



Introduction

Information Sharing

The Department of Justice, Policing and Victim Services Division, Security Programs is pleased to bring you its first Security Programs Newsletter. We plan to issue at least two newsletters a year - Spring/Summer and Fall/Winter. This Newsletter will provide the security industry with information and updates on changes and developments within the Security Programs Office. We anticipate this will be an important communication tool as we work together to promote and enhance the security industry and public safety issues. We hope you find this newsletter informative and beneficial, and we look forward to your feedback and suggestions.

In this issue:

Introduction.....	page 1
Online Applications.....	page 1
Reminders.....	page 1
New Licensing Software	page 2
Forms	page 2
New Licensing Endorsements	page 2
Photograph.....	page 2
Canadian Updates	page 3
Items of Interest	page 3
Contact Information	page 4
Questions and Answers	Insert

Tell me and I'll forget. Show me, and I may not remember. Involve me, and I'll understand.

~ Native American Saying ~

For an online copy of the *Private Investigators and Private Guards Act*, go to:

<http://www.gov.ns.ca/legislature/legc/>

Application Forms Now Available Online

Our new application form for an individual applying for a private investigator and/or private guard is now online at:

www.gov.ns.ca/just/PolVS/privatesecurity.htm
(Adobe Acrobat Reader is required in order to download the form.) This new version has some changes which will help the Security Programs Office in the processing of the applications.

In order for our office to receive information in a consistent manner, we have developed standardized forms for the following:

- Termination Notice
- Authorization for Endorsement to Carry Baton/Handcuff
- Request for Replacement License
- Complaint Form



IMPORTANT REMINDERS

Security guards and private investigators must always have their identification card with them while working and must present it to any person when asked. Failure to do so is a violation of the Private Investigators and Private Guards Act.

Applications must be filled out completely or they will be returned as an 'incomplete application'.

New Licensing Software

The Department of Justice, Security Programs Office, has been busy implementing new licensing software. This new software will streamline the licensing process and produce a new plastic identification card. Photographs will be scanned onto the new plastic cards and the Security Programs Office will be able to maintain a photograph database. The new cards will also be more durable as they will no longer be laminated.

This system will be operational for this year's renewals.

FORMS

The application form for an individual to be licensed as a private investigator and/or private guard has been revised to streamline the application process, making it more efficient. Please discontinue using the old application forms. We will not accept photocopies or faxes. Application forms will be available on the government website in .pdf format. You will be able to download the forms and print them for your use. These do not have to be printed in color.



Licensing Endorsements

It has always been our policy to manage the carrying of a baton and/or handcuffs by ensuring that a private guard/private investigator who is carrying such equipment has approval of their employer and has received proper training. This approval will now appear as an endorsement on the individual license.

Baton

A licensee may have an endorsement on his/her license to carry a baton, if so approved by Security Programs, by submitting the following information with the license application:

- A completed Authorization for Endorsement form from the authorized business representative, identifying the employee to be authorized to carry a baton.
- The type of baton to be carried (either a straight stick, side handle stick or collapsible baton - all others are prohibited)

- The licensee must provide documentation verifying completion of appropriate training by a qualified instructor in the use and effects of the baton.

Restraining Device (Handcuffs)

A licensee may have an endorsement on his/her license to carry a restraining device, if so approved by Security Programs, by submitting the following information with the license application:

- A completed Authorization for Endorsement form from the authorized business representative, identifying the employee to be authorized to carry a restraining device.
- The licensee must provide documentation verifying completion of appropriate training by a qualified instructor in the use and effects of a restraining device.



Note: The Security Programs Office is compiling a list of certified instructors. If you are an instructor, or your company requires certification training, please contact this office at (902) 424-6166.

My grandfather once told me that there were two kinds of people: those who do the work and those who take the credit. He told me to try to be in the first group; there was much less competition.

