

**Reprint
as at 1 April 2011**



**Private Investigators and Security
Guards Regulations 1975**

(SR 1975/188)

Private Investigators and Security Guards Regulations 1975: revoked, on 1 April 2011, by section 120(b) of the Private Security Personnel and Private Investigators Act 2010 (2010 No 115).

Denis Blundell, Governor-General

Order in Council

At the Government House at Wellington this 14th day of July 1975

Present:

His Excellency the Governor-General in Council

Pursuant to the Private Investigators and Security Guards Act 1974,
His Excellency the Governor-General, acting by and with the advice

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Justice.

and consent of the Executive Council, hereby makes the following regulations.

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Forms prescribed for the purposes of the Private Investigators and Security Guards Act 1974

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1 Title and commencement

- (1) These regulations may be cited as the Private Investigators and Security Guards Regulations 1975.
- (2) These regulations shall come into force on the date of the commencement of section 71 of the Act.

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
the Act means the Private Investigators and Security Guards Act 1974
licensee company means a company that is for the time being the holder of a private investigator's licence
licensing year means a period of 12 consecutive months commencing on 1 April in any year.
- (2) In these regulations expressions defined in the Act have the meanings so defined.

Part 1
Administration

3 Prescribed forms

- (1) The forms set out in Schedule 1 are hereby prescribed as the forms to be used in respect of the several matters to which those forms relate.
- (2) In any particular case the Registrar may allow such variations to be made in any prescribed form as he considers necessary or desirable in the circumstances of the case.

4 Prescribed fees

- (1) The fees set out in Schedule 2 are hereby prescribed as the fees payable in respect of the several matters specified in that schedule.
- (2) The prescribed fees shall be payable—
 - (a) *[Revoked]*
 - (b) in respect of any application under the Act, on the filing of the application:
 - (c) in respect of the issue of any licence or certificate of approval, on receipt of advice from the Registrar that he has granted the application.
- (3) Where, in respect of any licensing year, the Registrar grants an application for a licence or certificate of approval after 30 September in that licensing year, half only of the prescribed fee shall be payable in respect of the issue of the licence or certificate.
- (4) If an application made under the Act is withdrawn at any time before it has been finally determined, one half of the prescribed fee paid on the filing of the application shall be refunded to the applicant.
- (5) *[Revoked]*
- (6) All fees received by the Registrar shall be paid into a Crown Bank Account.

Regulation 4(2)(a): revoked, on 1 July 2006, by regulation 4 of the Private Investigators and Security Guards Amendment Regulations 2006 (SR 2006/136).

Regulation 4(5): revoked, on 1 July 2006, by regulation 4 of the Private Investigators and Security Guards Amendment Regulations 2006 (SR 2006/136).

Regulation 4(6): amended, on 25 January 2005, pursuant to section 83(7) of the Public Finance Act 1989 (1989 No 44).

5 Offices of Registrar

The chief executive of the Ministry of Justice shall from time to time designate a District Court to be the offices of the Registrar for the purposes of the filing of any document with the Registrar, the service of any notice on him, and the retention of any register by him.

Regulation 5: amended, on 1 October 2003, pursuant to section 14(2) of the State Sector Amendment Act 2003 (2003 No 41).

Regulation 5: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

5A Multiple notices in respect of applications for licence

Where 2 or more persons have applied to the Registrar for a licence, or for renewal of a licence, they may give combined public notice, as required by section 21(2) or section 33(5) of the Act, in form 5A in Schedule 1 of these regulations.

Regulation 5A: inserted, on 24 November 1994, by regulation 2 of the Private Investigators and Security Guards Regulations 1975, Amendment No 5 (SR 1994/237).

6 Notices of hearings

- (1) Every notice of a hearing given by the Registrar pursuant to any of sections 25, 33, 39, 44, or 56 of the Act shall—
 - (a) state the time and place at which the hearing is to be held, and the matter to be heard;
 - (b) state, by reference to the relevant section of the Act, the authority pursuant to which the hearing is to be held;
 - (c) inform each party to the hearing—
 - (i) of his right to appear and be heard; and
 - (ii) of his right to be represented by counsel; and
 - (iii) that if he does not attend, the hearing may be conducted and the matter determined in his absence.
- (2) In addition to the requirements of subclause (1), there shall be set out in or attached to each notice to which that subclause applies a statement of—
 - (a) the Registrar's powers in respect of the matter to be heard; and
 - (b) the rights of appeal to which any party dissatisfied with the Registrar's decision may be entitled.
- (3) An inadvertent failure to comply with any of the foregoing requirements of this regulation shall not invalidate any hearing, or any decision made consequent upon any hearing, unless it is shown that any party to the hearing was prejudiced by the failure.

