

APPLICATION FOR SECURITY PERSONNEL PERMIT

THE POLICY OF THE COMMISSIONER OF POLICE IN ISSUING SECURITY PERSONNEL PERMITS TO PERSONS WITH CRIMINAL CONVICTIONS

Under section 14(5) of the Security and Guarding Services Ordinance, Cap. 460, Laws of Hong Kong, the Commissioner of Police (“the Commissioner”) has to be satisfied that an applicant is a fit and proper person to do security work before he can issue a security personnel permit (“permit”) to that applicant. It is the policy of the Commissioner, in determining whether the applicant is a fit and proper person, to take into consideration the following matters if the applicant has record of criminal conviction(s): -

- (a) the time-gap between the conviction(s) and the date of application. A conviction which is 5 years old may be disregarded;
- (b) the nature of the offence(s);
- (c) the sentence(s) passed by the court;
- (d) age of the applicant at the time of the conviction(s); and
- (e) any repetition of commission of the same or similar offences.

Should the applicant, by virtue of his/her previous criminal record(s), do not appear to the Commissioner to be a fit and proper person to hold a permit, the Commissioner will inform the applicant accordingly and at the same time invite him/her to submit written representation(s).

With regard to the time-gap between the conviction(s) and the date of application, the Commissioner will normally not attach much weight to a conviction which is of or more than 5 years old from the date of application unless the conviction is of a serious nature.

In addition, pursuant to the criteria specified by the Security and Guarding Services Industry Authority, no person will normally be granted a permit if he/she:-

- (a) was convicted of any offence specified in column 2 of Schedule 2 (at “Appendix 1”) to the Security and Guarding Services Ordinance and the penalty imposed on him/her for that offence is the corresponding penalty specified in column 3 of that Schedule within 5 years before submitting his/her application; or
- (b) is currently on probation, bound over, remission or suspended sentence; or
- (c) is within 3 years of release from a term of imprisonment; or
- (d) was convicted of 3 or more offences within 5 years before submitting his/her application. Offences involving fixed penalty tickets, traffic summons, illegal hawking, article obstruction, littering, jaywalking and failing to answer Police or Court bail are considered minor and will be excluded.

**Licensing Office
Hong Kong Police Force**

Dated this 1st April 2003

Security and Guarding Services Ordinance (Chapter 460)
Laws of Hong Kong

Schedule: 2 Heading: Offences for which permit to be revoked

<u>Item</u>	<u>Offence</u>	<u>Penalty</u>
1.	Any offence against the Societies Ordinance (Cap 151) or the Dangerous Drugs Ordinance (Cap 134)	Any penalty
2.	Any offence involving fraud or dishonesty	Any penalty
3.	Any offence involving violence	Imprisonment
4.	Any offence against Part XII of the Crimes Ordinance (Cap 200)	Any penalty

Section: 17 Heading: Revocation of permit

Where any holder of a permit is convicted of any offence specified in column 2 of Schedule 2 and the penalty imposed on him for that offence is the penalty specified in relation to that offence in column 3 of that Schedule, the Commissioner shall, by notice in writing to the holder of the permit, revoke the permit.