

Legal Notice No. PSRA/003/2023

THE PRIVATE SECURITY REGULATION ACT

(No. 13 of 2016)

The **Private Security Regulatory Authority** is a Government Agency established under **Section 7** of the **Private Security Regulation Act No. 13 of 2016** and is charged with the responsibility of regulating the private security industry in accordance with the Act and the values and principles set out in the Constitution.

Section 9 (o) of the Act mandates the Authority to provide information to the users, prospective users or representatives of users of security services regarding the compliance of private security service providers with the provisions of the Act.

In compliance with Sections 6, 9 (c), 28, 30 (1), 31, and 34 of the Act, the Authority has registered and licensed a significant number of private security service providers to offer private security services in Kenya.

HOWEVER, we have noted that a number of users, prospective users or representatives of users of security services are still procuring, hiring, or otherwise engaging private security services from unlicensed and unregistered private security companies in violation of **Section 69 (1) (e)** of the Act.

FOR CLARITY AND AVOIDANCE OF DOUBT, Section 2 of the Private Security Regulation Act No. 13 of 2016 spells out **private security services** to include;

- a) Installation of burglar alarms and other protective equipment;
- b) Performing the functions of a private investigator and security consultancy;
- c) Car tracking or surveillance;
- d) Close-Circuit Television (CCTV);
- e) Provision of guard dog services;
- f) Security for cash in transit;
- g) Access control installation;
- h) Providing security training or instruction to a security service provider or prospective security service provider;
- i) Providing a reactive or response service in connection with the safeguarding of a person or property in any manner;
- j) Giving advice on the protection or safeguarding of a person or property, on any other type of security service as defined in this section, or on the use of security equipment;
- k) Providing a service aimed at ensuring order and safety on the premises used for sporting, recreational, entertainment or similar purposes;

- l) Manufacturing, importing, distributing or advertising of monitoring devices for interception and monitoring provided for under any written law;
- m) Monitoring signals or transmissions from electronic security equipment;
- n) Installing, servicing or repairing security equipment;
- o) A safe, vault or secured container;
- p) A satellite tracking device, closed circuit television or other electronic monitoring device or surveillance equipment;
- q) A device used for intrusion detection, access control, bomb detection, fire detection, metal detection, x-ray inspection or for securing telephone communications;
- r) A specialised device used to open, close or engage locking mechanisms;
- s) Creating the impression, in any manner, that one or more of the services in paragraphs (a) to (r) are rendered.

SECTION 69 of the Private Security Regulation Act No. 13 of 2016, thus states, a person who:-

1. operates as a private security service provider without being the holder of a valid licence under the Act; and/or
2. hires, employs or otherwise engages the services of any unlicensed private security firm.

COMMITTS AN OFFENCE and shall be liable to a fine or to both such fine and imprisonment in the case of a natural person and two million shillings (**Kshs. 2,000,000/=**) in the case of a corporate.

THE PURPOSE OF THIS LEGAL NOTICE is to bring this information to the attention of users, prospective users or representatives of users of security services and further advise that they **ONLY** procure, hire or otherwise engage security services from licensed private security companies.

TAKE NOTE: The 5-year Certificate of Registration is the **ONLY** proof of having been registered and licensed with the Private Security Regulatory Authority in accordance with the provisions of the Private Security Regulation Act, No. 13 of 2016.

Fazul Mahamed
Director General / Chief Executive Officer
Private Security Regulatory Authority

Dated the 24th January, 2023