7 Hearings to be in public

- (1) All hearings to be conducted under the Act shall be held in public:
provided that if in any case, whether on the motion of any party to the hearing or on his own motion, the Registrar is

satisfied that the interests of any party to the hearing or of any other person in having the whole or any part of the hearing conducted in private outweigh the public interest in having the hearing conducted in public, he may order that the whole or any part of the hearing shall be conducted in private.

- (2) In any case to which the proviso to subclause (1) applies, the Registrar may nevertheless allow any particular person to attend the private hearing if he is satisfied that that person has a special and proper interest in the matter to be heard.

8 Reasons for Registrar's decision may be obtained

Any party to a hearing may, upon request made within 7 days after being notified in writing of that decision by the Registrar, obtain from the Registrar a written statement of the reasons for his decision.

9 Photographs

- (1) The photographs required to be forwarded to the Registrar with each application for a licence in accordance with section 18(4) of the Act, and with each application for a certificate of approval in accordance with section 36(3) of the Act shall—
- (a) be of good quality; and
 - (b) portray the head and shoulders of the applicant; and
 - (c) measure not less than 2.5 cm and not more than 4 cm in width, and not less than 2.5 cm and not more than 5 cm in height.
- (2) One of the photographs shall be affixed by the Registrar to the licence or certificate issued to the applicant. The other shall be retained in the Registrar's records.

10 Notices of business

- (1) For the purposes of section 48 of the Act, a notice required by that section to be exhibited at a private investigator's place of business shall be deemed to be conspicuous and to be easily read from outside that place of business if—
- (a) it is fully visible; and
 - (b) it is printed on the window or fascia of the premises facing onto the street or accessway from which the public gains access to the premises; and

- (c) all the lettering used in the notice is at least 5 cm in height.
- (2) Notwithstanding anything in subclause (1), a notice shall be deemed to meet the requirements of section 48 of the Act if it complies with specifications previously approved by the Registrar, whether generally or in the particular case.

11 Private investigators to notify Registrar in certain cases

- (1) Every private investigator in partnership shall, on the dissolution of the partnership, give written notice of the case to the Registrar.
- (2) Every licensee company shall, on the commencement of the winding up of the company, or on the death or retirement of a director or officer of the company, give written notice of the case to the Registrar.
- (3) Every private investigator who ceases to carry on business as a private investigator, either generally or at any approved place of business, shall give written notice of the case to the Registrar.

Part 2

Miscellaneous provisions

Part 2 heading: amended, on 1 July 1995, by regulation 3(a) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

12 Interpretation

[Revoked]

Regulation 12: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

13 Qualifications of auditors

[Revoked]

Regulation 13: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

14 Nomination of auditor*[Revoked]*

Regulation 14: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

15 Auditors ceasing to act*[Revoked]*

Regulation 15: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

16 Audit requirements*[Revoked]*

Regulation 16: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

17 Special duties of private investigators*[Revoked]*

Regulation 17: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

18 Special receipt forms*[Revoked]*

Regulation 18: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

19 Defaults and irregularities*[Revoked]*

Regulation 19: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

20 Registrar may direct immediate audit*[Revoked]*

Regulation 20: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

21 Disclosure of information

[Revoked]

Regulation 21: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

22 Auditor's fees

[Revoked]

Regulation 22: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

23 Minister's power to exempt certain companies

[Revoked]

Regulation 23: revoked, on 1 July 1995, by regulation 3(b) of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

24 Annual report to Minister

The Registrar shall, not later than 31 July in each year, furnish to the Minister a report on the administration of these regulations during the preceding year, and may draw the Minister's attention to any matter affecting the regulations that he thinks fit.

25 Offences

- (1) Every private investigator or other person who fails to comply in any respect with these regulations commits an offence.
- (2) If 2 or more private investigators carrying on business in partnership or 2 or more directors or officers of a company carrying on business as a private investigator fail in any respect to comply with these regulations, each of them commits an offence and shall be severally liable therefor.
- (3) Every person who commits an offence against these regulations is liable accordingly to the penalty provided in section 70 of the Act.

