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***Legislative Council***

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**Paper for the House Committee**

**Report of the Subcommittee on Proposed Resolution  
under Section 6(1)(b)(i) of  
the Security and Guarding Services Ordinance (Cap. 460)**

**Purpose**

This paper reports on the deliberations of the Subcommittee on Proposed Resolution under Section 6(1)(b)(i) of the Security and Guarding Services Ordinance (Cap. 460) (“the Subcommittee”).

**Background**

2. Enacted in 1994, Cap. 460 provides for a regulatory regime for the security services industry. Under the regime, a person who provides security services for reward in Hong Kong must hold a Security Personnel Permit (“SPP”) issued by the Commissioner of Police (“the Commissioner”). Under section 6(1)(b)(i) of Cap. 460, the Security and Guarding Services Industry Authority (“SGSIA”) may specify, by notice in the Gazette, the criteria that a person must satisfy before he/she is issued with an SPP. The existing criteria for issuing an SPP are set out in Government Notice No. 9730 published in the Gazette on 18 December 2015.

3. At present, there are four categories of SPP, namely A, B, C and D, for performing four types of security work. Each category of SPP has its statutory age requirement. The objective of imposing an age requirement is to ensure that those who perform relevant security work possess the required level of physical ability and alertness. Among the four categories of SPP, Category C security work requires the carrying of arms and ammunition and an upper age limit has been set at 55 years old since 1995. Under the Firearms and Ammunition Ordinance (Cap. 238), Category C SPP holders must possess valid arms licences for the arms used on duty issued by the Commissioner.

4. Upon consideration of the extension of the retirement age of the disciplined services grades (including police officers) to 60,<sup>1</sup> demographic changes with longer life expectancy and better health conditions, and statutory licensing requirements, SGSIA has agreed to the proposal to raise the upper age limit for Category C SPP holders from 55 to 60 to help retain experienced security personnel and ease manpower shortage in the security services industry.

### **The proposed resolution under section 6(1)(b)(i) of the Security and Guarding Services Ordinance (Cap. 460)**

5. The purpose of the proposed resolution is to seek the Legislative Council's ("LegCo") approval of the revised criteria to raise the upper age limit of Category C SPP from 55 to 60.<sup>2</sup> Pursuant to section 6(3) of Cap. 460, the proposed revised criteria to be specified in a notice have to be approved by LegCo before gazetting the notice.

### **The Subcommittee**

6. At the House Committee meeting on 29 April 2022, Members agreed to form a Subcommittee to study the proposed resolution. The Secretary for Security ("S for S") withdrew the notice for moving the proposed resolution to allow sufficient time for the Subcommittee to carry out its scrutiny work.

7. Under the chairmanship of Hon KWOK Wai-keung, the Subcommittee held one meeting with the Administration on 17 May 2022. The membership list of the Subcommittee is in the **Appendix**.

### **Deliberations of the Subcommittee**

8. While members in general have no objection to the proposal of relaxing the age limit of 55 years for Category C SPP holders, they have expressed concerns on various issues including the physical fitness of Category C SPP holders over the age of 55, firearm training provided for security personnel, handling of applications for Category C SPP, statistical information on Category C security personnel and future development of the security services industry. Details of the Subcommittee's major deliberations are summarized in the ensuing paragraphs.

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<sup>1</sup> The Hong Kong Police Force launched the Continued Service of Police Officers Beyond Prescribed Retirement Age Scheme in April 2021, allowing all serving police officers at non-directorate level, who joined the Government before 1 June 2000, to extend their service from the age of 55 up to 60.

<sup>2</sup> Other existing criteria for issuing an SPP remain unchanged.

### Physical fitness of Category C SPP holders over the age of 55

9. Taking into consideration that the carrying of arms and ammunition by Category C SPP holders may pose a danger to public safety, some members have expressed concern about the physical fitness of these holders, in particular those who are over the age of 55 but have not yet reached the proposed age limit of 60. They have doubt about how the Commissioner would be able to ascertain whether an applicant is physically fit if it is not mandatory for the applicant to produce a medical certificate as proof.

10. According to the Administration, the existing criteria for issuing a Category C SPP clearly stipulate that an applicant must be physically fit to perform the job and a medical certificate issued by a registered medical practitioner may be required if the Commissioner reasonably considers necessary. Further, under Cap. 238, the applicant must possess a valid arms licence for the arms and ammunition they use to perform Category C security work. To obtain an arms licence, the applicant's medical history which may affect his/her ability to carry arms and ammunition and his/her physical and mental conditions, among others, will be considered by the Commissioner. The applicant will be required to undertake and pass an arms handling test arranged by the Police Licensing Office ("PLO"). SGSIA considers the arms licensing mechanism stringent and effective in ensuring that a Category C SPP applicant, who must be an arms licence holder, is fit to perform the relevant security work.

11. Notwithstanding the Administration's explanation, some members uphold their views that the provision of a medical certificate by a Category C SPP applicant, irrespective of his/her age, should be made mandatory. It is further suggested that Category C SPP holders should have regular body check-up to ensure that they are physically fit to perform their duties.

