

# Summary of draft amendment to Private Security Industry regulations, 2025

Developed by Gun Free South Africa

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**Full name:** Private Security Industry Regulation Act, 2001 (Act No 56. Of 2001) Draft Amendment to the Private Security Industry Regulations, 2002

**Published by:** Department of Police in Notice 3088 of 2025 in Government Gazette 52388, 28 March 2025

Available online [HERE](#)

## Submission details:

- Deadline: 25 April 2025
- Email submissions to the Director, email address: [regulations@psira.co.za](mailto:regulations@psira.co.za)
- To assist, click [HERE](#) for a summary of serious and ongoing problems in SA's private security industry and [HERE](#) for guidelines on making a submission

## Overview of draft amendments:

- Inclusion of definitions: 9 new definitions included (pages 3-4)
- Inclusion of three new sections to the regulations:
  1. 13A: Firearms and ammunition (pages 4-18): Issuing of firearms and ammunition to security officers and duties relating thereto – clauses 13A(1) to (32)
  2. 13B: Weapons (pages 18-24): Issuing of weapons and possession of weapons by security officers – clauses 13B(1) to (26)
  3. 13C: General provisions (pages 24-26): Duty on certain persons/Appointment of Responsible Person – clauses 13C(1) to (6)

## Section 13A Themed Analysis: Firearms and Ammunition Regulations

### 1. Issuing and possession requirements

- **Basic requirements (13A.1, page 5):** A security business may only issue firearms to security officers if:
  - The issuing complies with all applicable laws (a)
  - Officers receive and possess firearms in accordance with all applicable laws (b)
  - Firearms are in good working condition and free from defects (c)
  - Both the business and officer are registered, and registrations have not been suspended or withdrawn (d)
  - The business is not deregistered (e)
  - The officer has proper identification (f)
  - The officer possesses proper documentation authorising possession (g) – see Box 1
  - The officer is on duty or standby duty (h)
  - The possession is reasonably necessary for rendering a security service (i)
  - If the firearm is to be carried in a public place, the security officer possesses the proper holster, holder, or container required by the Firearms Control Act for carrying firearms in public places (p)
  - The security officer is provided with no more than a reasonable quantity of ammunition for the service being provided, and the ammunition meets applicable requirements in the Firearms Control Act (s)
- **Specific types of firearms (13A.10-13, page 11):**
  - (10) Handguns or shotguns may be issued only for (a) reaction services/armed response, (b) cash-in-transit protection, (c) private investigation, (d) environmental protection/anti-poaching, (e) close protection (bodyguard), (f) critical infrastructure protection, (g) static/on-site guarding, and (h) escort services and vehicle recovery.
  - (11) Bolt action rifles may only be issued for (a) environmental protection or (b) anti-poaching.

#### **Box 1: Documentation authorising possession**

The security officer must possess an original document from the security business containing:

- Business name, address and registration number
- Officer's name and employment address
- Firearm licence details
- Statement that possession is authorised for a specific security service for the period and place specified

- (12) Semi-automatic rifles may only be issued for (a) cash-in-transit protection, (b) critical infrastructure protection, or (c) anti-poaching services.
- **Prohibited locations (13A.1.q, page 7):** Security officers may not possess firearms at:
  - Taxi ranks
  - Cemeteries
  - Stadiums
  - Shopping malls
  - Churches
  - Restaurants
  - Parks
  - Hospitals
  - Schools
  - Similar public establishments

## 2. Training and fitness requirements

- **Officer training (13A.1.m, page 6):** Officers must successfully complete required security training and any specific training for handling firearms
- **Mental and physical fitness (13A.1.n,o, page 6):**
  - Officers must not be under the influence of intoxicating substances (n)
  - Officers must be in a mentally stable condition (o)
  - The business must believe the officer will not use the firearm unlawfully or negligently (o)
- **Regular assessment (13A.8.f, page 10):** Security businesses must ensure officers are properly assessed, including:
  - Visual and audio capacity
  - Locomotive system
  - Neurological system
  - General mental and emotional condition
  - Assessments must occur every 12 months minimum at the cost of the business
- **Practical training (13A.8.g, page 10):** Officers must attend at least one proper practical training session every 12 months at the cost of the business
- **Legal briefings (13A.8.h, page 10):** Officers must attend at least one business paid-for briefing session every 12 months covering:
  - Legal aspects and procedures
  - Legal duties regarding possession, carrying, safekeeping and use of firearms

