

**For information**

**Legislative Council Panel on Security**

**Proposal to Extend the Upper Age Limit  
for Category C Security Personnel Permit**

**PURPOSE**

This paper aims to set out the proposal by the Security and Guarding Services Industry Authority (SGSIA) to amend the criteria for issuing a **Category C Security Personnel Permit** (SPP), the holder of which requires the carrying of arms and ammunition to perform guarding work, by extending the upper age limit from 55 to 60.

**BACKGROUND**

2. The Security and Guarding Services Ordinance (SGSO) (Cap. 460) was enacted in 1994 to provide 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 an SPP issued by the Commissioner of Police (the Commissioner).

3. SGSIA was established in accordance with SGSO. One of its statutory functions is to specify, by notice in the Gazette, the conditions subject to which an SPP is to be issued including the criteria that must be satisfied by a person before the Commissioner may issue him with an SPP (the criteria). The current criteria stipulated for four categories of security work, namely Categories A, B, C and D, are set out in **Annex 1**. The number of permit holders for each category of security work is set out in **Annex 2**.

4. A Category C SPP is applicable to a security personnel who performs guarding work that requires the carrying of arms and ammunition. The current criteria specifies an upper age limit of 55 for Category C SPP holders, which was formulated in 1995. The objective of imposing an age limit is to ensure that those who perform relevant guarding duties possess the required level of physical ability and alertness. Moreover, a Category C SPP holder must possess a valid arms licence for the arms used

on duty. **Arms licences** are issued by the Commissioner and are generally valid for one year. Arms licence applicants must pass the arms handling test regardless of whether they apply for the first time or for a renewal.

5. The retirement age of the disciplined services grades, including police officers has been extended from 55 to 60<sup>1</sup>. Since the guarding duties of Category C SPP holders require the carrying of arms and ammunition, it is complementary to the work of the disciplined services officers. Trade associations in the security services industry therefore propose to relax the upper age limit for Category C SPP holders from 55 to 60 to make it on a par with the retirement age of the disciplined services. The industry considers that the relaxation would help to retain experienced armed guards and ease manpower shortage. Serving Category C SPP holders will have a choice to continue performing Category C duties beyond the age of 55.

6. As at 31 January 2022, there are 1,160 Category C SPP holders of which 94 are aged 51 years old or above. The number of Category C SPP holders being employed is 663. 51 of them are 51 years old or above.

## RECOMMENDATIONS AND CONSIDERATIONS

7. After receiving the trade association's suggestion, SGSIA has further consulted relevant stakeholders including the trade and professional organisations of the security services industry, the Labour Department's Tripartite Committee on Property Management Industry on which major employers and labour unions of security services sector are represented, and all licensed security companies that provide guarding work with the carrying of arms and ammunition. The parties consulted unanimously supported the proposal. Having regard to the consultation results, SGSIA decided to accept the trade association's suggestion to extend the upper age limit for Category C SPP from 55 to 60. SGSIA has considered the factors below:

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<sup>1</sup> The implementation of the option for officers to choose to retire at the raised retirement age by the Civil Service Bureau in July 2018 allows civil servants of the disciplined services grades (including the Hong Kong Police Force (HKPF)) appointed during 1 June 2000 to 31 May 2015 and are appointed on permanent terms under the Civil Service Provident Fund Scheme, regardless of their ranks, to choose to retire at the raised retirement age of 60. Moreover, to meet the operational needs and long-term manpower challenges, HKPF 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 up to the age of 60.

### ***(1) Demographic changes and retirement age of the disciplined services***

8. The upper age limit for Category C SPP was set more than 20 years ago. Since then, Hong Kong has undergone significant demographic changes, with life expectancy increased and general health conditions improved. To better respond to the demographic challenge arising from an ageing population and a shrinking workforce, the Government has raised the retirement age of the disciplined services grades to 60. SGSIA agreed to having a corresponding relaxation in the upper age limit for Category C SPP to 60.

### ***(2) Regulatory regime***

9. SGSIA has reviewed the existing regulatory regime and considered that when the upper age limit is relaxed to 60, the current mechanism can still provide effective safeguard to ensure that only those fit and proper are allowed to perform Category C security work. The details are set out in paragraphs 10 and 11 below.

#### **Arms Licence**

10. According to the regulatory mechanism under the Firearms and Ammunition Ordinance (Cap. 238), a security personnel must possess a valid arms licence issued by the Commissioner for the arms used on duty. When assessing whether an applicant is suitable for holding an arms licence, the Commissioner will consider, among others, whether the applicant has any criminal record, whether he has any medical history which may affect his ability to possess and use the arms and ammunition under application, and whether he is in good physical and mental conditions. Applicants are required to pass the arms handling test for both initial applications and annual renewals of licences. The Police's stringent arms licensing mechanism will effectively ensure that all applicants (including Category C permit holders over the age of 55) must be fit and proper before they are issued with an armed licence for performing security work requiring the carrying of arms and ammunition.

#### **Criteria for Issuing Category C SPP**

11. Also, according to the current criteria, Category C SPP applicants must be physically fit to perform their duties. An applicant for a Category C SPP is required to submit a medical certificate issued by a registered medical practitioner for consideration if the Commissioner reasonably considers necessary. The relevant criterion equally applies to

both Categories A and B permit applicants. For Categories A and B permit applicants who are aged 65 or above, they must undergo a medical examination to certify that they are fit to perform the required security duties every two years.

## **NEXT STEP**

12. Pursuant to sections 6(1)(b)(i) and 6(3) of SGSO (Cap. 460), the proposed amendments to extend the upper age limit for a Category C SPP from 55 to 60 should be approved by the Legislative Council (LegCo) before SGSIA may publish a notice in the Gazette to announce the revised criteria. The Security Bureau will move a Government motion on the revised criteria in the second quarter of this year for LegCo's approval. The revised criteria will be gazetted to take effect as soon as possible after obtaining the approval of LegCo.