### Firearm training provided for security personnel

12. In response to an enquiry about the arms handling test and firearm training provided by individual security companies for their Category C SPP staff, the Administration has explained that the licensed security companies have been providing firearm training for their Category C SPP staff. The arms handling test, which is provided by the Police, consists of a live-firing test and a verbal test. Applicants are required to pass both the live-firing and verbal tests to obtain an arms licence which is generally valid for one year and required to be renewed on an annual basis. Currently, 16 licensed security companies have been providing firearm training for their Category C security staff. The training normally takes place at licensed shooting clubs or shooting range under the supervision of arms instructors recognized by the Commissioner.

13. Noting that the content of the firearm training programmes might vary from one trainer to another, some members have suggested standardizing firearm training by drawing up a curricular framework which should clearly set out the contents, duration, requirements and other relevant details (e.g. the minimum number of hours per year that a security personnel is required to devote to training) for reference by security companies and trainers to better prepare security personnel engaging in Category C security work for the arms handling test. There is an opinion that in addition to the drafting of a systematic curricular framework, the curriculum content should be simplified to make it more manageable.

#### Handling of applications for Category C SPP

14. Members have expressed concern about the long processing time taken by PLO to handle new/renewal applications for Category C SPP and urged the Administration to expedite the relevant vetting and approval procedures. They are also of the view that when considering an application for Category C SPP, the Administration should adopt a more flexible approach towards applicants' cumulative work experience in the security services industry. They have suggested that except for the production of certificates or evidence by former employers, work experience may also be substantiated by the documentary proof issued by labour unions.

15. The Administration has assured members that PLO is committed to completing the processing of a Category C SPP application within a specified timeframe upon receipt of all the required documents and information. It should also be noted that the level of proficiency in security work is merely one of the criteria for issuing a Category C SPP and there are other matters that the Commissioner may reasonably take into consideration before an SPP is issued to an applicant.

#### Statistical information on Category C security personnel

16. In response to some members' enquiries about the average working hours, salaries, length of employment and turnover rate of Category C security personnel, the Administration has advised that Category C SPP holders should not normally work over 12 hours per day according to the Conditions for Issuing a Security Personnel Permit and their wages are determined largely by market forces. In general, the average service period of armed escort guards and armed security guards are about 5 to over 20 years and 2 to 6 years respectively. The turnover rate of the former is about 15% to 20% while that of the latter is below 10%.

17. As regards licence application, the Administration has advised that in 2021, PLO received 117 new applications and 58 renewal applications for Category C SPP and all of them were approved. For arms licences, 638 out of a total of 1 165 applications were approved, with a successful rate of 54.7%. According to PLO, in the past 10 years, there was only one reported case of firearm discharge in 2012. One shot was discharged but no casualty was caused in the incident.<sup>3</sup>

#### Future development of the security services industry

18. Concern has been expressed about the employment situation of Category C SPP holders. The Administration has advised that services provided by armed security personnel cover the transport of cash for the banking sector, the transport of precious goods like jewellery for exhibitions, etc.. However, since the outbreak of coronavirus disease 2019, business activities especially those relating to exhibitions have slowed down leading to a decline in demand for armed transport by security personnel. As at 31 January 2022, there were 1 160 Category C SPP holders among which only 663 were working in the security services industry.<sup>4</sup> For the other holders, some of them might pursue other career opportunities.

19. There is a view that the Administration should formulate a direction and strategy for the future development of the security services industry. To this end, the Administration, together with SGSIA, should meet more frequently with major security companies, labour unions, professional organizations and other relevant stakeholders to explore supportive measures to help the industry tide over its present difficulties such as manpower shortage and imminent retirement wave.

#### **Recommendation**

20. The Subcommittee raises no objection and will not propose any amendments to the proposed resolution. The Subcommittee also notes that S for S will give fresh notice to move the proposed resolution to seek LegCo's approval of the proposed revised criteria for issuing a Category C SPP by extending the upper age limit from 55 to 60.

#### **Advice sought**

21. Members are invited to note the deliberations of the Subcommittee.

Council Business Division 2  
Legislative Council Secretariat  
23 June 2022

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<sup>3, 4</sup> Members may refer to LC Paper No. CB(2)387/2022(02) ([https://www.legco.gov.hk/yr2022/english/hc/sub\\_leg/sc51/papers/sc5120220517cb2-387-2-e.pdf](https://www.legco.gov.hk/yr2022/english/hc/sub_leg/sc51/papers/sc5120220517cb2-387-2-e.pdf)) issued on 31 May 2022 for details of the Administration's response.

## **Appendix**

### **Subcommittee on Proposed Resolution under Section 6(1)(b)(i) of the Security and Guarding Services Ordinance (Cap. 460)**

#### **Membership list**

**Chairman**

Hon KWOK Wai-keung, JP

**Members**

Hon LUK Chung-hung, JP

Hon Stanley NG Chau-pei, SBS

Hon CHAU Siu-chung

Hon Dennis LEUNG Tsz-wing, MH

Hon Edmund WONG Chun-sek

Hon TANG Ka-piu, BBS, JP

Hon LAI Tung-kwok, GBS, IDSM, JP

Total: 8 members

**Clerk**

Miss Lilian MOK

**Legal Adviser**

Ms Clara WONG