initial registration under the Act, all private security service providers shall be required to register with the Authority within six months after the gazettelement of these Regulations.

PART IV – EMPLOYMENT AND TRAINING OF PERSONNEL

18. Requirement to vet employees

(1) A private security service provider shall carry out a vetting exercise to authenticate a prospective employees' security training, employment history, character, residence and any other relevant information.

(2) A person seeking employment as a private security service provider shall provide the following documents when submitting his application for employment—

- (a) security training certification;
- (b) accurate employment history;
- (c) names and contacts of three referees not related to him or her, one of whom shall be engaged in security work or is a security trainer; and
- (d) residential physical address including street name, estate and house number supported by evidence of a utility bill, rent payment receipt or lease agreement.

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(3) Subject to section 9(o) of the Act, every private security user, prospective user, or representative of a user shall ensure that any private security service provider in their service is registered with the Authority.

(4) A person who procures the services of a private security service provider who is not registered with the Authority commits an offence.

(5) A private security service provider shall keep a record of information furnished by the person seeking to be employed as private security personnel and—

- (a) may at any time verify the correctness of the information; or
- (b) submit it to the Authority upon demand.

(6) A person who submits false information for anything required under the Act commits an offence.

19. Requirement for mandatory security training

(1) Every employer shall ensure that every person employed as a private security provider—

- (a) has a valid certificate of security training issued by the Authority;
- (b) undergoes an annual mandatory security training at an institution licensed by the Authority; and
- (c) undergoes an annual mandatory security training assessment at an institution licensed by the Authority.

(2) Every employer under subsection (1) shall have—

- (a) within its business premises, a training facility of the size and layout set out in Guidelines as prescribed by the Authority; and
- (b) a designated training officer.

(3) Notwithstanding paragraph (2), an employer who does not have a training facility shall provide evidence of partnership with a licensed training institution.

(4) Every director, partner, trustee, administrator, management staff and employee of a private security provider shall be required to undergo such training within six months after gazettelement of these Regulations as shall be prescribed by the Authority.

(5) Subject to section 9(j) of the Act, the Authority shall prescribe a standard curriculum and assessment standards for private security training which shall be undertaken at every training institution.

(6) The Authority shall have supervisory powers over security training and assessment of persons employed in the private security industry.

PART V – EQUIPMENT AND TOOLS OF TRADE

20. Private security providers uniform

(1) Subject to section 51(1) (a) of the Act, a private security service provider shall adopt a distinct garment as its uniform which shall be suitable for the nature and circumstances for which the security service is rendered.

(2) The uniform shall consist of—

- (a) body gear comprising of suits, trousers, skirts, shirts, polo-shirts, jackets and sweaters of suitable fabric and purpose customized features;
- (b) footwear comprising of leather boots;
- (c) head gear fitted with an insignia inscribed with such words as shall be determined by the Authority;
- (d) a heavy-duty belt capable of safely holding security equipment; and
- (e) appropriate maternity wear for pregnant private security officers.

(3) The top and lower gear of the uniform shall consist of colours of the private security provider's choice as approved by the Authority:

Provided that the uniforms of the provider shall not be similar to any of the uniforms worn by any disciplined forces or any national security organ in Kenya.

(4) On the top front part of the uniform shall be fitted a badge with a legibly printed insignia containing the words "PRIVATE SECURITY" and a company patch containing the company's name.

(5) On the top back part of the uniform shall be imprinted the word "SECURITY" in legible characters.

(6) An officer on duty shall wear a legibly written name plate containing his name and registration number issued by the Authority.

(7) Nothing in these Regulations prevents a private security service provider from providing to its employees, special duty security clothing materials including—

- (a) fire resistant clothing;
- (b) water resistant clothing;
- (c) visibility reflective vests; or
- (d) any other form of safety clothing.

(8) The Authority shall from time to time inspect the uniforms used by a private security service provider.

(9) Where a private security service provider is engaged in any other business other than private security services, such provider shall have a separate and distinct uniform, for its private security officers.

(10) A private security service provider whose uniform does not comply with these Regulations shall, within six months coming into force of these Regulations, replace the uniform.

21. Private security equipment

(1) The following are the equipment and tools approved by the Authority for use by private security service providers—

- (a) security alarm system;
- (b) safe, vault or secured container;
- (c) satellite tracking device, closed circuit television or other electronic monitoring device or surveillance equipment;
- (d) device used for intrusion detection, access control, bomb detection, fire detection, metal detection, x-ray inspection or for securing telephone communications;
- (e) specialized device to open, close or engage locking mechanisms;
- (f) specialized device to reproduce or duplicate keys or other objects to unlock, close or engage locking mechanisms;
- (g) fire-fighting equipment;
- (h) patrol cars;
- (i) armored cash and valuables-transit vehicles; and
- (j) any other equipment as may from time to time be authorised by the Authority.

(2) Every private security service provider shall furnish the Authority with a list of all the equipment at its disposal—

- (a) at the time of registration; and
- (b) upon acquisition of new equipment.

(3) All equipment used by private security service providers shall be subject to inspection by the Authority.

(4) All equipment requiring calibration shall be calibrated and certified at least once a year at an institution licensed by the Authority.

Private Security Regulation

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(5) A private security service provider who permits the use or uses equipment that requires calibration without a valid calibration certificate issued by an institution licensed by the Authority, commits an offence.

(6) A private security officer on duty may be provided with the following—

- (a) suitable clothing in accordance with regulation 20;
- (b) flashlight;
- (c) defence equipment including baton and pepper spray;
- (d) notepad and pen;
- (e) mobile phone;
- (f) digital camera or other recording equipment; and
- (g) two-way radio.

(7) Where a private security service provider is engaged in any other business other than private security services, such provider shall have separate and distinct equipment, for its private security officers.