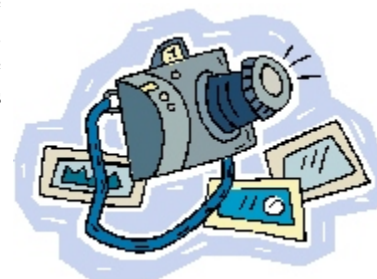
--Indira Gandhi

Submission of Photographs for Licensing

All photographs accompanying applications for a private guard/private investigator license must be original (not photocopied) photos. These should be a head shot, approximately 2.54 cm X 2.86 cm, or passport photo size.

We will also accept digital images. You can store these images on a disk or CD and submit it to the Security Programs Office.

All applicant images must be stored as individual files, with the file name representing the applicant's first and last name.



Private Security Industry: Canadian Updates

British Columbia

British Columbia proposes new legislation entitled *Private Investigation and Security Act*. It includes the continued regulation of locksmith's, armoured car businesses, private investigators, security patrol, security consultants and alarm service which includes alarm sales, alarm monitoring, alarm response and alarm installation.

The new Act will include the regulation of the Corps of Commissionaires, armoured car employees, bodyguard services, guard dog services, bouncers and all in-house proprietary security.



Ontario

Government Announces New "Private Security and Investigative Services Act" On December 9, 2004, the Ontario government announced a new Private Security and Investigative Act. The proposed legislation creates new standards and accountability, addresses the Shand Inquest recommendations, and encompasses all security practitioners including in-house security personnel, contract security and the Corps of Commissionaires.

Jury Delivers Verdict in the Inquest in the Death of Patrick Shand.

Patrick Shand died during an apprehension by store employees and mall security at a Toronto-area shopping centre in 1999. A two-month inquest concluded on April 23, 2004. The jury determined that death was accidental resulting from 'restraint asphyxia' and that drug use was a factor. The jury made twenty-two recommendations that have far-reaching implications for both in-house and contract security providers.

Quebec

The Quebec Government Introduces New "Private Security Act" The Quebec government introduced first reading of Bill 88 on December 16, 2004 creating a new Private Security Act that will encompass all security practitioners including armoured car personnel and locksmiths. Six new classifications of security "agents" will be created. Public consultation hearing on this proposed legislation commenced in Quebec on February 15, 2005.

Do you have a complaint about an unlicensed business or individual?

The Department of Justice, Policing and Victim Services - Security Programs Office wants to know what is happening in the field and how we can work to make it better. If you know of a business or individual who is working without a valid license please let us know. We will do our best to investigate all incidences of unlicensed activity. It is a violation of the *Private Investigators and Private Guards Act* to work as an unlicensed business or work private guards and/or investigators without a valid license.



Items of Interest

This section of the Newsletter will provide information, or reprints, on issues of interest to the Industry

Citizens' Arrest

Section 494 of the Criminal Code

ARREST WITHOUT WARRANT BY ANY PERSON / Arrest by owner, etc. of property/ Delivery to peace officer.

- 494.** (1) Any one may arrest without warrant
- (a) a person whom he finds committing an indictable offence; or
 - (b) a person who, on reasonable grounds, he believes
 - (i) has committed a criminal offence, and
 - (ii) is escaping from and freshly pursued by persons who have lawful authority to arrest that person.
- (2) Any one who is
- (a) the owner or a person in lawful possession of property, or
 - (b) a person authorized by the owner or by a person in lawful possession of property,
- may arrest without warrant a person whom he finds committing a criminal offence on or in relation to that property.
- (3) Any one other than a peace officer who arrests a person without warrant shall forthwith deliver the person to a peace officer.

**DEPARTMENT OF JUSTICE, POLICING AND VICTIM SERVICES
SECURITY PROGRAMS OFFICE CONTACT INFORMATION**

Mailing Address:

Department of Justice
Policing and Victim Services
Security Programs Office
P.O. Box 7
Halifax, Nova Scotia
B3J 2L6

Phone:

(902) 424-6166

Civic Address:

Department of Justice
Policing and Victim Services
Security Programs Office
5151 Terminal Road, Ground Floor
Halifax, Nova Scotia

Fax:

(902) 424-4308



Who We Are

separate unit reporting to a Division Director. The Director/Registrar provides policy direction and supervision for the unit, while the Deputy Registrar is responsible for general operation of the Security Programs Office.