## 3. Storage and safekeeping

- **Return after duty (13A.8.c, page 10; 13A.21.d, page 7):** Firearms and ammunition must be returned for safekeeping as soon as possible after completion of duties
- **Proper storage (13A.20, page 13):** All firearms and ammunition must be stored by the business in a safe and secure manner as prescribed by the Firearms Control Act, and any directives issued by the Director
- **Safekeeping (13A.21.c, page 14):** Security officers must take reasonable steps to prevent loss, theft, or unauthorised possession/use of firearms and ammunition
- **Additional storage requirements (13A.22.a, page 14):** The Director may determine additional storage conditions

## 4. Tracking and monitoring

- **Tracking devices (13A.16, page 13):** All security businesses must install tracking devices in every firearm to track possession and use
- **Installation requirements (13A.17, page 13):** The installation must be conducted by an authorised service provider approved by the Authority
- **Monitoring requirements (8.d,e, page 10):** Security businesses must:
  - Monitor whether officers possess their own firearms during service (e)
  - Take appropriate steps to ensure compliance with the Act (e)
  - Actively monitor whether officers provided with firearms are trained properly (d)
- **Procedural Controls (13A.8.b, page 9):** Security businesses must:
  - Have proper procedures for issuing, returning, and controlling firearms and ammunition
  - Enforce a disciplinary code regarding officers' handling of firearms and ammunition (receipt, possession, carrying, use, safekeeping, and return)
  - Adhere to established procedures consistently

## 5. Record-keeping and registers

- **Firearms register (13A.25.a, page 15):** Security businesses must keep a register containing:
  - Details (make, type, calibre, serial number) of all licensed firearms
  - Acquisition, disposal, transfer, loss, theft or destruction details
- **Issuing register: A security business may only issue a firearm to an officer if:**
  - **(13A.i, page 6):** Details of the firearm and ammunition are registered
  - **(13A.25.b, page 15):** A register of issued firearms and ammunition is kept, which includes the following information:
    - Description of firearm and ammunition
    - Date, time, and place of issuing
    - Security service details
    - Name, registration number, and signature of officer
    - Return of the firearm
    - Name of person issuing
- **Discharge register (13A.26, page 16):** Register of every firearm discharge including:
  - Name and registration of officer discharging firearm
  - Full details of the firearm and ammunition
  - Date, time, place, and circumstances of discharge
  - Details of damage, injury, or death
  - Officer's report about the discharge
  - Investigation details
  - Other relevant facts
- **Assessment register (13A.27, page 16):** Register of training and assessment (as described under Training and fitness requirements above), including:
  - Time, date, and venue of assessments, training, and briefing sessions
  - Names of persons conducting sessions
  - Names and signatures of officers attending

- Results and findings of sessions
- Types of firearms and amount of ammunition used during sessions
- **Register requirements (13A.23 and 24, page 15):** Security businesses must keep all registers, records and documentation at their administrative offices (23) and all registers must (24):
  - Be kept safely and available for inspection for 4 years (a)
  - Consist of sequentially numbered pages (b)
  - Have all information recorded in permanent ink (b)
  - Not have changes or deletions to information (c, d)
  - Correct information with cross-references (e)
  - Have entries made without undue delay (f)

## 6. Reporting and notification

- **Registration application (13A.2-4, page 8):**
  - When applying to PSIRA for security service provider registration, businesses must include information about their intention to render services requiring firearms and the number and type of firearms to be used (2)
  - When considering an application, the Registrar must request (by way of a prescribed form) verification from PSIRA of: (3a) registration status of the security service provider; (3b) information about firearms (type, calibre, make, model, serial numbers) the business intends to use; and (4) the registration status of the responsible person
- **Authority notification (13A.7, page 9):** Within 30 days of receiving a firearm licence, security businesses must provide details of:
  - Competency certificates (a)
  - Firearm licences (b)
  - Total firearms and ammunition issued to officers (c)
  - Full particulars of officers issued with firearms (d)
  - Additional information as required (e)
- **Incident reporting (13A.8.1, page 11):** The business must inform the Director within 10 days after firearm use causing:
  - Death
  - Personal injury
  - Damage
- **Loss notification (13A.15, page 12):** A security business must notify (giving number and details) the Authority within 14 days of firearms:
  - Lost by
  - Stolen from
  - Sold by
  - Transferred by
  - Destroyed in terms of the Firearms Control Act
- **Officer Reporting (13A.21.a&b, page 13):** Security officers must:
  - Report any discharge of firearms or loss of firearms or ammunition (a) and relevant information (b) “as soon as reasonably possible”