(8) The specifications and standards set out under the Third Schedule shall apply to the—

- (a) Control Room and Central Alarm Monitoring Stations (CAMS);
- (b) vaults and vaulting areas;
- (c) armored vehicles;
- (d) rapid response cars;
- (e) vehicle sirens and warning lights;
- (f) distribution and installation security equipment;
- (g) tele-protection; and
- (h) contingency fittings.

(9) A private security service provider intending to acquire or dispose of any of the equipment listed under paragraphs (1) and (8) shall seek approval from the Authority before the acquisition and disposal.

22. Branding of private security vehicles and other equipment

(1) A private security service provider may brand its vehicles, equipment and buildings subject to section 51 (1) (b) of the Act.

(2) No person shall brand a vehicle, equipment or buildings using the words "police", "public law enforcement" or similar phrases.

(3) Where a private security service provider is engaged in any other business other than private security services, it shall have separate and distinct vehicles, for its private security services.

(4) Any person who contravenes this regulation commits an offence.

23. Communication tools and systems

(1) A private security service provider shall not use or install—

- (a) communication tools or systems capable of interfering with a communication system used by any disciplined forces or national security organ in Kenya;
- (b) equipment that is capable of intercepting or otherwise interfering with another person's communication;
- (c) equipment that has hazardous effects on the environment or on the health of the people that are in contact with it;
- (d) any equipment that does not comply with the international standards on security and protection; or
- (e) such other equipment 'as the Authority may from time to time prescribe.

(2) A private security service provider intending to install its own security communication system or security software application shall apply for a licence in Form PSR 9 or Form PSR 10 in the First Schedule as the case may be.

(3) A person who contravenes this regulation commits an offence.

24. Use of animals in private security services

(1) The Authority may authorize a private security service provider, to use trained animals in carrying out private security services, if the Authority is satisfied that the animals—

- (a) have been sufficiently trained by a licensed training institution for the security work for which the animals are employed;
- (b) are capable of obeying the commands; and
- (c) are handled by competent persons trained for that purpose.

(2) A private security service provider who handles animals shall ensure regular treatment and vaccination of the animals by a qualified veterinary officer.

(3) A private security service provider who handles animals shall furnish the Authority with the health record and husbandry welfare report of each animal from a licensed veterinary officer.

(4) An animal may be used in private security services for—

- (a) detection purposes;
- (b) control of crowds;
- (c) patrol and pursuit; or
- (d) protection and guarding.

(5) A private security service provider shall not use an animal for the purposes of security work if the animal—

- (b) has been trained to kill or seriously injure people and other animals; or
- (c) has been diagnosed with an illness of any kind.

(6) An animal used for private security services shall—

- (a) be uniquely identified by an identity tag;
- (b) be accompanied by and be under the control of a trained person;
- (c) while on duty and in public, wear a harness branded "SECURITY" for easy identification security animal; and
- (d) be transported in a vehicle that has a separate cage for each animal as approved by a certified veterinary surgeon.

(7) A private security service provider shall keep records of the following particulars in respect of the animal—

- (a) name;
- (b) breed;
- (c) date of birth;
- (d) identifying marks and characteristics;
- (e) training and certification for the security work; and
- (f) training and certification of the security officer or security guard handling the animal; and
- (g) health records for each animal from every visit to a licensed veterinary.

(8) A private security service provider handling an animal shall feed, care and protect the animal from cruelty.

(9) A person who contravenes this regulation commits an offence.

[Subsidiary]

PART VI – COOPERATION WITH NATIONAL SECURITY ORGANS

25. Scope of cooperation

(1) With the approval of the National Security Council and pursuant to its mandate under Article 240(6) (a) of the Constitution, a national security organ, the Inspector-General of the National Police Service or the Cabinet Secretary may, in accordance with section 45 of the Act, require a private security service provider to cooperate for purposes of—

- (a) maintenance of law and order;
- (b) preventing or mitigating a national disaster;
- (c) incident planning;
- (d) sharing security information; and
- (e) sharing expertise and training.

(2) A request for cooperation under paragraph (1) shall—

- (a) be in writing and may entail calling and stationing the private security service providers for such duty in any place and for such period as it may be considered necessary;
- (b) specify in exact terms the nature, extent and limits of the cooperation; and
- (c) state the name of the commanding officer who shall be a senior police officer or a person of similar rank from a disciplined force or service.

(3) The commanding officer specified under paragraph (2) (c) shall be in charge of the operations during the period of cooperation and every private security officer participating in the exercise shall be under duty to obey all the commands.

(4) The entity that requires cooperation with a private security service provider pursuant to paragraph (1) may facilitate any form of training necessary for the assignment.

(5) Whenever a private security officer is acting under the command of an officer of the National Police Service, such officer shall, subject to any limitations imposed under paragraph (2), exercise the powers of a police officer and shall be subject to disciplinary actions applicable to a police officer of the rank of a constable.

(6) Whenever deployed pursuant to this regulation, a private security service provider may be facilitated with transport and shall be paid daily allowances as may be determined by the Cabinet Secretary.

(7) Upon completion of any duty to which a private security service provider is engaged under this regulation, the commanding officer shall in writing discharge the private security service provider.

(8) Every person engaged under this regulation shall remain in the employment of the private security service provider and shall not be eligible for any other benefits.

26. Cooperation on information sharing

(1) A private security service provider shall be under duty to share with the National Police Service all information that it obtains in the course of duty which reasonably appears important for purposes of

- (a) preventing the commission of a crime;
- (b) apprehending a person suspected to have committed a crime;
- (c) mitigating or eliminating any form of security threat;
- (d) sharing actionable intelligence or serious incident reports; or
- (e) any other lawful purpose.

(2) A private security service provider shall at all times ensure that any information relating to security is—

- (a) kept confidential and safe; and
- (b) accessible on demand at least six months after obtaining the information.