Regulation 25(1): amended, on 1 July 1995, by regulation 4 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1

r 3

**Forms prescribed for the purposes of
the Private Investigators and Security
Guards Act 1974**

Form 1

s 18

Application for private investigators licence by
an individual***To:**

The Registrar of Private Investigators and Security Guards:

I, [*full name*] of [*residential address*], [*occupation*], solemnly and sincerely declare as follows:

- 1 That I was born on [*specify date of birth*] at [*specify place and country of birth*].
- 2 That within the last 3 years I have carried on business as a private investigator (*or worked as a responsible employee of a private investigator*) as follows: [*give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph.*]
- 3 That I have not previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.
or
That a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator held by me was cancelled on the day of 19
- 4 That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.
or
That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*].
- 5 That I have not been detained in a prison at any time within the last 5 years.

or

Form 1—*continued*

That I have been detained in a prison within the last 5 years as follows: [*give details of sentence(s) served, and the nature of the offence(s) of which you were convicted*].

6 That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

7 That if a licence is granted to me I intend to carry on business as a private investigator at each of the following addresses:

(a)

(b)

(c)

(d)

and to have my registered office at:

8 That my address for service of notices relating to this application is:

And I hereby apply for a private investigator's licence.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Signature of applicant:

before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

*If the applicant is a company form 3 must be used instead of this form.

Notes

1 If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 4 of this form. For your information,—

(a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

Form 1—*continued*

- (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):
- (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
- (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
- (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):
- (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):
- (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
- (vii) personation and acknowledging an instrument in a false name:
- (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, is-

Form 1—*continued*

- suings false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
- (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):
 - (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):
 - (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):
- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—
- (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:
 - (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an

Form 1—*continued*

accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):

- (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):
- (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):
- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
 - (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):
 - (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
 - (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official

Form 1—*continued*

documents, false claim of qualifications, and intimidation).

- 2 This application must be accompanied by the application fee of \$245 and by 2 identical photographs of yourself. The photographs must be of good quality, show your head and shoulders, and measure between 2.5 and 4 cm in width and between 2.5 and 5 cm in height.
- 3 You are required to serve a copy of this application on the senior Police officer of the district in which you reside. It would help that officer to process your application if you attached a photograph of yourself to the copy of your application. In addition, you are required to give notice of your application in form 5 or form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.
- 4 If you have any queries ask the Registrar who will be pleased to assist you.

Schedule 1 form 1: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 1: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 2
Application for security guard's licence by an
individual*

s 18

To:

The Registrar of Private Investigators and Security Guards:

I, [*full name*] of [*residential address*], [*occupation*], solemnly and sincerely declare as follows:

- 1 That I was born on [*specify date of birth*] at [*specify place and country of birth*].
- 2 That within the last 3 years I have carried on business as a security guard (*or* worked as a responsible employee of a security guard) as follows: [*give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph*].

Form 2—*continued*

3 That I have not previously held a security guard’s licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

That a security guard’s licence or a certificate of approval to be a responsible employee of a security guard held by me was cancelled on the day of 19

4 That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*].

5 That I have not been detained in a prison at any time within the last 5 years.

or

That I have been detained in a prison within the last 5 years as follows: [*give details of sentence(s) served, and the nature of the offence(s) of which you were convicted*].

6 That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

7 That if a licence is granted to me I intend to carry on business as a security guard at each of the following addresses:

- (a)
- (b)
- (c)
- (d)

and to have my registered office at:

8 That my address for service of notices relating to this application is:

Form 2—*continued*

And I hereby apply for a security guard's licence.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of
..... 19.....

Signature of applicant:

before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

*If the applicant is a company form 4 must be used instead of this form.

Notes

- 1 If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 4 of this form. For your information,—
 - (a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—
 - (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):
 - (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
 - (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, tak-

Form 2—*continued*

- ing or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
- (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):
 - (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):
 - (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
 - (vii) personation and acknowledging an instrument in a false name:
 - (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
 - (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):
 - (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate ob-

Form 2—*continued*

tained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):

- (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):
- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—
 - (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:
 - (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):
 - (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or

Form 2—*continued*

disabling substances, endangering transport, and impeding rescue):

- (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):
- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
 - (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):
 - (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
 - (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official documents, false claim of qualifications, and intimidation).

2 This application must be accompanied by the application fee of \$245 and by 2 identical photographs of yourself. The photographs must be of good quality, show your head and shoulders, and measure between 2.5 and 4 cm in width and between 2.5 and 5 cm in height.

3 You are required to serve a copy of this application on the senior Police officer of the district in which you reside. It would help that officer to process your application if you attached a photograph of yourself to the copy of your application. In addition, you are required to give notice of your application in form 5 or form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.

Form 2—*continued*

4 If you have any queries ask the Registrar who will be pleased to assist you.

Schedule 1 form 2: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 2: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 3

s 18

Application for private investigator's licence by
a company

To:

The Registrar of Private Investigators and Security Guards:

Pursuant to section 18 of the Private Investigators and Security Guards Act 1974 [*name of company*], a duly incorporated company having its registered office at, hereby applies for a private investigator's licence.

