

**CHAPTER 21:07 - CONTROL OF SECURITY GUARD SERVICES: SUBSIDIARY  
LEGISLATION  
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Control of Security Guard Services Regulations  
Reservation of Security Guard Services for Citizens Order

**CONTROL OF SECURITY GUARD SERVICES REGULATIONS**

*(under section 20(1))*

*(4th May, 1990)*

ARRANGEMENT OF REGULATIONS

REGULATION

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S.I. 31, 1990.

**1. Citation**

These Regulations may be cited as the Control of Security Guard Services Regulations.

**2. Application for licence**

(1) An application for a security guard licence shall be made to the Controller in a form that may be prescribed and shall contain all the information specified in section 5 of the Act.

(2) An applicant or his representative shall, if requested by the Controller to do so, furnish in writing any further information that the Controller may require, or, where the Controller seeks to interview him or his representative, attend such interview.

**3. Issue of licence**

(1) The Controller shall, after consideration of an application made under regulation 2, issue the applicant with a licence upon payment by the applicant of the fee prescribed in regulation 15.

(2) The Controller shall, in writing inform the applicant of his decision regarding his application for a licence in a manner that may conform in substantial detail to a form that may be prescribed.

**4. Period of validity of licence**

A licence issued under these Regulations shall, unless previously cancelled or surrendered, be valid for 12 months from the date on which it was issued.

**5. Renewal of licence**

(1) A licence may, upon its expiry, be renewed by application to the Controller in a form

that may be prescribed, and every such application shall be accompanied by the fee prescribed in regulation 15.

(2) Every application for the renewal of a licence shall be made not later than 2 months before the licence expires.

(3) The Controller shall, in writing, inform the applicant of his decision regarding his application for renewal of a licence in a form that may be prescribed.

#### **6. Restriction on transfer of licence**

No person who has been issued with a licence shall transfer such licence to any other person without first obtaining the written consent of the Controller.

#### **7. Display of licence**

Every licensee shall display his licence in a conspicuous place in his business premises.

#### **8. Maintenance of records and annual returns**

(1) Every licensee shall maintain a record of names of his employees, dates of their employment, dates of termination of their services and the reasons for such termination.

(2) Every licensee shall submit to the Controller not later than 60 days after the end of the calendar year in which his licence was issued or renewed, an annual return in respect of his employees giving the number and names of his employees, and the names of employees dismissed from his employ.

#### **9. Inspection of records**

Every licensee shall make available for inspection by the Controller or a police officer upon demand his licence or any record in respect of his employees.

#### **10. Display of identity cards**

(1) Every licensee shall ensure that whenever a security guard is on duty such security guard displays on his person an identity card which shall be in a form that may be prescribed.

(2) It shall be an offence for a security guard not to display his identity card on his person whenever he is on duty.

(3) Any person who contravenes the provisions of subregulation (2) of this regulation shall be guilty of an offence and liable to a fine of P50 or to imprisonment for 3 months in default of payment.

#### **11. Employment of security guards with convictions**

No licensee shall employ (from within or outside Botswana) as a security guard any person who has been convicted of an offence involving moral turpitude or against whom criminal proceedings are pending.

#### **12. Control of advertisements**

(1) No licensee shall display or cause to be displayed any advertisement which is indecent or in any way objectionable, or which does not relate to the services which he offers or renders.

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence and shall be liable to a fine of P50 or to imprisonment for 3 months in default of payment.

#### **13. Cancellation and surrender of licences**

(1) Where the Controller has decided to cancel or suspend a licence in accordance with section 11 of the Act the licensee shall surrender such licence for endorsement or cancellation or suspension as the case may be to the Controller, within the period specified by the Controller.

(2) The Controller shall give his decision to cancel or suspend a licence in a form that may be prescribed.

#### **14. Appeals**

Any person aggrieved by the decision of the Controller not to issue him with a licence or renew his licence may appeal to the Minister.

#### **15. Fees**

The following fees shall be payable to the Controller:-

- (a) P300 in respect of an application for the issue of a licence;
- (b) P200 in respect of an application for renewal of a licence;
- (c) P100 in respect of an appeal to the Minister against the decision of the Controller.

**16. Offences and penalties**

Any person who contravenes any provision of these Regulations, for which no other penalty is prescribed, shall be guilty of an offence and liable on conviction to a fine of P1 000 or to imprisonment for 6 months in default of payment.

**SCHEDULE**  
**Form A**  
**APPLICATION FOR LICENCE/RENEWAL OF LICENCE**  
*(Regulation 2)*

1. Applicant ..... (in block capitals)
2. Address of Applicant.....
- .....
- .....

3. Directors of Applicant:

Name	Address	Nationality
1.		
2.		
3.		
4.		

