

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

><><><

Email: hta@kp.gov.pk Office Phone # 091-9210078 FAX # 091-9210201

NOTIFICATION

Dated Peshawar, the 15th August, 2013

No. SO (PR) HD / 8 – 54 / 2013:-- In exercise of the powers conferred by section 18 of the Khyber Pakhtunkhwa Private Security Companies Ordinance, 2002 (N.-W.F.P Ord. No. XLIX of 2002), the Governor Khyber Pakhtunkhwa is pleased to make the following Rules, namely:

1. **Short Title & Commencement.--**

- (1) These rules may be called the Khyber Pakhtunkhwa Private Security Companies (Amended) Rules, 2013.
- (2) It shall come into force at once.

2. **Definition.--**

In these rules, unless the context otherwise requires, the following expression shall have the meanings hereby respectively assigned to them, that is to say:

- i. “**Department**” means the Government of the Khyber Pakhtunkhwa, Home & Tribal Affairs Department;
- ii. “**Deputy Commissioner**” means the Deputy Commissioner of the District concerned,
- iii. “**Ordinance**” means the Khyber Pakhtunkhwa Private Security Companies Ordinance, 2002 (N.-W.F.P. Ord. No. XLIX of 2002);
- iv. “**Province**” means the Khyber Pakhtunkhwa Province;
- v. “**Schedule**” means a Schedule appended to these rules.
- vi. “**Client**” means a person or body of persons, Organization, firm, factory, bank, NGO, and shop using the services of well-trained security guard(s) for protection of lives and property.

3. **Restriction.--**

A private security company shall not render any services to:

- i. Government or Government Agency;
- ii. Sensitive key points; and
- iii. Disputed property.

4. **Registration, grant of license, NOC and renewal of license.--**

(1) The Private Security Company prior to registration or grant of a license or an NOC for rendering security services in the Province, shall fulfill the conditions as laid down in Schedule-I.

(2) The license or NOC granted to a private security company under sub rule (1), after expiry of one year, shall be renewable after fulfilling the conditions as laid down in Schedule-II.

5. **Condition for issuance of a License to a Private Security Company.--**

The Private Security Company while applying for a license shall fulfill the following conditions.

- i. The application for license shall be made to competent authority indicating the area of activity with in the Province;
- ii. The Private Security Company must be registered under the Companies Ordinance, 1984 (XLVII of 1984);
- iii. The application for the issuance of license shall be accompanied with following essentials:
 - a. Names and Addresses of the Licensees and Directors;
 - b. Work and task already being performed at various places in Pakistan and since how long; and
 - c. Bank statement showing the financial position of the Private Security Company.

6. **Mode of Operation.--**

(1) On grant of license, a Private Security Company shall operate in the Province in the mode prescribed as under: -

- a. It shall keep Department, the Deputy Commissioner and Superintendent of Police informed about any agreement concluded with a client;
- b. It shall inform the local police station or levies thana about the place of their operation and full particulars of the staff employed, the weapons issued/used and the nature and extent of their obligation under intimation to the Deputy Commissioner and the Superintendent of Police concerned;
- c. Any change and variation in this regard shall also be reported promptly to the local police/levies station;
- d. The police/levies concerned, shall have the right to carry necessary check as they are authorized in the case of chowkidari system, at any time;
- e. Quarterly reports indicating the general activities of the Private Security Companies shall invariably be sent to the Department;
- f. It shall follow the laws, rules policy and instructions on the subject as and when framed by the Government and shall conduct its operations in accordance with such directions as Government may issue, from time to time, to regulate and control their working; and
- g. Change in address office location shall be promptly conveyed to the Department.

(2) The Private Security Companies to whom license has already been issued should regularize themselves under this Ordinance within a period of two months.

7. **Uniform.--**

The Private Security Company shall make an application to Department for getting the pattern of uniform of their employees.

8. **Security Guards.--**

- i. The Private Security Company shall provide a list of the security guards, working in the field to be employed and deployed by it in the Province alongwith their credentials and complete information.
- ii. The numbers of security guards shall not be less than 20 and not more than 400 at a time.

- iii. A security guard shall not be less than 25 years and more than 45 years.
- iv. In order to employ a retired Government Official as a security guard, the manager of the Private Security Company shall provide a moral/character certificate from the concerned department alongwith following essentials:
 - a. Medical Fitness Certificate;
 - b. Copy of CNIC in triplicate; and
 - c. Photograph and finger prints.
- v. The Private Security Company shall provide for the training of their security guards and a refreshing course at least once in 3 years.
- vi. The Private Security Company may engage civilian personnel in case sufficient training provided to them.
- vii. All field staff of a Private Security Company to be employed/ deployed in the Province will have to be cleared by the Special Branch of the Department. In case of employee from the tribal area, the verification will be carried out by the concerned Political Agent.
- viii. If any security guard of the Private Security Company is involved in theft, dacoit, robber/murder, treason or anti-state activities etc., the Private Security Company shall be held jointly and variously responsible and shall be liable to any legal action to be taken for it by the competent authority and the competent authority shall have a vested right to cancel its license.

9. **Fee Structure.--**

- i. The company shall deposit refundable security of Rs.200000/- with government.
- ii. The Private Security Company shall pay an amount of Rs.100000/- to the Government as license fee.
- iii. The Private Security Company shall also pay an amount of Rs.50000/- as a yearly renewal fee to the Government;
Provides that if the Private Security Company has not paid such amount within thirty days, on expiry of validity of license, the Private Security Company shall pay with the renewal fee, a fine of rupees fifty, for every late day.

10. **Weapons.--**

- i. The competent authority shall decide the number of licenses to be issued to the Private Security Company for the possession of arms, ammunition and other equipments necessary for their function.
- ii. While applying for licenses, the Private Security Company shall provide details and caliber of weapon.
- iii. Generally number of licenses should not be more than two third of the number of security guards of the concerned company.

11. The Private Security Company dealing with cash in transit shall use armoured vehicles for the purpose.