(3) Despite paragraphs (1) and (2), whenever it appears to any national security organ, the National Police Service, the Cabinet Secretary or other law enforcement agency that information held by a private security service provider is necessary for the maintenance of law and order, the relevant agency may, in writing through the Authority, request for such information.

(4) Upon receipt of the request under paragraph (1), the Authority shall transmit the request to the relevant private security service provider and require that the requested information be provided within a specified time.

(5) A private security service provider shall comply with the request and may for that purpose—

- (a) avail any records containing the required information at its disposal;
- (b) facilitate the decoding of any information contained in security technology whether net-worked or standalone;
- (c) cause the recording of statements by any employee, with the relevant agencies; or
- (d) cooperate in any manner requested.

(6) Where there are any gaps in the information provided, the requesting agency may seek additional information from the private security service provider.

PART VII – PRIVATE SECURITY FIDELITY LEVY

27. Board of Trustees for the Private Security Fidelity Fund

(1) Pursuant to section 61(1) of the Act, the Cabinet Secretary appoints the following members of the Board of Trustees for the Private Security Fidelity Fund—

- (a) the Principal Secretary in the Ministry responsible for matters relating to internal security, who shall be the chairperson;
- (b) the Principal Secretary responsible for matters relating to finance;
- (c) one other person who shall be a registered private security provider of not less than ten years' practical experience in the private security industry; and
- (d) the Director of the Board as an *ex-officio* member.

(2) The Board shall be an incorporated body responsible to the Cabinet Secretary for directing and managing the Fund.

(3) A member of the Board of the Fund specified in paragraph (1)(c) shall be part time and shall serve for a term of three years and shall be eligible for reappointment for one further term.

(4) For purposes of section 24 of the Public Finance Management Act (Cap. 412A), the Director of the Board shall be the administrator of the Fund and shall ensure that money held in the Fund, including any earnings or accruals, is spent only for the purposes for which the fund is established.

(5) Members of the Board of the Fund may be paid such allowance as the Cabinet Secretary may approve.

28. Sources of the Fund

There shall be paid into the Fund—

- (a) the levy contemplated under section 61(2)(a) of the Act;
- (b) ten percent of fees charged under section 25(c) of the Act; and
- (c) money lawfully accruing to the Fund.

29. Administration of the Fund

The Administrator of the Fund shall—

- (a) in the management of the Fund, ensure compliance with the Public Finance Management Act (Cap. 412A); and

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- (b) be responsible for the effective, efficient and economic use of the Fund.

30. Utilization of the Fund

The Fund shall be used—

- (a) to defray the administrative and operational expenses of the Authority;
- (b) for organizing training workshops and seminars for private security providers; and
- (c) for ensuring full implementation of the Act.

31. Monies to be retained in the Fund

All receipts, savings and accruals to the Fund and the balance of the Fund at the end of each financial year shall be retained in the Fund and applied in accordance with the Constitution, the Act and these Regulations.

32. Financial year

The financial year of the Fund shall be the period of twelve months ending on the thirtieth June each year.

33. Bank accounts

The Administrator of the Fund shall open and maintain such bank accounts as are necessary for the effective management of the Fund.

34. Accounts and audit

(1) The Administrator of the Fund shall—

- (a) keep or cause to be kept proper books of accounts and other books and records related to the Fund; and
- (b) prepare, sign and transmit to the Auditor-General accounts of the Fund in accordance with Public Audit Act (Cap. 412B).

(2) Within a period of three months from the end of each financial year, the Administrator of the Fund shall submit to the Auditor-General the accounts of the Fund.

(3) The accounts of the Fund shall be audited and reported upon in accordance with the Public Audit Act (Cap. 412B).

35. Annual report

(1) The Administrator of the Fund shall, within three months after the end of each financial year, prepare and submit to the National Assembly a report of the operations of the Fund for the immediate preceding year.

(2) The Administrator of the Fund shall forward a copy of the report to the Cabinet Secretary.

36. Authority to incur expenditure

(1) The Administrator of the Fund may, in writing, delegate to an officer or a member of staff of the Authority the powers or functions of an Accounting Officer in accordance with the Public Finance Management Act (Cap. 412A) for the efficient management of the Fund.

(2) The authority to incur expenditure shall be accompanied by guidelines on its usage.

PART VIII – GENERAL PROVISIONS

37. Exercise of the power of arrest

(1) Pursuant to section 46 of the Act, a private service security provider may arrest a person who is suspected to have committed an offence and immediately hand over the person to the nearest police station or post.

(2) A private security service provider shall as far as is reasonably possible, use non-violent means in arresting any suspected offender and may only employ force—

- (a) when non-violent measures have failed; or
- (b) to prevent escape.

(3) The force used shall be proportional to the objective sought to be achieved, the seriousness of the offence and the resistance of the person against whom it is used.

(4) A private security service provider who uses any form of force shall immediately report to the police station or post, explaining the circumstances that necessitated the use of force and the police officer shall record that report.

(5) Nothing in this regulation precludes any legal measures from being taken against a private security service provider whose action leads to harm or injury.

(6) A private security service provider shall not tamper or otherwise damage any evidence from the scene of the act.

(7) Upon arrest of a suspected offender, a private security service provider shall—

- (a) seek reinforcement from a fellow private security service provider or a police officer;
- (b) accompany the arrested person to the nearest police station or post together with any material that may be connected with the arrest;
- (c) hand over an arrested person to the police officer in charge of a police station or post; and
- (d) record and sign a statement explaining the circumstances and reasons for the arrest.

(8) A private security service provider may under no circumstances detain an arrested person in any facility other than a police lock-up facility.

(9) A private security service provider who effects an arrest shall be under duty to cooperate with a police officer in the investigation of the offence and where necessary, in adducing evidence in a court of law.

