

HOW TO APPLY

HOW TO APPLY FOR A SECURITY COMPANY LICENCE UNDER THE SECURITY AND GUARDING SERVICES ORDINANCE (Cap. 460)

A. The Security and Guarding Services Industry Authority

The Security and Guarding Services Ordinance (referred to as ‘SGSO’) has been enacted to provide for a licensing scheme to regulate the security industry. It aims to promote and encourage higher standards in the industry, thereby aiding the fight against crime. Under the SGSO, the Security and Guarding Services Industry Authority (referred to as ‘the Authority’) is established to consider and determine applications for licences by security companies. The Authority consists of a Chairman and five members appointed by the Chief Executive, and a representative of the Secretary for Security.

B. Provisions of the SGSO

Provisions regarding the definition of “security work” and “security devices”, the categories of security work and the restrictions on supplying individuals to do security work are at **Annex A**.

C. Application for a Security Company Licence

(i) Availability of Application Form

Application forms for the issue and the renewal of a licence can be obtained from the Authority and the Police Licensing Office (referred to as ‘PLO’) at the following addresses:

The Authority’s Address:
Room 813, 8/F
Kowloon East Government Offices
12 Lei Yue Mun Road
Kwun Tong, Kowloon

The PLO’s Address:
12/F, Arsenal House
Police Headquarters
1 Arsenal Street
Wanchai
Hong Kong

Tel. No.
2801 6181

Tel. No.
2860 6543

Please note that the respective offices of the Secretariat of the Authority and the PLO will close on Saturdays, Sundays and Public Holidays and will not provide service when Black Rainstorm Signal or Typhoon Signal No. 8 or above is hoisted.

Application forms can also be downloaded from the Authority’s website (<http://www.sb.gov.hk/eng/links/sgsia>).

(ii) Submission of Application Form

An application for a licence may be made only by a company. The completed application form can be returned in person, by post or through GovHK webpage to the Authority.

An application fee is payable on application for the issue or renewal of a licence. A demand note will be issued upon receipt of application. The application fee should be paid in accordance with the payment instructions printed on the demand note. The receipted demand note/ payment receipt (if any) should be returned to the Authority by fax (No.: 2537 5118), by email to sb-sgsia@sb.gov.hk, by post or in person immediately after payment. Please note that any payment made outside normal working hours of the Secretariat will be processed on the next working day. Details for making an application are given in the guidance notes of the application form.

(iii) Investigation of the Application for Licence by the Police

After receiving the receipt demand note/ payment receipt (if any) for the application fee, the Authority will forward a copy of the application form to the Commissioner of Police for investigation. The Commissioner of Police will investigate the background of the applicant company and then refer the application to the Authority for consideration. In accordance with the SGSO, the maximum time for the Police to submit the investigation result to the Authority is 60 days after the date on which the application was made. The date immediately following (i) the end of this 60-day period or (ii) the date on which the Commissioner of Police notifies the Authority that any investigation carried out under section 20 of the SGSO in respect of the application has been completed, whichever is the earlier, is referred to as “the material date”. An applicant or the Police may apply to the Authority for extension of “the material date”. The Authority may exercise its statutory power to extend “the material date” for each application twice at most, by specifying a period not longer than 30 days on each occasion.

(iv) Determination of an Application for a Licence by the Authority

In line with the statutory timeframe stipulated in the SGSO, the Authority will process and determine the application within 28 days after “the material date” if no hearing is to be conducted to consider the application. If the Police object to the application for a licence or any member of the Authority gives a requisite notice, the Authority will fix a date for hearing case before determining the application.

The Authority will have regard to any evidence adduced by the applicant and the Police, and will not issue a licence unless it is satisfied that the applicant is suitable having regard to “the Matters to which the Authority shall have regard when determining an application for a security company licence” (referred to as “the Matters”) and has fulfilled the following requirements listed in section 21(3) of the SGSO:

- (a) the applicant is a fit and proper person to supply individuals to do security work of the type proposed;
- (b) any person who is a controller of the applicant is a fit and proper person to do security work of the type proposed;
- (c) the security equipment and methods used or proposed to be used by the applicant are adequate; and
- (d) the applicant’s proposed method of supervising the individuals it supplies to do security work is suitable.

Please refer to “the Matters” at the Authority’s website.