Dated at this day of
..... 19.....

Signature of director:

Name of director:

Witness:

Supporting declaration by director

I, [*full name*] of [*residential address*], [*occupation*], solemnly and sincerely declare as follows:

1 That I am a director of [*name of applicant company*], a duly incorporated company having its registered office at, and as such am authorised to make this declaration.

2 That the officers of the company are:

Form 3—*continued*

Full name, residential address, and occupation of officer	Date of birth	Place and country of birth	Officer's designation
1			
2			
3			
4			

3 That within the last 3 years the said officers have carried on business as private investigators (*or* worked as responsible employees of private investigators) as follows: [*give details of the previous experience of each officer within the last 3 years. If any officer has had no such experience, state that fact.*]

4 That the company has not previously held a private investigator's licence that has been cancelled within the last 5 years.

or

That a private investigator's licence held by the company was cancelled on the day of 19

5 That no officer of the company has previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.

or

That the following officer(s) of the company previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that was cancelled within the last 5 years: [*give details*].

6 That the company has not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That the company has been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*].

Form 3—*continued*

7 That no officer of the company has been convicted of a crime involving dishonesty or a specified offence within the last 5 years.

or

That the following officer(s) was (were) convicted of the following crimes involving dishonesty or a specified offence within the last 5 years: [*give details*].

8 That no officer of the company has been detained in a prison within the last 5 years.

or

That the following officer(s) was (were) detained in a prison within the last 5 years: [*give details of sentence(s) served and the nature of the offence(s) of which the officer(s) was (were) convicted*].

9 That at the date of this application the company satisfies the solvency test as set out in section 4 of the Companies Act 1993.

10 That no officer of the company is a bankrupt, and at the date of this declaration each officer is able to pay his or her debts.

11 That in addition to the business of a private investigator, the company carries on or proposes to carry on business as: [*give details*].

12 That if a licence is granted to the company it intends to carry on business as a private investigator at each of the following addresses:

- (a)
- (b)
- (c)
- (d)

and to have its registered office at:

13 That the company's address for service of notices relating to this application is:

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of
..... 19

Form 3—*continued*

Signature of director:

before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

Notes

- 1 If the company or an officer of the company has been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 6 or clause 7 of this form. For your information,—
 - (a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—
 - (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):
 - (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
 - (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
 - (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by

Form 3—*continued*

- certain threats, and demanding with intent to steal):
- (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):
 - (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
 - (vii) personation and acknowledging an instrument in a false name:
 - (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
 - (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):
 - (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):
 - (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin,

Form 3—*continued*

defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):

- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—
- (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:
 - (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):
 - (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):
 - (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):

Form 3—*continued*

- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
- (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):
 - (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
 - (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official documents, false claim of qualifications, and intimidation).
- 2 Clause 9 of this form must be completed by all applicants, as it applies to all companies governed by the Companies Act 1955 and all companies governed by the Companies Act 1993.
- 3 This application must be accompanied by the prescribed fee of \$245.
- 4 The company is required to serve a copy of this application on the senior Police officer of the district in which its registered office is situated. In addition, it is required to give notice of this application, in form 5 or form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.
- 5 If you have any queries ask the Registrar who will be pleased to assist you.

Schedule 1 form 3: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 3: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 4
Application for security guard's licence by a
company

s 18

To:

Form 4—*continued*

The Registrar of Private Investigators and Security Guards:

Pursuant to section 18 of the Private Investigators and Security Guards Act 1974 [*name of company*], a duly incorporated company having its registered office at, hereby applies for a security guard's licence.

Dated at this day of 19.....

Signature of director:

Name of director:

Witness:

Supporting declaration by director

I, [*full name*] of [*residential address*], [*occupation*], solemnly and sincerely declare as follows:

1 That I am a director of [*name of applicant company*], a duly incorporated company having its registered office at and as such am authorised to make this declaration.

2 That the officers of the company are:

Full name, residential address, and occupation of officer	Date of birth	Place and country of birth	Officer's designation
1			
2			
3			
4			

3 That within the last 3 years the said officers have carried on business as security guards (*or worked as responsible employees of security guards*) as follows: [*give details of the previous experience of each officer within the last 3 years. If any officer has had no such experience, state that fact*].

Form 4—*continued*

- 4 That the company has not previously held a security guard's licence that has been cancelled within the last 5 years.

or

That a security guard's licence held by the company was cancelled on the day of 19

- 5 That no officer of the company has previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

That the following officer(s) of the company previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that was cancelled within the last 5 years: [*give details*].