(10) In addition to the statement recorded at the police station or post, a private security service provider shall make a detailed report to his employer in accordance with in-house incidence management procedures.

38. Exercise of power of search

(1) Pursuant to section 47 of the Act, a private security service provider may search a person on entry or exit of a building or property without warrant.

(2) For purposes of this regulation, search includes personal body search, bag search or vehicle search.

(3) A search under paragraph (1) may be physical or machine assisted and may take the form of-

- (a) daily routine;
- (b) intelligence search based on some pre-known information; or
- (c) random check.

(4) A search by a private security service provider shall be conducted with dignity and decorum as follows—

- (a) the person upon whom a search is intended to be conducted shall be requested for their permission to search and where the permission is not forthcoming, entry into the premises shall be denied;
- (b) the person to be searched shall be requested to display the contents in their pockets, bags or vehicle;
- (c) every search shall be conducted in the presence of at least two officers;
- (d) a body search involving touching of the person shall be conducted by an officer of the same sex.

(5) Whenever a prohibited item is found, the private security service provider shall—

Private Security Regulation

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- (a) contact the supervisor and management;
- (b) confiscate the item and place it in a lockable compartment;
- (c) call the police if necessary; and
- (d) prepare an incident report.

(6) A private security service provider shall prominently display a sign at the entrance of any premises to indicate the search area.

(7) A private security service provider shall have the power to search any property left unattended in suspicious circumstances.

39. Power to record and temporarily withhold identification documents

(1) Pursuant to section 48 of the Act, a private security service provider may—

- (a) require a person visiting any premises to provide proof of identification; and
- (b) record or copy the details in the identification documents; or
- (c) temporarily retain the identification documents.

(2) Any information collected in the course of identification of entrants in any premises shall be kept confidential and shall not be—

- (a) shared with any other person; or
- (b) used for any other purpose other than identification.

(3) Notwithstanding subregulation (2), a private security service provider may share information with another private security provider if that information promotes public safety and security.

(4) A private security service provider shall destroy all information that is no longer required for purposes of their work.

40. Conduct of patrols by private security service provider

(1) A private security service provider intending to conduct patrol or response services in any area shall notify the Authority in writing about the—

- (a) specific geographical area where the patrol or response services are to be offered;
- (b) targeted premises, if any; and
- (c) the number of officers involved in the patrol or response exercise.

(2) The Authority shall transmit the information specified in paragraph (1) to the National Police Service officer in charge of the relevant police division.

41. Lavatory facilities

A private security service provider shall ensure access to toilet and washing facilities to all its employees whenever such employees are on duty.

FIRST SCHEDULE

FORMS

FORM PSR 1 (r 7(2))

FORM PSR 1: ELECTION
NOMINATION FORM

NOMINATION FOR:

Representative from registered associations
representing employee organisations

Private Security Regulation

[Subsidiary]

Representative from registered associations representing private security firms.

(Tick that which is applicable. Note: only one position per candidate)

NAME: (surname) (middle name) (first name)

NATIONAL ID:

NAME OF REPRESENTATIVE ASSOCIATION :

MEMBERSHIP ID IN THE REPRESENTATIVE ASSOCIATION:

REGISTERED RESIDENTIAL ADDRESS:

CURRENT POSITION & PLACE OF WORK:

PROFESSIONAL QUALIFICATIONS:

PREVIOUS GOVERNANCE EXPERIENCE (IF ANY):

.....

COLLEGE-RELATED & OTHER PROFESSIONAL ACTIVITIES (Other than Private Security)

.....

NAME ON BALLOT PAPER

(The name to be printed on the ballot paper must be your surname and one or more of your given names (or an initial or a commonly accepted variation). You must use the same name on your candidate profile. To ensure fairness between candidates the Secretary to the Board may rule that a name is inappropriate for inclusion on the ballot paper).

NAME OF FIRST NOMINATOR:

ID./PASSPORT NO :

NAME OF REPRESENTATIVE ASSOCIATION:

MEMBERSHIP ID IN THE REPRESENTATIVE ASSOCIATION:

Your nomination must be accompanied by a candidate's profile of not more than 150 words plus your name, address and contact numbers. The profile must be confined to information about you. It should include a recent pass-port size photo. The profile must be printed on a single A4 page.

CONSENT: By signing this nomination form the nominee, if appointed, consents to act as a member of the Private Security Regulatory Authority Board.

SIGNATURE OF NOMINEE: Date:

NOMINATED BY: First Nominator (Please print and sign)

Second Nominator (Please print and sign)

FORM PSR 2 (r. 9 (2) (b))
FORM PSR 2: BALLOT PAPERS FORM

[Subsidiary]

ELECTION OF REPRESENTATIVE TO THE PRIVATE SECURITY REGULATORY AUTHORITY BOARD FOR THE [insert name of constituency] CONSTITUENCY

Vote for only three candidates by putting a cross X on the box next to your choice

- Name of First Candidate (Tick here)
Name of Second Candidate
Name of Third Candidate
Name of Fourth Candidate
Name of Fifth Candidate

FORM PSR 3 (r. 9 (4) (a))
FORM PSR 3: VOTING BY PROXY FORM

ABOUT YOU

NAME: (surname) (middle name) (first name)

NATIONAL ID:

MEMBERSHIP ID:

CONTACT DETAILS:

AT WHICH ELECTION DO YOU WANT YOUR PROXY TO VOTE (include date of election):

(Dotted lines for election details)

EXPLAIN WHY YOU ARE NOT ABLE TO VOTE ON THE DAY OF ELECTION:

(Dotted lines for explanation)

WHAT IS THE RELATIONSHIP BETWEEN YOU AND YOUR PROXY?:

(Dotted lines for relationship)

ABOUT YOUR PROXY

NAME:

NAME: (surname) (middle name) (first name)

NATIONAL ID:

MEMBERSHIP ID:

CONTACT DETAILS:

Declaration: As far as I know, the details on this form are true and accurate. I understand that to provide false information on this form is an offence. I have asked the person I have named as my proxy and confirm that he/she is willing and able to be appointed to vote on my behalf.