(v) Fees

If the Authority decides to grant a licence, a prescribed fee will be payable upon such grant and annually thereafter during the validity of the licence. The amount of annual fee to be paid depends on the nature and type(s) of security work involved. Please refer to the Fees Schedule at the Authority's website. All application forms can be obtained free of charge.

(vi) Validity and Condition of a Licence

A licence is valid for five years, or such shorter period as the Authority may specify, provided that all prescribed fees are paid during the specified period. The Authority may impose conditions, subject to which the licence may be issued. A flow chart for processing an application for new issue of a licence is at **Annex B**. A sample of a properly completed application form can be downloaded from the Authority's website.

D. Application for Renewal of Licence

A licence is subject to renewal. An application for the renewal of a security company licence shall be made to the Authority **within 3 to 6 months before the security company licence is due to expire**. If an application for renewal of a licence is not submitted according to the specified statutory timeframe, the licensee will have to submit an application for new issue of a licence if he still wishes to continue to supply, agree to supply, or hold himself out as supplying any individual to do security work for another person for reward.

E. Application for Variation of Conditions of Licence

A licensee may apply to the Authority for a variation of the conditions of the licence. Application forms for variation of conditions can be obtained from the Authority's office, downloaded from the Authority's website or the GovHK webpage. The completed application form can be returned to the Authority in person, by post, by fax, by email or through GovHK webpage.

F. Application for a Replacement Licence

If a licence has been lost, stolen, damaged or destroyed, the licensee may apply to the Authority for issue of a replacement of the licence. A prescribed fee (please refer to the Authority's website for the Fee Schedule) should be paid for the issue of a replacement licence.

G. Application for Extension of "the Material Date"

An applicant may apply to the Authority for extension of "the material date". Application forms for extension of "the material date" can be obtained from the Authority's office, downloaded from the Authority's website or the GovHK webpage. The applicant should submit the application for extension of "the material date" at least 10 days before the expiry of "the material date". The completed application form can be returned to the Authority in person, by post, by fax, by email or through GovHK webpage.

H. Amendment to the Application

An applicant for a licence may, before the application is determined, amend the application by informing the Authority in writing of the amendment and at the same time sending a copy of the amendment to the Commissioner of Police. Where such an amendment is made, “the material date” in relation to that application shall be counted from the date the Authority was informed of the amendment.

I. Appeals Against Decisions

Any person aggrieved by a decision made by the Authority regarding an application for issue or renewal of a licence, an application for variation of conditions of a licence or the revocation of a licence may appeal to the Administrative Appeals Board within 10 days after receiving notice of the decision.

J. Offences

Only a company acting under and in accordance with a licence shall supply, agree to supply, or hold itself out as supplying any individual to do security work for another person for reward. The penalty for contravention is a fine of \$100,000 and imprisonment for two years.

K. Enquiries

For enquiries, please contact the Secretariat of the Authority at 2801 6181.

The information given in this pamphlet is for guidance purpose only and does not purport to provide a detailed analysis of the licensing procedure.

Provisions of the Security and Guarding Services Ordinance**Definitions of “Security Work” and “Security Device”**

- “security work” means any of the following activities —
 - (a) guarding any property;
 - (b) guarding any person or place for the purpose of preventing or detecting the occurrence of any offence;
 - (c) installing, maintaining or repairing a security device;
 - (d) designing for any particular premises or place a system incorporating a security device.
- “security device” means a device designed or adapted to be installed in any premises or place, except on or in a vehicle, for the purpose of detecting or recording —
 - (a) the occurrence of any offence; or
 - (b) the presence of an intruder or of an object that persons are, for reasons of security, not permitted to bring onto the premises or place or any other premises or place.

Categories of Security Work

- For the purpose of issuing licences, security work is categorised as follows:
 - Type I: Provision of security guarding services;
 - Type II: Provision of armoured transportation services; and
 - Type III: Installation, maintenance and/or repairing of a security devices, and/or designing (for any particular premises or place) a security system incorporating a security device.

Restriction on Supplying Individuals to do Security Work

- No person other than a company* acting under and in accordance with a licence shall supply, agree to supply, or hold himself out as supplying any individual to do security work for another person for reward.
- No person shall supply an individual to do any type of security work for another person unless the individual —
 - (a) is the holder of a permit that is valid for that type of work; or
 - (b) is to do the security work otherwise than for reward.