- 6 That the company has not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That the company has been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*].

- 7 That no officer of the company has been convicted of a crime involving dishonesty or a specified offence within the last 5 years.

or

That the following officer(s) was (were) convicted of the following crimes involving dishonesty or a specified offence within the last 5 years: [*give details*].

- 8 That no officer of the company has been detained in a prison within the last 5 years.

or

That the following officer(s) was (were) detained in a prison within the last 5 years: [*give details of sentence(s) served and*

Form 4—continued

the nature of the offence(s) of which the officer(s) was (were) convicted].

- 9 That at the date of this application the company satisfies the solvency test as set out in section 4 of the Companies Act 1993.
- 10 That no officer of the company is a bankrupt, and at the date of this declaration each officer is able to pay his or her debts.
- 11 That in addition to the business of a security guard, the company carries on or proposes to carry on business as: [*give details*].
- 12 That if a licence is granted to the company it intends to carry on business as a security guard at each of the following addresses:
 - (a)
 - (b)
 - (c)
 - (d)
 and to have its registered office at:
- 13 That the company’s address for service of notices relating to this application is:

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Signature of director:

before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

Notes

- 1 If the company or an officer of the company has been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 6 or clause 7 of this form. For your information,—

Form 4—*continued*

- (a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—
- (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):
 - (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
 - (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
 - (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):
 - (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):
 - (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
 - (vii) personation and acknowledging an instrument in a false name:

Form 4—*continued*

- (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
 - (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):
 - (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):
 - (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):
- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—
- (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information

Form 4—*continued*

disclosed under section 105A of the Crimes Act 1961:

- (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):
 - (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):
 - (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):
- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
- (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):

Form 4—*continued*

- (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
 - (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official documents, false claim of qualifications, and intimidation).
- 2 Clause 9 of this form must be completed by all applicants, as it applies to all companies governed by the Companies Act 1955 and all companies governed by the Companies Act 1993.
- 3 This application must be accompanied by the prescribed fee of \$245.
- 4 The company is required to serve a copy of this application on the senior Police officer of the district in which its registered office is situated. In addition, it is required to give notice of this application, in form 5 or form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.
- 5 If you have any queries ask the Registrar who will be pleased to assist you.

Schedule 1 form 4: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 4: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 5

s 21(2)

[Not printed]

Application for licence under the Private
Investigators and Security Guards Act 1974

Take notice that I, *[full name]*, of *[residential address]*, *[occupation]* have applied to the Registrar of Private Investigators and Security Guards for *[specify type of licence applied for]*.

Any person wishing to object to the grant of my application must give written notice of his objection to the Registrar so as to reach him not later than 1 month after the date of the first publication of this notice. No objection can be made otherwise than on one of the grounds set out in section 23(2) of the Act. A copy of a notice of objection must be served on me, at the address given above (*or* at the following address:) within 7 days after the notice is filed with the Registrar.

This is the first publication of this notice.

or

This is the second publication of this notice. The notice was first published on the day of 19.....

Applicant:

Schedule 1 form 5 heading: amended, on 24 November 1994, by regulation 3(1) of the Private Investigators and Security Guards Regulations 1975, Amendment No 5 (SR 1994/237).

Form 5A

ss 21(2), 33(5)

Combined notice of application for licence
(*or* for renewal of licence) under the Private
Investigators and Security Guards Act 1974

Take notice that each of the persons described in the first column of the Schedule of this notice has applied to the Registrar of Private Investigators and Security Guards for a licence or for renewal of a

Form 5A—*continued*

licence, as specified in the second column of that schedule, of the type specified in the third column of that schedule.

Any person wishing to object to the grant of any of these applications must give written notice of his or her objection to the Registrar so as to reach the Registrar not later than 1 month after the date of the first publication of this notice. No objection can be made otherwise than on one of the grounds set out in section 23(2) of the Act. A copy of a notice of objection must be served on the applicant, at the address given below, within 7 days after the notice is filed with the Registrar. This is the first publication of this notice.

or

This is the second publication of this notice. The notice was first published on the day of 19.....

Schedule

Full name, address, and occupation of applicant	Type of application	Type of licence
1		
2		
3		

Schedule 1 form 5A: inserted, on 24 November 1994, by regulation 3(2) of the Private Investigators and Security Guards Regulations 1975, Amendment No 5 (SR 1994/237).