(Dotted lines for signature)

Private Security Regulation

[Subsidiary]

Signature of Applicant PROXY: Date (dd/mm/yyyy)

Signature of Proxy Date (dd/mm/yyyy)

FOR OFFICIAL USE ONLY

SCRUTINEER NAME

POSITION HELD DURING ELECTIONS

Signature Date (dd/mm/yyyy)

FORM PSR 4 (r. 9 (6))c)

FORM PSR 4: CERTIFICATE OF ELECTION RESULTS FORM

I certify that the results of the election for representatives to the Private Security Regulation Board for (insert name of constituency) held on (dd/mm/yyyy) were as follows:

Table with 3 columns: No., Name of Candidate, Constituency, Number of votes. Rows 1-10.

Total Number of eligible voters:

Total Valid Votes:

Total Invalid

Votes:

Percentage of Voter Turnout:

Name of returning officer:

(signature of returning office) (dd/mm/yyyy)

FORM PSR 5 (r. 11 (1))

NOMINATION FORM FOR A REPRESENTATIVE OF REGISTERED RESIDENTS ASSOCIATION TO THE BOARD

NAME OF RESIDENTS ASSOCIATION

DATE OF ESTABLISHMENT:

REGISTRATION NO :

Private Security Regulation

[Subsidiary]

AREA THE ASSOCIATION REPRESENTS:

NO. OF MEMBERS IN THE ASSOCIATION (Attach list of members with this document):

.....
.....

PHYSICAL LOCATION OF THE ASSOCIATION:

STATE THE CRITERIA IN WHICH THE NOMINEE WAS SELECTED (Attach minutes that led to this selection)

.....
.....

NAME OF NOMINEE:
(surname) (middle name) (first name)

NATIONAL ID:

MEMBERSHIP ID IN THE RESIDENTS ASSOCIATION:

YEAR OF MEMBERSHIP TO THE ASSOCIATION:

POSITION HELD IN THE RESIDENTS ASSOCIATION (if any):

PHYSICAL RESIDENTIAL ADDRESS (attach proof of residence):

PLACE OF WORK & CURRENT POSITION:

.....
PROFESSIONAL QUALIFICATIONS:

.....
.....

PREVIOUS GOVERNANCE EXPERIENCE(if any):

.....
.....

PROFESSIONAL ACTIVITIES IN RELATION TO PRIVATE SECURITY (if any):

.....

This nomination must be accompanied by a nominee's profile of not more than 150 words plus their name, address and contact numbers. The profile must be confined to information about the candidate. It should include a recent passport size photo and a colored copy of their ID. The profile must be printed on a single A4 page.

CONSENT: By signing this nomination form the nominee, if appointed, consents to act as a member of the Private Security Regulatory Authority Board.

NOMINEE:.....

Signature Date (dd/mm/yyyy)

SECRETARY TO THE ASSOCIATION:.....

NAME:
(surname) (middle name) (first name)

NATIONAL ID (attach a colored copy):

CONTACT DETAILS:.....

PHYSICAL RESIDENTIAL ADDRESS (attach proof of residence):

.....

Private Security Regulation

[Subsidiary]

(surname) (middle name) (first name)

NATIONAL ID :.....

MEMBERSHIP ID OF ORGANISATION IN KEPSA:

YEAR OF MEMBERSHIP TO THE ASSOCIATION:

POSITION HELD IN KEPSA (if any):

CURRENT POSITION HELD IN ORGANISATION:

.....

PROFESSIONAL QUALIFICATIONS:

.....

PREVIOUS GOVERNANCE EXPERIENCE (if any):

.....

.....

PROFESSIONAL ACTIVITIES IN RELATION TO PRIVATE SECURITY (if any):

.....

DETAILS OF THIRD NOMINEE

NAME OF ORGANISATION NOMINEE BELONGS TO:

REGISTRATION NO. OF ORGANISATION (attach a copy of certificate of incorporation

INDUSTRY IN WHICH THE ORGANISATION BELONGS TO:

NAME OF NOMINEE:..... (surname) (middle name) (first name)

NATIONAL ID.....

MEMBERSHIP ID OF ORGANISATION IN KEPSA:

YEAR OF MEMBERSHIP TO THE ASSOCIATION:

POSITION HELD IN KEPSA (if any)

CURRENT POSITION HELD IN ORGANISATION:

PROFESSIONAL QUALIFICATIONS:

PREVIOUS GOVERNANCE EXPERIENCE (if any)

.....

.....

PROFESSIONAL ACTIVITIES IN RELATION TO PRIVATE SECURITY(if any):

.....

.....

This nomination must be accompanied by a list of all members of the alliance, a copy of the minutes that led to the selection of these nominees, a short profile of each nominee stating what they hope to achieve as members of the board, a recent passport size photo and a colored copy of their ID. The profile must be printed on a single A4 page.

Private Security Regulation

[Subsidiary]

CONSENT: By signing this nomination form the nominee, if appointed, consents to act as a member of the Private Security Regulatory Authority Board.

FIRST NOMINEE:

(signature) (date: dd/mm/yyyy)

SECOND NOMINEE:

(signature) (date: dd/mm/yyyy)

THIRD NOMINEE:

(signature) (date: dd/mm/yyyy)

SECRETARY TO THE ALLIANCE.....

(surname) (middle name) (first name)

NATIONAL ID (attach a colored copy):.....

| CONTACT DETAILS:.....