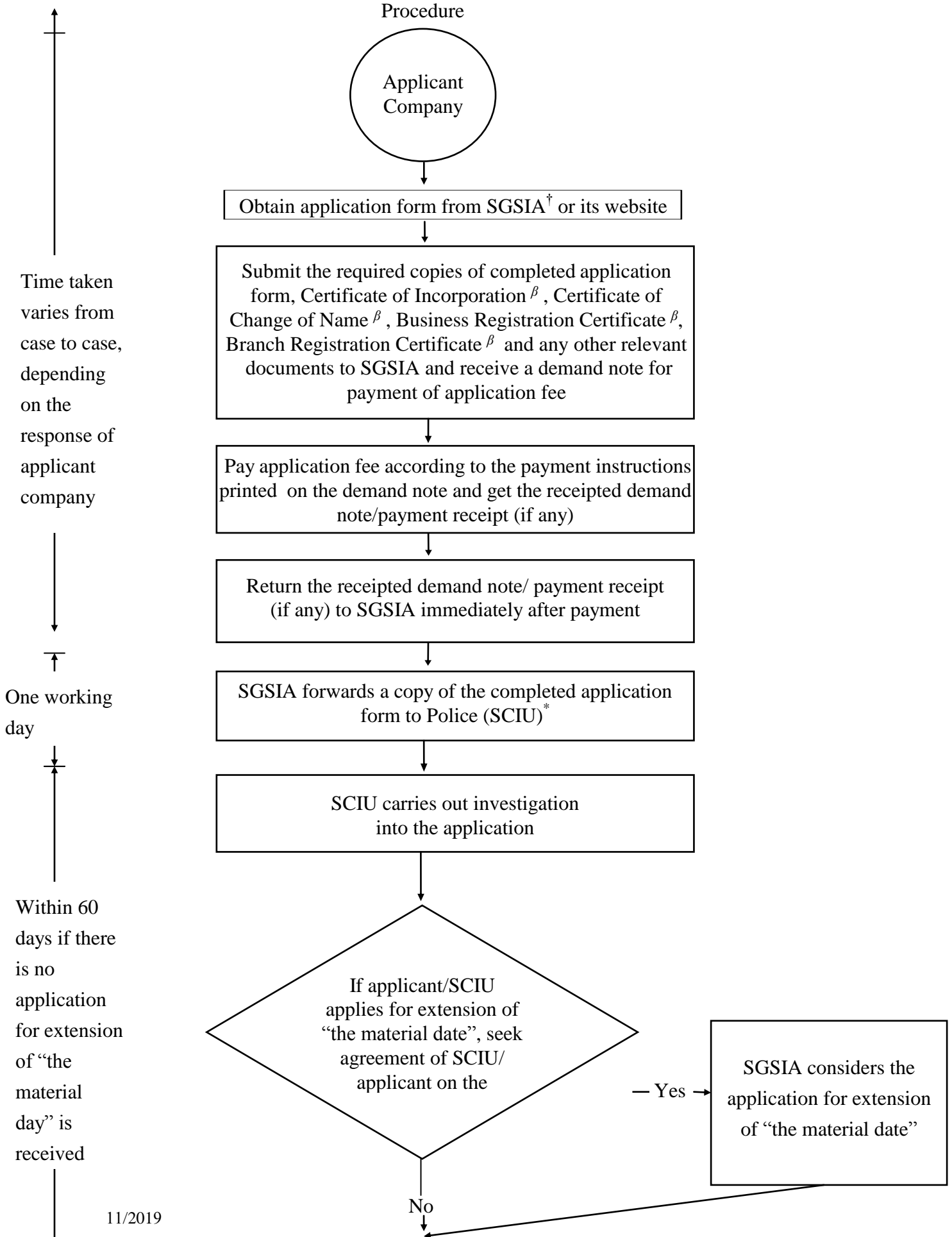
Note

* “company” means a body corporate —

- (a) incorporated under the Companies Ordinance (Cap. 622);
- (b) incorporated under a former Companies Ordinance as defined by section 2(1) of the Companies Ordinance (Cap 622); or
- (c) incorporated by any other Ordinance.