## 7. Inspection and enforcement

- **Inspector powers (13A.28, page 17 and 13A.32, page 17):** Inspectors may:
  - Exercise powers of entry, search, and seizure (28)
  - Seize firearms if there are reasonable grounds to suspect non-compliance (32)
- **Production requirements (13A.29-30, page 17):** At an inspector's request, security businesses must produce:
  - Registers, records, files, or documents about firearm or ammunition issuing, return, possession, use, or storage (29)
  - All firearms and ammunition and every licence to possess firearms (30)
- **Audit authority (13A.18 & 19, page 13):** The Director of the Private Security Regulatory Authority may:
  - Order audits of all firearms held by or issued by a security business
  - Conduct these audits whenever necessary
  - Check if businesses are properly tracking their firearms

## 8. Firearms risk management

- **Issuing of firearms (13A.1. j & k, page 6):** A security business can only issue firearms to guards if it is not under state investigation for an offence involving the unlawful use of force or firearms offences (j) and there is no pending improper conduct inquiry by the Authority related to code of conduct violations (k)
- **Risk assessment (13A.1.u, page 7):** A security service provider using firearms in public places must meet the following requirements:
  - Ensure the place is not declared a Firearm Free Zone under section 140 of the Firearms Control Act
  - Make sure use is in the interest of public safety
  - Conduct risk assessments before using firearms
  - Take steps to mitigate identified risks
  - Demonstrate that no alternative protection means exist without firearms
- **Investigations (13A.8.j page 11):** Security businesses must:
  - Properly investigate every firearm discharge incident
  - Keep full records of such investigations
- **Additional requirements (13A.22.b & c, page 14):** The Director may prohibit the issuing of firearms or type of firearm for a particularly use (b) or use in a particular location (c)

## Section 13B Overview: Weapons Regulations

Section 13B (page 18) introduces comprehensive regulations for weapons (non-firearms) in the private security industry:

- **New definition of weapon (page 4):** Includes any object other than a firearm, and includes dangerous weapons, handcuffs and restraint devices designed for arrests, as defined in the Code of Conduct for Security Service Providers.
- **Issuing requirements (page 18):** Similar structure to firearms regulations but adapted for weapons, requiring proper training, proper handling, and documentation.



- **Prohibited weapons with exceptions (13B.17 & 18 page 22):** Specifically prohibits security officers from using tasers, tear gas, water cannons, sponge grenades, rubber/plastic bullets, and “any other weapon that may harm civilians” (17), then allows guards to use prohibited weapons in certain circumstances (18) [so prohibited could mean restricted]
- **Risk assessment:** Requires formal risk assessment before weapons deployment, with documentation showing no viable alternative exists.
- **Registration and reporting:** Mandates registration of weapons with the Authority and reporting of incidents involving weapons.

The section essentially creates a parallel regulatory framework for non-firearm weapons, addressing growing concerns about various weapons being used in the private security industry.

## Section 13C Overview: General Provisions

Section 13C (page 24) contains general provisions that apply broadly to private security operations:

- **Duty on key staff (13C.1, page 24):** Places responsibility on designated individuals (per section 21 of the Act) to ensure compliance with firearms and weapons regulations.
- **Responsible person appointment (13C.2, page 24):** Requires security businesses to appoint a responsible person for functions subject to these regulations, who must:
  - Be registered as a security service provider
  - Have completed appropriate security training
  - Possess a competency certificate
- **Offences and Penalties (13C.4, page 25):** Lists various offences related to contravening these regulations and establishes penalties for non-compliance, including fines and potential imprisonment up to 24 months.
- **Transitional Provisions (13C.5, page 26):** Allows 180 days from promulgation for existing security providers to comply with the new regulations.

## Can the draft amendments address private security industry problems?

There are five long-standing and serious problems in the Private Security Industry (click [HERE](#) for more information). Providing the proposed amendments are enforced, they have the potential address four of the five problems as summarised below:

Poor stockpile management and record-keeping	✓
Leakage of guns and ammunition from private security companies to criminals	✓
Criminal infiltration of the private security industry	✓
Private security companies operating like law enforcement	✓
Regulatory failures and oversight gaps	✗