Joanne Marriott-Thorne
Director/Registrar

Karen Forsyth
Deputy Registrar

Cindy Deonarine
Security Programs Officer

In 2003, organizational changes within the Policing and Victim Services Division resulted in the establishment of the Security Programs Office as a

For Contact Information concerning armoured vehicle licensing for your business, or to obtain your ATC (Authorization to Carry) please contact the Provincial Firearms Office at (902) 424-6689

This Newsletter is for you, the security industry. If you have any comments concerning this Newsletter, or if there is information you would like to see included in the Fall edition of this Newsletter, please submit your comments/submissions to the address above.

Frequently Asked Questions

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Business License

Q. When can a business begin providing private investigation and/or private guard services in Nova Scotia?

A. Only after the business has been issued a private investigation and/or private guard business license by the Security Programs Office.

F. How long before I will receive my business license?

A. It can take anywhere from two to three weeks depending on when all the requirements for licensing are met.

Q. What forms of payment are accepted?

A. We accept cheques, money orders and cash. However, we are not responsible for cash received through the mail.

Q. What if my cheque is returned for non-sufficient funds?

A. If your cheque has been returned NSF, the Security Programs Office will only accept a money order, cash or a certified cheque. In addition, any outstanding licenses to be processed will be placed on hold until payment has been received and cleared.

Q. Can I solicit for business while I am waiting for approval of my business license?

A. No. You can only solicit business after you have been issued your business license.

Q. Can I be charged for operating a private investigator and/or private guard business without holding a valid license?

A. Yes, it is an offense under Section 4 of the *Private Investigators and Private Guards Act* and you can be charged.

Q. Can I hire an individual who already holds a valid license with another company?

A. Yes. The legislation does not prohibit an individual from working with more than one company. However, it is the decision of the business, based on their internal policy, whether they wish to hire an individual who holds a valid license with another company. Please refer to Question 13 of the **Application for Individual License**, which requires the individual to declare if he/she holds a current valid license as a private investigator/private guard in the Province of Nova Scotia.



Individual License

- Q.** What is a license?
- A.** Your license is an identification card which states your name, the company you are employed with and your photograph. It is the property of the Province of Nova Scotia and must be returned upon termination of employment.
- Q.** Do I have to have a license before I can work?
- A.** Yes, you must have a valid license in order to work as a private investigator and/or private guard.
- Q.** Can an individual work on their own as a private investigator or private guard?
- A.** No. An individual must be hired as a private investigator or private guard through a licensed business offering those services.
- Q.** Once the application is dropped off or mailed to the Security Programs Office can I automatically go to work?
- A.** No, you are not able to work until you have received your license.
- Q.** How long after the application is submitted will it take before I received the license?
- A.** It can take up to 3 days to be issued a license depending on when all the requirements are met and if further assessment or investigation is required.
- Q.** Who is notified if I have a criminal history and I am denied a license?
- A.** If you have a criminal history that leads to the denial of your application, you will receive a denial letter explaining the reason. The business that submitted your application will also be notified that you are not approved to work. We do not divulge the contents of the criminal records check to the business. It is up to the applicant to disclose their criminal history.
- Q.** What if I have received a conditional discharge, absolute discharge, acquittal or charges that have been dismissed or withdrawn – do I still need to report the charge on my application?
- A.** Yes. You must still report the charge if it has been within the last three years.
- Q.** If I have had a youth charge, does it have to be disclosed on the application.
- A.** Yes. If the charge has been within the last three years.
- Q.** If I have outstanding fines, will I be able to receive a license?
- A.** If you have outstanding fines (the time for payment has expired and the fines are overdue) you will not be granted a license until your fines have been paid in full.
- Q.** Can the licensing fee be refunded if I don't succeed in my license application?
- A.** No. The application fee covers the cost of processing the application and is non-refundable and non-transferrable.
- Q.** Can I hold a private investigator/private guard license with more than one company?
- A.** Yes. As long as you hold a valid license with each company you are employed with.
- Q.** What "powers of arrest" do private security personnel have?
- A.** Private security personnel do not have any greater powers of arrest than any other private citizen. Please refer to page 3 of this Newsletter.