Form 6

s 31

Application for approval of name

To:

The Registrar of Private Investigators and Security Guards:

Pursuant to section 31 of the Private Investigators and Security Guards Act 1974, I, [full name] of [address of registered office], [occupation], being the holder of a private investigator's (or security guard's) licence, hereby apply for your approval of the name [state the name or style under which you wish to carry on your business] under which I wish to carry on business as a private investigator (or security guard).

Form 6—*continued*

Signature of applicant:

Form 7

s 32

Application by licensee company for approval
of new officer

To:

The Registrar of Private Investigators and Security Guards:

Pursuant to section 32 of the Private Investigators and Security
Guards Act 1974 [*name of company*], a duly incorporated company
having its registered office at, hereby
applies for your approval to the appointment of [*full name of
proposed officer*] of [*address*], [*occupation*] to be an officer of the
company.

Dated at this day of
..... 19.....

Signature of director:

Name of director:

Witness:

Supporting declaration by a director

I, [*full name*] of [*residential address*], [*occupation*], solemnly and
sincerely declare as follows:

- 1 That I am a director of [*name of licensee company*], a
duly incorporated company having its registered office at
....., and as such am authorised to make
this declaration.
- 2 That the company is the holder of a private investigator's (or
security guard's) licence, and wishes to appoint [*full name of
proposed officer*] of [*residential address*], [*occupation*] to be
[*state position to which it is intended to appoint the proposed
officer*] of the company.

And I make this solemn declaration conscientiously believing the
same to be true and by virtue of the Oaths and Declarations Act 1957.

Form 7—*continued*

Declared at this day of
..... 19.....

Signature of director:
before me:

Justice of the Peace, solicitor, or other person authorised to take
statutory declarations.

Supporting declaration by proposed officer

Part A*

I, [*full name*] of [*residential address*], [*occupation*], solemnly and
sincerely declare as follows:

- 1 That I was born on [*specify date of birth*] at [*specify place and
country of birth*].
- 2 That within the last 3 years I have carried on business as a
private investigator (*or* worked as a responsible employee of a
private investigator) as follows: [*give details of your previous
experience within the last 3 years. If you have had no such
experience, strike out the whole of this paragraph*].
- 3 That I have not previously held a private investigator's licence
or a certificate of approval to be a responsible employee of a
private investigator that has been cancelled at any time within
the last 5 years.

or

That a private investigator's licence or a certificate of ap-
proval to be a responsible employee of a private investigator
held by me was cancelled on the day of
..... 19.....

- 4 That I have not been convicted of a crime involving dishonesty
or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or
a specified offence at any time within the last 5 years: [*give
details*].

Form 7—*continued*

5 That I have not been detained in a prison at any time within the last 5 years.

or

That I have been detained in a prison within the last 5 years as follows: [*give details of sentence(s) served, and the nature of the offence(s) of which you were convicted*].

6 That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

Declared at this day of
..... 19.....

Signature of proposed officer:
before me:

Justice of the Peace, Solicitor, or other person authorised to take statutory declarations.

*To be filled in only if the applicant company is the holder of a private investigator's licence. If the applicant company is the holder of a security guard's licence Part B should be filled in.

Part B

I, [*full name*] of [*residential address*], [*occupation*], solemnly and sincerely declare as follows:

1 That I was born on [*specify date of birth*] at [*specify place and country of birth*].

2 That within the last 3 years I have carried on business as a security guard (*or* worked as a responsible employee of a security guard) as follows: [*give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph*].

3 That I have not previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

Form 7—*continued*

That a security guard's licence or a certificate of approval to be a responsible employee of a security guard held by me was cancelled on the day of 19

- 4 That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*].

- 5 That I have not been detained in a prison at any time within the last 5 years.

or

That I have been detained in a prison within the last 5 years as follows: [*give details of sentence(s) served, and the nature of the offence(s) of which you were convicted*].

- 6 That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Signature of proposed officer:

before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

Notes

- 1 If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 4 of Part A of this form or clause 4 of Part B of this form. For your information,—

Form 7—*continued*

- (a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—
 - (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):
 - (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
 - (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
 - (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):
 - (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):
 - (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
 - (vii) personation and acknowledging an instrument in a false name:

Form 7—*continued*

- (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
 - (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):
 - (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):
 - (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):
- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—
- (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information

Form 7—*continued*

disclosed under section 105A of the Crimes Act 1961:

- (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):
 - (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):
 - (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):
- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
- (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):

Form 7—*continued*

- (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
 - (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official documents, false claim of qualifications, and intimidation).
- 2 If you have any queries ask the Registrar who will be pleased to assist you.