**Security Bureau**  
**March 2022**

SECURITY AND GUARDING SERVICES ORDINANCE (Chapter 460)  
(Notice under section 6(1)(b)(i))

**CRITERIA FOR ISSUING A SECURITY PERSONNEL PERMIT**

Take notice that, pursuant to section 6(1)(b)(i) of the Security and Guarding Services Ordinance, the Security and Guarding Services Industry Authority (hereafter referred to as ‘the Authority’) hereby specifies the following revised criteria (hereafter referred to as ‘the revised criteria’), which replace the ones published in G.N. 1956 on 26 March 2004 with effect from the day on which the notice is published in the Gazette, for issuing a permit under the said Ordinance. The criteria specified below in relation to a particular type of security work must be satisfied by a person before the Commissioner of Police may issue to him a permit under the said Ordinance to do that type of security work.

**(A) Guarding work restricted to a ‘single private residential building’, the performance of which does not require the carrying of arms and ammunition (See Note 1)**

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|---|---|
| (a) <i>Age</i>                          | The applicant must be 18 years of age or above on the date of application.  |
| (b) <i>Fitness</i>                      | The applicant must be physically fit to perform the job. If the applicant is 65 years of age or above, he/she must produce a medical certificate issued by a registered medical practitioner (see Note 2) to certify that he/she is fit to undertake the duties required. If the applicant is aged below 65, a medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary. |
| (c) <i>Good Character</i>               | The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.  |
| (d) <i>Proficiency in Security Work</i> | The applicant must satisfy one of the followings: —   |

- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
- (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
- (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
- (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.

**(B) Guarding work in respect of any persons, premises or properties, the performance of which does not require the carrying of arms and ammunition and which does not fall within Category A**

- (a) *Age* The applicant must be 18 years of age or above. The upper age limit for engaging in this type of security work is 70 years.
- (b) *Fitness* The applicant must be physically fit to perform the job. If the applicant is 65 years of age or above, he/she must produce a medical certificate issued by a registered medical

practitioner (see Note 2) to certify that he/she is fit to undertake the duties required. If the applicant is aged below 65, a medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary.

- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings: —
- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
  - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
  - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
  - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.



**(C) Guarding work, the performance of which requires the carrying of arms and ammunition**

- (a) *Age* The applicant must be 18 years of age or above. The upper age limit for engaging in this type of security work is 55 years.
- (b) *Fitness* The applicant must be physically fit to perform the job. A medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings: —
- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
  - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
  - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
  - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the



Authority and announced in a manner that it thinks fit.

- (e) *Arms Licence*                      The applicant must possess a valid arms licence for the arms used on duty issued by the Commissioner of Police.

**(D) Installation, maintenance and/or repairing of a security device and/or designing (for any particular premises or place) a system incorporating a security device**

- (a) *Age*                                      The applicant must be 18 years of age or above.
- (b) *Proficiency*                              The applicant shall have received appropriate training or can demonstrate the capability and proficiency (see Note 5) in the skills/technique required in performing his/her job.
- (c) *Good Character*                      The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Certification of Employment by Prospective Employer*                      On his/her first application for a permit, the applicant must produce a letter of employment from the prospective employer.

*Notes*

- (1) A single private residential building means an independent\* structure:-
- (a) covered by a roof and enclosed by walls extending from the foundation to the roof, and
  - (b) used substantially for private residential purpose; and
  - (c) with only one main access point<sup>+</sup>.
- \* A building is considered to be independent from another if on most of the floors, one cannot get access to the quarters on the same floor in the other building without going to an upper/lower floor, roof or the street.
- <sup>+</sup> 'Main access point' means the entrance gate or lift lobby or staircase commonly used by residents to gain access to their flats. This excludes emergency and fire exit.
- (2) A registered medical practitioner means a person who is registered under the Medical Registration Ordinance (Cap 161). A standard medical certificate form is available from the Licensing Office of the Hong Kong Police Force. The medical certificate must be issued by a registered medical practitioner within four months before the applicant submits the application.

- (3) The Commissioner of Police shall consider the nature of the criminal offence committed by the applicant and may refer the application to the Security and Guarding Services Industry Authority for decision under section 14(5)(b) of the Security and Guarding Services Ordinance. No person will normally be granted a permit if he/she:-
- (a) was convicted of any offence specified in column 2 of Schedule 2 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.
- (4) Working experience may be substantiated by relevant documentary evidence, certification provided by employers or a statutory declaration of experience by the applicant.
- (5) The applicant shall attach copies of certificate of relevant technical training, or record of employment showing his/her experience in this type of security work.

Daniel CHAM Ka-hung, Chairman, for and on behalf of the  
Security and Guarding Services Industry Authority

### Security Personnel Permit (As at 31 January 2022)

Category	Type of security work	Age Limit		No. of permit holders
A	Guarding work restricted to a ‘single private residential building’, the performance of which does not require the carrying of arms and ammunition	Nil	medical certificate must be submitted every two years after 65	345,039
B	Guarding work in respect of any persons, premises or properties, the performance of which does not require the carrying of arms and ammunition and which does not fall within Category A	70		331,629
C	Guarding work, the performance of which requires the carrying of arms and ammunition	55		1,160
D	Installation, maintenance and/or repairing of a security device and/or designing (for any particular premises or place) a system incorporating a security device	Nil		7,146
Total Number of permit holders <sup>(Note)</sup>				351,388
Total Number of permit holders employed				158,773

Note : Each permit holder may hold more than one type of security personnel permit at the same time.