PHYSICAL RESIDENTIAL ADDRESS (attach proof of residence):.....

.....

(signature) (date: dd/mm/yyyy)

CHAIRMAN TO THE ALLIANCE:.....

NAME:

(surname) (middle name) (first name)

NATIONAL ID (attach a coloured copy):

CONTACT DETAILS:

PHYSICAL RESIDENTIAL ADDRESS(attach proof of residence):.....

.....

(signature) (date: dd/mm/yyyy)

FORM PSR 7 (r.14 (1))

FORM PSR 7: APPLICATION FOR REGISTRATION/RENEWAL FOR

INDIVIDUAL PRIVATE SECURITY PROVIDERS

PERSONAL DETAILS

(attach copy of ID/Passport)

NAME:

(surname) (first name) (middle name)

DATE OF BIRTH

(date: dd/mm/yyyy)

NATIONALITY ID/PASSPORT NO.:

GENDER:

P. O. BOX:

(address number) (code) ((town)

MOBILE NO:

(personal)

EMAIL ADDRESS:

(personal)

PLACE OF RESIDENCE DETAILS :.....

.....

Private Security Regulation

[Subsidiary]

COUNTY: SUB-COUNTY.....
 CONSTITUENCY: LOCATION:
 CHIEF:..... ASSISTANT CHIEF.....
 ESTATE: MAJOR ROAD.....
 MATATU ROUTE MATATU ROUTE
 SACCO: NO:.....
 ALIGHTING NEAREST
 STAGE: SCHOOL:
 NEAREST NEAREST POLICE
 HOSPITAL: STATION:.....
 BUILDING:

(name and/or number)

FAMILY DETAILS

(indicate details of deceased persons)

FATHER'S NAME:

.....
 (surname) (middle name) (first name)

MOBILE NO:

CURRENT

LOCATION:

(county) (constituency) (village/stage name)

MOTHERS NAME:

(surname) (middle name) (first name)

MOBILE

NO.:

CURRENT

LOCATION:

(county) (constituency) (village/stage name)

MARITAL STATUS (married/ single/ divorced/ separated):.....

NAME OF

SPOUSE:

(surname) (middle name) (first name)

MOBILE NO: ID

NO. :

CURRENT

LOCATION:

(county) (constituency) (village/stage name)

CHILDREN (attach complete copy of list with this document):

	Full Name	Gender	Age	Date of Birth
--	-----------	--------	-----	---------------

1st Born

2nd Born

3rd Born

4th Born

NEXT OF KIN:

(surname) (middle name) (first name)

Private Security Regulation

[Subsidiary]

RELATIONSHIP: ID NO. :

MOBILE NO: CURRENT LOCATION:

(county) (constituency) (village/stage name) (full name)

EMERGENCY CONTACT PERSON:

RELATIONSHIP: ID NO. :

MOBILE NO: CURRENT LOCATION:..... (county) (constituency) (village/stage name)

PERSONAL REFEREES

(attach copy of full list with this document)

Name Relationship Mobile Number ID Number Current Place of Work

ACADEMIC QUALIFICATIONS/ACCREDITATIONS

(attach copy of full list and certificates for each award with this document)

Institution/ Awards/ Grade Attained From..... School Certificate To.....

- Primary School
Secondary School
College/
University
Others

PRIVATE SECURITY TRAINING

(attach copy of certificates with this document)

Institution Course Taken Certificate Number.

EMPLOYMENT HISTORY

(attach copy of full list with this document)

Company/Place of work Position Supervisor/ manager contact leaving Reasons for From To.....

STATUTORY DETAILS

(attach copy of NSSF, NHIF and KRA PIN details with this document)

NSSF NUMBER:

NHIF NUMBER:

KRA PIN NUMBER.

VITAL INFORMATION

Are you a member of any association? If so, give details of the following information(attach copy of membership certificate with this document):

Name of Association Membership ID Chairperson Year of membership

I do hereby certify that the foregoing information declared by me, is to the best of my knowledge, true and accurate. I am aware that if anything declared by me is proved to be false or incorrect. I will be liable to be penalty under law.

.....

Private Security Regulation

[Subsidiary]

(signature) (date: dd/mm/yyyy)

DECLARATION

Ibeing a licensed private security provider of licence number..... declare that I shall without any restriction or reservation comply with National law, the Private Security Regulatory Authority Act (Cap. 207), Regulations set-out under the Act and directions and guidelines issued by the Authority.

Name of Applicant:

..... Signature of Applicant
(date: dd/mm/yyyy)

FORM PSR 8 (r. 15 (1))

FORM PSR 8: APPLICATION FOR REGISTRATION/RENEWAL FOR CORPORATE PRIVATE SECURITY PROVIDERS

Name of Applicant: (surname) (middle name) (first name)

- 1. Name of security firm:
2. Email address and Telephone No.
3. Registration number and date of commencement of operations:
4. Nature of Business (Sole-proprietorship/Company/Trust/ Partnership/etc):
5. Shareholding structure(attach complete list with this document):

Name of Shareholder Percentage of shareholder Nationality
6. Category of private security service(s) provided (tick where applicable)

- # Security guarding services
Armoured transport services
Designing, manufacturing, importing, maintaining, repairing, distribution and/or installation of a security incorporating a security device/equipment
Investigative services
Armed private security services
Training department/Institution
Consultancy services
CCTV, Alarm and Mobile Response Teams
Animal section
Close protection
Aviation security
Maritime security
Door supervision/event security management
Other Security Service

7. Names, Addresses and Telephone No. of directors/ members/partners/trustees/administrator/person in control (attach complete list with this document)

Name Email Address Telephone No. Training Certificate No,

8. Name of executive and senior management employees of security firms and address with details as to his/her

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[Subsidiary]

