



INDUSTRY CIRCULAR

TO: ALL SECURITY SERVICE PROVIDERS

**FROM: MANABELA CHAUKE
DIRECTOR**

DATE: 24 NOVEMBER 2017

SUBJECT: CLARIFICATION NOTICE ON THE "DIRECTIVE FOR SECURITY SERVICE PROVIDERS AND EMPLOYERS OF IN-HOUSE SECURITY RENDERING SECURITY SERVICES IN AN ENVIRONMENT WHERE THERE IS PROTEST ACTION", DATED 12 JUNE 2017 ("Directive")

1. PSIRA has had some enquiries about the status and enforceability of the Directive, in the context of protest action at higher education institutions which threatens to disrupt the year-end examinations.
2. PSIRA therefore issues this Clarification Notice, in order to explain the purpose and context of the Directive, and matters regarding its status and enforceability.
3. The Directive was issued after consideration by PSIRA of numerous complaints emanating from a range of affected persons, regarding the conduct and treatment of security service providers and security officers during the so-called "Fees Must Fall" protests during 2015 and 2016.
4. PSIRA is in the process of investigating individual complaints and will take whatever disciplinary or enforcement action it considers appropriate in regard to any allegations of misconduct.
5. In addition, and in order to give general guidance to employers of security officers, security service providers and security officers prior to the 2017 higher education examination period regarding the role of private security in this context, PSIRA decided to issue the Directive.
6. Section 4 of the Private Security Industry Regulation Act, No. 56 of 2001 ("**Act**"), which sets out the "Functions of Authority", permits PSIRA to (amongst others) "provide or

disseminate information promoting and encouraging compliance with this Act, the Levies Act and the code of conduct, by security service providers”; to “take such steps as may be necessary to develop and maintain standards and regulate practices in connection with the occupation of security service provider, and persons pursuing or intending to pursue such occupation”; and to “generally perform any act that contributes to the attainment of its objects”.

7. The Directive is intended to reiterate the powers, duties, constraints and obligations provided for in existing laws, and to give guidance to security service providers and employers of security officers on the parameters of their powers and duties, or the exercise thereof, in light of the context described above. The Directive also seeks to clarify the inter-relationship between the Act, the Regulation of Gatherings Act, 1993 and other relevant legislation, so as to promote a broader understanding of the distinction between security services and policing powers, and of the risks associated with over-reaching in regard to the mandate of security officers.
8. The Directive is not intended to establish new or supplementary rules of conduct or impose additional obligations (not already part of the law) on security service providers, or employers of security officers. The Directive itself serves merely as guidance to the private security sector regarding its existing obligations under the Act and the Code of Conduct for Security Service Providers, 2003, and should not be understood as a binding directive of a competent authority as contemplated in paragraph 5 of the Code of Conduct.
9. As stated in the Directive itself, non-compliance will be dealt with in accordance with the Act and the Code of Conduct. The Directive does not establish any new or supplementary enforcement mechanisms or contemplate new offences.
10. Any instances of security service providers or employers of security officers conducting themselves in a manner not permitted under the Act or giving unlawful instructions, or security officers performing functions reserved for the SAPS under applicable laws, should be reported to PSIRA immediately.

Yours faithfully



MANABELA CHAUKE
DIRECTOR