Beneficial share holders of the applicant				
Name	Address	Nationality	No. of Shares held	
1.				
2.				
3.				
4.				

4. If this is your first application please answer the questions that follow, if not, give the number of your licence and the date of last renewal  
 .....
5. Has any application for a licence made by you ever been rejected, cancelled or surrendered? If so please give full details  
 .....
6. Number of persons presently in your employ  
 .....
7. Location of security guard service  
 Plot No. .... Town .....
- Street Name ..... Submitted by .....
- Signature .....
- Date: ..... in my capacity as .....
- .....

**Form B**  
**SECURITY GUARD SERVICE LICENCE**  
*(Regulation 3)*

(NAME OF LICENSEE) ..... is hereby licensed to engage in or carry on the business of providing security guards and to advertise himself as a person engaged in or carrying on such business, subject to the following conditions:

- 2. ....
- 3. ....
- 4. ....
- 5. ....

Date of issue  
 Fee paid .....  
 Receipt Number .....

Name: .....

.....  
*Signature*

**Form C**  
**STATUTORY DECLARATION BY APPLICANT/DIRECTOR/SHARE HOLDERS**  
**(CONFIDENTIAL)**  
*(Regulation 2)*

- 1. Full Name of applicant/ Director/Shareholders .....  
 (Name in block capitals)
- 2. Address .....
- 3. Capacity of applicant in security guard service .....  
 (whether proprietor, partner, director, etc.)
- 4. Name of security guard service of which you are proprietor, shareholder, partner, director, etc. ....
- 5. Have you ever been convicted of any offence? If yes, please give the following details:
  - (a) Nature of offence with which you were charged .....
  - (b) Nature of sentence .....  
 (whether fine or imprisonment)
  - (c) If fine, please specify the amount, if imprisoned, please specify length of term .....
  - (d) Country in which you were convicted .....
  - (e) Date of conviction .....
- 6. Are there any criminal proceedings pending against you? If yes, please give the following details:
  - (a) Nature of offence with which you are charged .....
  - (b) Date charged .....
  - (c) Country in which the proceedings are pending .....

I swear that this declaration was made in good faith and that the contents thereof are to the best of my knowledge, true and correct. I am aware of the consequences of making a false statement; and that this information may be used in evidence in legal proceedings against me.

Date .....

.....  
 Signature or thumb print

Thus signed and sworn before me this ..... day of ..... 20.....

.....  
*Commissioner of Oaths*

**Form D**  
**NOTICE OF REFUSAL TO ISSUE/RENEW LICENCE**  
*(Regulations 3 and 5)*

TO: .....  
(Name of applicant)

Address of applicant .....  
.....  
.....

Your application for a security guard licence/renewal of a security guard licence is hereby refused on the following grounds:

.....  
.....  
.....  
.....

You may, within 30 days of being served with this notice, lodge with the Minister a written notice of appeal setting out the grounds thereof and the submissions made in relation thereto, and shall, at the same time, lodge a copy of such appeal with me.

Date ..... Name .....  
Signature.....  
*Controller of Security Guard Services*

**Form E**  
**NOTICE OF SUSPENSION/CANCELLATION OF LICENCE**  
*(Regulation 13)*

TO: .....  
(Name of applicant)

Address of applicant .....  
.....  
.....

Your security guard licence is hereby suspended/cancelled with effect from ..... on (date) the following grounds:

.....  
.....  
.....  
.....

Date ..... Name .....  
Signature .....  
*Controller of Security Guard Services*

**Form F**  
**IDENTITY CARD**  
*(Regulation 10)*

Emblem of Security  
Guard Service

Name of Employer: .....  
Identity No. ....  
Name of holder .....  
Address of holder .....

Photograph  
of



holder

Signature .....  
The holder of this Card is an employee of

.....  
Date .....

.....  
Name of Employer  
Signature .....

**RESERVATION OF SECURITY GUARD SERVICES FOR CITIZENS ORDER**

*(under section 21)*

*(24th July, 1998)*

ARRANGEMENT OF PARAGRAPHS

PARAGRAPHS

- 1. Citation
- 2. Reservation of security guard services

S.I. 58, 1998.

**1. Citation**

This Order may be cited as the Reservation of Security Guard Services for Citizens Order.

**2. Reservation of security guard services**

Only persons who are citizens of Botswana or companies which are wholly owned by citizens of Botswana shall be issued with licences in terms of the provisions of the Control of Security Guard Services Act.