



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

Patsy Reddy, Governor-General

Order in Council

At Wellington this 25th day of March 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 114 of the Private Security Personnel and Private Investigators Act 2010 on the advice and with the consent of the Executive Council.

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Schedule

New Schedule 1 inserted

Regulations

1 Title

These regulations are the Private Security Personnel and Private Investigators (Minimum Training) Amendment Regulations 2019.

2 Commencement

These regulations come into force on 1 May 2019.

3 Principal regulations

These regulations amend the Private Security Personnel and Private Investigators (Minimum Training) Regulations 2013 (the **principal regulations**).

4 New regulation 3A inserted (Transitional, savings, and related provisions)

After regulation 3, insert:

3A Transitional, savings, and related provisions

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

5 Regulation 4 amended (Minimum training requirements)

After regulation 4(3), insert:

(4) This regulation is subject to regulation 5A.

6 Regulation 5 amended (Equivalents)

After regulation 5(2), insert:

(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).

7 New regulation 5A inserted (Exemptions)

After regulation 5, insert:

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.

8 Regulation 6 revoked (Transitional provision)

Revoke regulation 6.

9 New Schedule 1 inserted

Insert the Schedule 1 set out in the Schedule of these regulations as the first schedule to appear after the last regulation of the principal regulations.

Schedule
New Schedule 1 inserted

r 9

Schedule 1
Transitional, savings, and related provisions

r 3A

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.

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).

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 May 2019, are made under the Private Security Personnel and Private Investigators Act 2010. They amend the Private Security Personnel and Private Investigators (Minimum Training) Regulations 2013. The amendments—

- provide that the training requirements set out in regulation 4(1)(a) are met if a person holds one of the newly prescribed New Zealand certificates or a diploma in security;
- exclude office-based property guards and property guard employees from the prescribed training requirements in regulation 4;
- revoke a spent transitional provision.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 28 March 2019.

These regulations are administered by the Ministry of Justice.