Schedule 1 form 7: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 7: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 8
Application for renewal of licence

s 33

To:

The Registrar of Private Investigators and Security Guards:

Pursuant to section 33 of the Private Investigators and Security Guards Act 1974, I, [full name] of [address of registered office], [occupation], being the holder of a private investigator's (or security guard's) licence, hereby apply for the renewal of that licence for the year ending with 31 March 19.....

Signature of applicant:

Notes

- 1 You are required to serve a copy of this application on the senior Police officer of the district in which your registered office is situated. In addition you are required to give notice of your application, in form 9, in such newspaper or newspapers as the Registrar may specify.
- 2 If you have any queries you are invited to seek the advice of the Registrar who will be pleased to assist you.

Form 9

s 33

[Not printed]

Application for renewal of licence under the
Private Investigators and Security Guards Act
1975

Take notice that I, [*full name*], of [*residential address*], [*occupation*] have applied to the Registrar of Private Investigators and Security Guards for the renewal of my [*specify type*] licence. Any person wishing to object to the grant of my application must give written notice of his objection to the Registrar so as to reach him not later than 1 month after the date of the first publication of this notice. No objection can be made otherwise than on one of the grounds set out in section 23(2) of the Act. A copy of a notice of objection must be served on me, at the address given above (*or* at the following address:) within 7 days after the notice is filed with the Registrar.

This is the first publication of this notice.

or

This is the second publication of this notice. The notice was first published on the day of 19.....

Applicant:

Form 10

s 36

Application for approval of responsible
employee of private investigator**To:**

The Registrar of Private Investigators and Security Guards:

Pursuant to section 36 of the Private Investigators and Security Guards Act 1974, I, [full name], of [address of registered office], [occupation] being the holder of a private investigator's licence, seek your approval to the employment, in my business as a private investigator, of [full name of proposed employee], of [residential address], [occupation] as a responsible employee.

Signed at this day of
..... 19.....

Signature of applicant:

**Supporting declaration by proposed
employee**

I, [full name] of [residential address], [occupation], solemnly and sincerely declare as follows:

- 1 That I was born on [specify date of birth] at [specify place and country of birth].
- 2 That I have not previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.

or

That a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator held by me was cancelled on the day of
..... 19.....

- 3 That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

Form 10—*continued*

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*].

- 4 That I have not been detained in a prison at any time within the last 5 years.

or

That I have been detained in a prison within the last 5 years as follows: [*give details of sentence(s) served, and the nature of the offence(s) of which you were convicted*].

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Signature of proposed employee:

before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

Notes

- 1 If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 3 of this form. For your information,—
- (a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—
 - (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

Form 10—*continued*

- (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
- (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
- (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):
- (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):
- (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
- (vii) personation and acknowledging an instrument in a false name:
- (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
- (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):

Form 10—*continued*

- (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):
- (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):
- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—
 - (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:
 - (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):
 - (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent

Form 10—*continued*

to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):

- (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):
- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
 - (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):
 - (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
 - (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official documents, false claim of qualifications, and intimidation).

- 2 This application must be accompanied by the application fee of \$100 and by 2 identical photographs of the proposed employee. The photographs must be of good quality, show the head and shoulders of the proposed employee, and measure between 2.5 and 4 cm in width and between 2.5 and 5 cm in height.

Form 10—*continued*

- 3 The applicant is required to serve a copy of this application on the senior Police officer of the district in which his or her registered office is situated. It would help that officer to process the application if a photograph of the proposed employee was attached to the copy of the application.
- 4 If the applicant or the responsible employee has any queries he or she should ask the Registrar who will be pleased to assist him or her.

Schedule 1 form 10: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 10: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 11

s 36

Application for approval of responsible
employee of security guard

To:

The Registrar of Private Investigators and Security Guards:

Pursuant to section 36 of the Private Investigators and Security Guards Act 1974, I, [full name], of [address of registered office], being the holder of a security guard's licence, seek your approval to the employment, in my business as a security guard, of [full name of proposed employee], of [residential address], [occupation] as a responsible employee.

Signed at this day of
..... 19.....

Signature of applicant:

**Supporting declaration by proposed
employee**

I, [full name] of [residential address], [occupation], solemnly and sincerely declare as follows:

- 1 That I was born on [specify date of birth] at [specify place and country of birth].

Form 11—*continued*

2 That I have not previously held a security guard’s licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

That a security guard’s licence or a certificate of approval to be a responsible employee of a security guard held by me was cancelled on the day of 19

3 That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [*give details*]

4 That I have not been detained in a prison at any time within the last 5 years.

or

That I have been detained in a prison within the last 5 years as follows: [*give details of sentence(s) served, and the nature of the offence(s) of which you were convicted*].