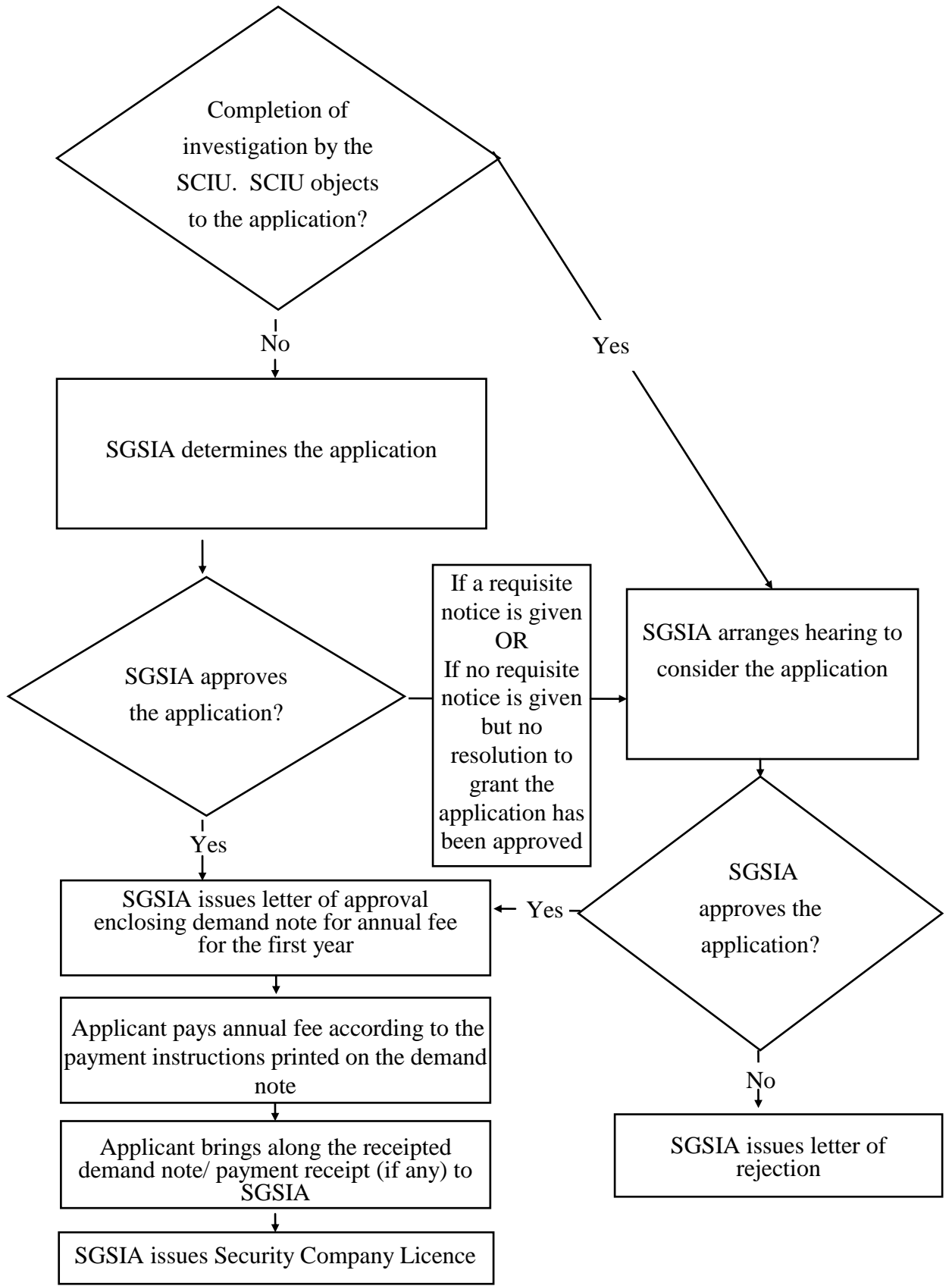
Approximate
Time Required

**Flowchart on Application for a Security Company Licence
under the Security and Guarding Services Ordinance**



Within 28 days upon receipt of Police's notification of completion of investigation

Time taken varies from case to case, depending on the response of applicant company



β = preferable to facilitate processing of the application
 † SGSIA = Security and Guarding Services Industry Authority
 * SCIU = Security Companies Inspection Unit