

Version  
as at 1 August 2022



# Private Security Personnel and Private Investigators (Minimum Training) Regulations 2013 (SR 2013/321)

Jerry Mateparae, Governor-General

## Order in Council

At Wellington this 26th day of August 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 114 of the Private Security Personnel and Private Investigators Act 2010, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**These regulations are administered by the Ministry of Justice.**

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**Regulations**

**1 Title**

These regulations are the Private Security Personnel and Private Investigators (Minimum Training) Regulations 2013.

**2 Commencement**

These regulations come into force on 1 October 2013.

**3 Interpretation**

In these regulations, unless the context otherwise requires,—

**Act** means the Private Security Personnel and Private Investigators Act 2010

**crowd controller** has the meaning given to it in section 11 of the Act

**crowd controller employee** has the meaning given to it in section 19 of the Act

**Licensing Authority** has the meaning given to it in section 4 of the Act

**NZQA** means the New Zealand Qualifications Authority (continued by section 430 of the Education and Training Act 2020)

**NZQA unit standard 22604** means NZQA unit standard 22604 (Demonstrate knowledge of the requirements of a doorperson in the hospitality industry)

**NZQA unit standard 27360** means NZQA unit standard 27360 (Demonstrate knowledge of managing conflict situations in a security context) or any substantially equivalent NZQA unit standard that replaces it

**NZQA unit standard 27361** means NZQA unit standard 27361 (Manage conflict situations in a security context) or any substantially equivalent NZQA unit standard that replaces it

**NZQA unit standard 27364** means NZQA unit standard 27364 (Demonstrate knowledge of the security industry in the pre-employment context) or any substantially equivalent NZQA unit standard that replaces it

**NZQF** means the New Zealand Qualifications and Credentials Framework administered by the NZQA

**personal guard** has the meaning given to it in section 10 of the Act

**personal guard employee** has the meaning given to it in section 18 of the Act

**property guard** has the meaning given to it in section 9 of the Act

**property guard employee** has the meaning given to it in section 17 of the Act.

Regulation 3 **NZQA**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 3 **NZQF**: amended, on 1 August 2022, by section 74 of the Education and Training Amendment Act 2022 (2022 No 38).

### **3A Transitional, savings, and related provisions**

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

Regulation 3A: inserted, on 1 May 2019, by regulation 4 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

## **4 Minimum training requirements**

- (1) Crowd controllers, crowd controller employees, property guards, property guard employees, personal guards, and personal guard employees must hold the following qualifications:
  - (a) NZQA unit standard 27364 (to demonstrate pre-employment knowledge of the security industry); and
  - (b) NZQA unit standard 27360 (to demonstrate basic conflict situation management skills); and
  - (c) NZQA unit standard 27361 (to demonstrate intermediate conflict situation management skills).
- (2) Failure to meet the minimum training requirements set out in subclause (1) is a ground for disqualification under section 62(i) of the Act.
- (3) Despite subclauses (1) and (2), the Licensing Authority may, in accordance with section 60(3) of the Act, issue a temporary certificate of approval to a crowd controller employee, property guard employee, or personal guard employee who does not meet the minimum training requirements to enable that person to obtain the required training.
- (4) This regulation is subject to regulation 5A.

Regulation 4(4): inserted, on 1 May 2019, by regulation 5 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

## **5 Equivalentents**

- (1) A person who holds an NZQF National Certificate in Security at Level 2 or higher is deemed to meet the minimum training requirements set out in regulation 4(1)(a) if—
  - (a) that certificate was issued on or after 1 January 2009; or
  - (b) the person held a licence or certificate of approval immediately before the date these regulations came into force.
- (2) A person who holds an NZQA unit standard 22604 that was issued before the date these regulations came into force is deemed to meet the minimum training requirements set out in regulation 4(1)(a).

- (3) A person who holds one of the following qualifications is deemed to meet the minimum training requirements set out in regulation 4(1)(a):
- (a) NZQF New Zealand Certificate in Security (Foundation) (Level 3):
  - (b) NZQF New Zealand Certificate in Security (Advanced) (Level 4):
  - (c) NZQF New Zealand Diploma in Security (Level 6).

Regulation 5(3): inserted, on 1 May 2019, by regulation 6 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

## 5A Exemptions

Regulation 4 does not apply to—

- (a) a property guard who carries on only a business described in section 9(1)(b) of the Act:
- (b) a property guard employee who does only the work described in section 17(b) of the Act.

Regulation 5A: inserted, on 1 May 2019, by regulation 7 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

## 6 Transitional provision

*[Revoked]*

Regulation 6: revoked, on 1 May 2019, by regulation 8 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

## Schedule 1

### Transitional, savings, and related provisions

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Schedule 1: inserted, on 1 May 2019, by regulation 9 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

### Part 1

#### Provisions relating to Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019

##### 1 Interpretation

In this Part,—

**commencement date** means 1 May 2019

**pending certificate of approval application** means an application that—

- (a) is for a certificate of approval for the class of responsible employee defined in section 17 of the Act; and
- (b) was made, but not determined, before the commencement date

**pending licence application** means an application that—

- (a) is for a licence for a class of business described in section 9 of the Act; and
- (b) was made, but not determined, before the commencement date.

Schedule 1 clause 1: inserted, on 1 May 2019, by regulation 9 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

##### 2 Transitional provision relating to pending applications

(1) Regulation 4 does not apply to a person who has—

- (a) a pending licence application; and
- (b) advised the Licensing Authority that the person is seeking a licence to carry on only a business described in section 9(1)(b) of the Act; and
- (c) not completed the training requirements set out in regulation 4(1).

(2) Regulation 4 does not apply to a person who has—

- (a) a pending certificate of approval application; and
- (b) advised the Licensing Authority that the person is seeking a certificate of approval to do only the work described in section 17(b) of the Act; and
- (c) not completed the training requirements set out in regulation 4(1).

Schedule 1 clause 2: inserted, on 1 May 2019, by regulation 9 of the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58).

Rebecca Kitteridge,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 29 August 2013.

## Notes

### **1** *General*

This is a consolidation of the Private Security Personnel and Private Investigators (Minimum Training) Regulations 2013 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Education and Training Amendment Act 2022 (2022 No 38): section 74

Education and Training Act 2020 (2020 No 38): section 668

Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019 (LI 2019/58)