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Signature of proposed employee:
before me:

Justice of the Peace, solicitor, or other person authorised to take statutory declarations.

Form 11—*continued*

Notes

- 1 If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 3 of this form. For your information,—
- (a) crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—
 - (i) misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):
 - (ii) theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):
 - (iii) crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc, possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):
 - (iv) robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):
 - (v) burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):

Form 11—*continued*

- (vi) false pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):
 - (vii) personation and acknowledging an instrument in a false name:
 - (viii) fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):
 - (ix) receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):
 - (x) forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):
 - (xi) coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):
- (b) specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D

Form 11—*continued*

of the Crimes Act 1961. The crimes described in these sections are—

- (i) corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:
 - (ii) murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):
 - (iii) assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):
 - (iv) crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc, with listening devices):
- (c) specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—
- (i) offences against public order (in particular, disorderly behaviour, disorderly behaviour on pri-

Form 11—*continued*

vate premises, disorderly assembly, and associating with convicted thieves):

- (ii) offences against persons and property (in particular, common assault, assault on a Police, prison or traffic officer, and possession of burglary tools):
- (iii) offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of court documents, imitation of official documents, false claim of qualifications, and intimidation).

- 2 This application must be accompanied by the application fee of \$100 and by 2 identical photographs of the proposed employee. The photographs must be of good quality, show the proposed employee's head and shoulders, and measure between 2.5 and 4 cm in width and between 2.5 and 5 cm in height.
- 3 The applicant is required to serve a copy of this application on the senior Police officer of the district in which his or her registered office is situated. It would help that officer to process the application if a photograph of the proposed employee was attached to the copy of the application.
- 4 If the applicant or the responsible employee has any queries he or she should ask the Registrar who will be pleased to assist him or her.

Schedule 1 form 11: substituted, on 1 July 1995, by regulation 5 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

Schedule 1 form 11: amended, on 1 June 2005, by section 207 of the Corrections Act 2004 (2004 No 50).

Form 12
Application for renewal of certificate of
approval

s 44

To:

The Registrar of Private Investigators and Security Guards:

Pursuant to section 44 of the Private Investigators and Security Guards Act 1974, I, [*full name of licensee*] of [*address of registered office*], [*occupation*], being the employer of [*full name of responsible employee*] of [*residential address*], [*occupation*] who is the holder of a certificate of approval to be a responsible employee of a private investigator (*or* security guard), hereby apply for the renewal of that certificate of approval for the year ending with 31 March 19.....

Signature of applicant:

Notes

- 1 You are required to serve a copy of this application on the senior Police officer of the district in which your registered office is situated.
 - 2 If you have any queries you are invited to seek the advice of the Registrar who will be pleased to assist you.
-

Schedule 2

r 4

**Fees payable to the Registrar of private
investigators and security guards under
the Private Investigators and Security
Guards Act 1974**

Schedule 2: substituted, on 1 July 2006, by regulation 5 of the Private Investigators and Security Guards Amendment Regulations 2006 (SR 2006/136).

Item	Description	Fee (\$)
1	On application for the grant of a licence	100
2	On application for the renewal of a licence	100
3	On application for the grant of a certificate of approval	60
4	On application for the renewal of a certificate of approval	60
5	For the issue of a licence or a certificate of approval	20
6	For the issue of a duplicate licence or a duplicate certificate of approval	20

Schedule 3*[Revoked]*

Schedule 3: revoked, on 1 July 1995, by regulation 6 of the Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113).

A C McLeod,
Acting for the Clerk of the Executive Council.

Reprinted as at
1 April 2011

**Private Investigators and Security
Guards Regulations 1975**

Date of notification in *Gazette*: 17 July 1975.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Private Investigators and Security Guards Regulations 1975. The reprint incorporates all the amendments to the regulations as at 1 April 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Private Security Personnel and Private Investigators Act 2010 (2010 No 115): section 120(b)

Private Investigators and Security Guards Amendment Regulations 2006 (SR 2006/136)

Corrections Act 2004 (2004 No 50): section 207

State Sector Amendment Act 2003 (2003 No 41): section 14(2)

Private Investigators and Security Guards Regulations 1975, Amendment No 6 (SR 1995/113)

Private Investigators and Security Guards Regulations 1975, Amendment No 5 (SR 1994/237)

Public Finance Act 1989 (1989 No 44): section 83(7)

District Courts Amendment Act 1979 (1979 No 125): section 18(2)

Reprinted as at
1 April 2011

**Private Investigators and Security
Guards Regulations 1975**

Notes