- experience and current job description(attach complete list with this document)
- | | | | |
|------|------------|-----------------|--------------------------|
| Name | Experience | Job description | Training Certificate No, |
|------|------------|-----------------|--------------------------|
9. Number of persons employed/to be employed at:
 (a) Senior level positions:.....
 (b) Junior level positions.....
 (c) Others:.....
10. Security equipment and tools of trade used/to be used with their serial number and intent of use(attach complete list with this document)
- | | | | |
|------|------------------|----------------------|---------------|
| No . | <i>Equipment</i> | <i>Serial Number</i> | <i>Intent</i> |
|------|------------------|----------------------|---------------|
11. Details of Vehicles used for (attach complete list with this document with pictures as required in the regulations):
 (a) Providing security(K9/Patrol/etc)
 (b) Transport of cash and/or valuables
- | | | | | | | |
|------|--------|-------|------------|--------|------------|---------|
| Type | Number | Plate | Brand Name | Intent | Supervisor | Colours |
| | | | | | in-Charge | |
| | | | on Vehicle | | | |
12. Details of animals to be used to provide private security services (attach complete list with this document with veterinary certificate(s) for each animal(s))
- | | | | | |
|-------|---------------------------------|----------------|--------------------------------|--------------------|
| Breed | Brief Description of Appearance | Handler's Name | Handler's Training Certificate | Supervisor of Unit |
|-------|---------------------------------|----------------|--------------------------------|--------------------|
13. Details of premises to which private security service(s) are being provided/are to be provided (attach complete list with this document).
- | | | | | |
|---------|----------|------------------|----------------------------|--------------------------------------|
| Premise | Location | Service provided | Name of employee allocated | Training Certificate No. of employee |
|---------|----------|------------------|----------------------------|--------------------------------------|
14. Salary Structure for all employees (attach complete list with this document).
- | | | | |
|------|------------------------|-----------------------|----------------------|
| Name | <i>Job Description</i> | <i>Monthly Salary</i> | <i>Working Hours</i> |
|------|------------------------|-----------------------|----------------------|
15. Training Plan for all employees(attach complete list with this document)
 # Internal Training Department
 # External Training Institution
- (1) In the case that the private security firm has partnered with a licenced training institution, it shall attach a copy of the training agreement;
- | | | |
|-----------------|----------------------|-----------------------------|
| <i>Employee</i> | <i>Certification</i> | <i>Training Institution</i> |
|-----------------|----------------------|-----------------------------|
- (2) For a private security firm with a training facility(attach complete list and training certificate with this document);
- | | | |
|--|---|---------------------------------------|
| <i>Name of Certified Trainer and Training Supervisor</i> | <i>Training Certificate No. of Trainer and Supervisor</i> | <i>Equipment in training facility</i> |
|--|---|---------------------------------------|
16. Attach with this document:
 (1) Certificate of incorporation(two copies)
 (2) Memorandum and articles of association(two copies)
 (3) A valid Tax compliance certificate

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- (4) Audited statements of accounts
- (5) Insurance policy from a licensed insurance firm
- (6) Copy of Authority's licence of each directors/members/partners/trustees/administrator/person in control and any person performing executive and management function
- (7) Training Certificate from a licenced training institution
- (8) All other requirements required by the Act/Regulations/guidelines

I do hereby certify that the foregoing information declared by me, is to the best of my knowledge, true and accurate. I am aware that if anything declared by me is proved to be false or incorrect. I will be liable to be penalty under law

.....
 Signature of Applicant Date (dd/mm/yyyy)

DECLARATION

I being the director/trustee/partner/member/administrator of of licence number..... do hereby declare that I shall without any restriction or reservation comply with National law, the Private Security Regulatory Authority Act (Cap. 207), Regulations set-out under the Act and directions and guidelines issued by the Authority.

Name of Applicant.....

 Signature of Applicant Date (dd/mm/yyyy)

FORM PSR 9 (r. 23 (2))
 FORM PSR 9: APPLICATION FOR LICENCE TO INSTALL COMMUNICATION SYSTEM FORM

 Name of applicant
 (surname) (first name) (middle name)

Applicant's Licence No :
 Position held in Security Firm:.....
 Name of Security Firm:
 Security firm's registration no physical address where the Communication System will be installed:

.....
 Radius the Communication System covers:
 Purpose for Installation of Communication System:

.....
 Attach full list of the details of the equipment to be used for the communication system:

No.	Name of equipment	Quantity	Function	Serial No.
1.				
2.				
3.				
4.				
5.				

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Signature of Applicant Date (dd/mm/yyyy)

For security software development:

I hereby certify that during development of this security software, copyright laws and laws on data protection were adhered to and that the foregoing information declared by me is, to the best of my knowledge, true and accurate. I am aware that if anything declared by me is proved to be false or incorrect, I will be liable to penalty under law.

.....
Signature of Applicant

.....
Date (dd/mm/yyyy)

SECOND SCHEDULE

FEES

(r. 14(2), 15(2))

FEES

The annual fee payable by corporate private security providers shall be determined by the type of security service and the size of the service provider as follows:

Category A: Service based

	<i>Service</i>	<i>Annual fees (Kshs)</i>
1.	Guarding services	50,000
2.	Cash and Valuables in Transit	200,000
3.	Designing, manufacturing, importing, maintaining, repairing, distribution or installation of a security system in incorporating a security device or equipment	50,000
4.	Investigation	50,000
5.	Training Department/ Institution	100,000
6.	Armed Escort services	200,000
7.	Consultancy services	50,000
8.	Animal section	50,000
9.	Close protection	100,000
10.	Mobile patrol & alarm response unit	50,000
11.	Aviation security	100,000
12.	Maritime security	100,000

Category B: Service based

	<i>Service</i>	<i>Annual fees (Kshs)</i>
1.	Less than or equal to 100 employees	50,000
2.	101 to 200 employees	56,250
3.	201 to 500 employees	131,250
4.	501 to 1,000 employees	243,750
5.	1,001 to 2,000 employees	506,250
6.	2,001 to 3,000 employees	618,750
7.	3,001 to 4,000 employees	881,250
8.	4,001 to 5,000 employees	993,750

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9.	5,001 to 6,000 employees	1,256,000
10.	6,001 to 7,000 employees	1,368,750
11.	7,001 to 8,000 employees	1,631,250
12.	8,001 to 9,000 employees	1,743,750
13.	9,001 to 10,000 employees	2,006,250
14.	10,001 over employees	2,006,250 plus 200 for every employee in excess of 10,000

The annual fee payable by individual private security providers shall be as follows:

	Service	Annual fees (Kshs)
1.	Private Security Officer (Guard)	1,560
2.	Private Security Officer (Supervisor, Shift Manager, Door Supervisor, Event Security, Control Room Operators, CVIT Escort, Junior Management)	2,340
3.	Security Equipment Installer/Operator/ Serviceman/Repair	2,340
4.	Instructor/Trainer	2,340
5.	Close Protection	4,680
6.	Investigator	7000
7.	Consultant	10,000
8.	Senior Management/ Administrator	12,000
9.	Director/Partner/Trustee/ Member	24000
10.	Other	As may be prescribed by the Cabinet Secretary.

THIRD SCHEDULE

[r. 21(8)]

SPECIFICATIONS AND STANDARDS FOR EQUIPMENT AND FACILITIES

1. Control Room/Central Alarm Monitoring Station (CAMS) requirements

- (a) Where a private security service provider is required by the nature of the work to operate a control room, it shall comply with the following requirements:
- (i) be manned at all times during operating hours of the company;
 - (ii) the shell of the control room shall be a secure building with adequate ventilation;
 - (iii) the outer door(s) shall be fitted with automatic self-closing and locking devices;
 - (iv) access to the control room shall be controlled by surveillance from within;

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- (v) access to the control room shall be restricted to authorized personnel only, (of which a movements log or an electronic data log capable of providing a printed copy on demand should be maintained inside the control room for a minimum period of 6 months);
 - (vi) be fitted with a standby lighting and power for uninterrupted operation and communications in the event of a mains failure for not less than 12 hours.
- (b) Where the control room is used for on-site alarm monitoring, a secure cabinet or safe for the protection of client information should be provided with the following particulars:
- (i) name, address and telephone number of the subscriber with an allocated reference number and details of any special arrangements or circumstances concerning the subscriber;
 - (ii) name, address and telephone number of key holder(s);
 - (iii) agreed setting and unsetting times; and
 - (iv) all alarm events, for not less than 6 months (by printout on demand if stored electronically).
- (c) Where information is kept electronically, it shall be made available to the Authority upon request and the data shall be protected from unauthorized access and tampering, with proper back-up storage.
- (d) There shall be an emergency duress alarm in the control room for summoning assistance when required.
- (e) The locking device shall be operable without the use of a key from inside the control room or under the emergency entry procedure.
- (f) There shall be a minimum of one single direct telephone line.

2. Vaults and vaulting area requirements

- (a) A vault or vaulting area shall meet the following requirements:
- (i) Have a sterile loading/unloading facility for cash or valuables at the company premises.
 - (ii) Have a sterile loading/unloading area large enough to securely house at least one armoured vehicle.
 - (iii) The sterile area shall be closed off at the vaulting side by a receiving hatch and by at least one roller shutter door (of a closed link structure) at the entrance.
 - (iv) The receiving hatch and entrance door should not be opened at the same time.
 - (v) The vault walls, floor and ceiling of a minimum 225 mm reinforced concrete construction or equivalent.
 - (vi) The vault doors shall be reinforced for strength.
 - (vii) Where the vault is not manned 24 hours the vault and vault area shall have a monitored alarm with a direct connection to an approved central alarm monitoring station.
 - (viii) The walls of the vault perimeter area of a minimum 150 mm reinforced concrete block or equivalent.

3. Armoured vehicles requirements

A private security service provider which operates armoured vehicles shall comply to the following requirements:

- (a) the armoured vehicles shall be of at least Ballistic Protection Level B5;
- (b) All vehicles shall—
 - (i) be fitted with a legal alarm for use in an emergency;

- (ii) have an identification number painted on the roof of such a size as to be clearly visible from the air;
- (iii) be fitted with a vehicle radio capable of communicating with the company cash control room at all times, on approved frequencies, Mobile phones can be accepted in lieu of a vehicle radio;
- (iv) have sealed windows which are not openable;
- (v) be air-conditioned and shall be fitted with an appropriate fire-fighting equipment approved by the Authority;
- (vi) be manned and escorted at all times while transporting cash or other valuables;
- (vii) display the name and telephone number of the private security service provider on the front, back and side of the vehicle; and
- (viii) be insured, licensed and inspected in accordance to national laws and all other subsidiary legislation made thereunder.

4. Distribution and installation of security equipment requirements

A private security service provider engaging in the distribution or installation of security equipment shall—

- (a) have an electronic and technical workshop of an adequate size, with sufficient facilities to provide adequate service repair;
- (b) have sufficient test equipment and tools necessary for carrying out installation work, service repair and field services;
- (c) maintain a detailed list of equipment for record purposes; and
- (d) ensure that all security equipment designed, installed, maintained and repaired meet the standards required by the Authority.

5. Other specifications and standards

The Authority may, from time to time issue specifications and standards for—

- (a) rapid response cars;
- (b) vehicle sirens and warning lights;
- (c) distribution and installation of security equipment;
- (d) tele-protection;
- (e) contingency fittings; and
- (f) any other equipment or facility used in the provision of private security service.