

DEPARTMENT OF POLICE

NOTICE 2953 OF 2025

ASSET-IN-TRANSIT DRAFT REGULATIONS IN THE PRIVATE SECURITY INDUSTRY MADE UNDER THE PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO. 56 OF 2001)

The Minister of Police, under section 35 of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001) and after consultation with the Council of the Private Security Industry Regulatory Authority, hereby intends to make the Regulations in the Schedule.

Any interested or affected persons are invited to submit written comments or representations on the proposed draft Regulations to the office of the Director: Private Security Industry Regulatory Authority within four weeks from the date of publication of this notice in the Gazette at the following address:

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MR. E S MCHUNU

Minister of Police

Date: 13/12/2024

SCHEDULE

Chapter 1: Definitions, Purpose and interpretation and Application

1. Definitions
2. Purpose and interpretation
3. Application

Chapter 2: Functions of the Authority

4. General functions of the Authority pertaining to Asset-in-transit security service providers
5. Vetting of Asset-in-transit security services providers
6. Vetting of Asset-in-transit security service personnel
7. Minimum requirements for Asset-in-transit vehicles
8. Risk Assessments
9. Record Keeping
10. Asset Movement

Chapter 3: General Provisions

11. Offences and Penalties
12. Transitional Provisions
13. Short Title

PREAMBLE

WHEREAS the rendering of security services includes the protection or safeguarding of a person or property in any manner;

AND WHEREAS the objects of the Private Security Industry Regulatory Authority are to regulate of the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest and the interest of the private security industry itself, in terms of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001), which includes determining and enforcing minimum standards of occupational conduct in respect of security service providers;

AND WHEREAS the Minister of Police deems it necessary to make regulations relating to generally, any matter which it is necessary or expedient to prescribe for the attainment or better attainment of the objects of the Private Security Industry Regulation Act, or the performance of the functions of the Authority.

Be it published, therefore, the draft regulations contained in this Schedule for comment by interested persons.

CHAPTER 1

PURPOSE, INTERPRETATION, APPLICATION AND DEFINITIONS

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act will bear the meaning so assigned and, unless the context indicates otherwise –

“Act” means the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001);

“armoured vehicle” means a vehicle used to transport or move cash or certain value assets, which is made from an armoured material and bullet resistant glass to protect the vehicle against projectiles of various shapes and sizes;

“assets” means cash or goods of high value, including precious metals or jewellery;

“assets-in-transit” – means cash or goods with a high value, including precious metals or jewellery when transported on a public road, except when transported by a person at his or her own account, or by the South African National Defence Force or in the case of transport by escort of the Service;

“ballistic protection” means a level of protective clothing or material which aims at protecting the individual or vehicle against projectiles of various shapes and sizes;

“bank” means a public company registered as a bank in terms of the Banks Act, No. 94 of 1994;

“cross-pavement” means the act of carrying cash by an Asset-in-transit officer, using a cross pavement carrier, for purposes of collecting or delivering such cash to or from a bank or retail facility;

“employee data” means comprehensive information of employee, including but not limited to employment history within security service industry;

“escort” means a person travelling in an escort vehicle accompanying the assets-in-transit vehicle;

“escort vehicle” means a vehicle accompanying an assets-in-transit vehicle to ensure that the assets-in-transit vehicle arrive at a destination in a safe manner;

“risk assessment” means a systematic process of evaluating the potential risks that may be involved in conducting a Asset-in-transit;

“SARB” – means the South African Reserve Bank, 1989 (Act 90 of 1989);

“these regulations” means the regulations contained in this Schedule;

“vetting” means the process of performing a background screening of:

- Security Service Providers;
- Employees of security provider; and
- Employees seeking employment.

Purpose and interpretation

2. (1) The purpose of these regulations is to determine the requirements for the transportation of assets, including the protection of such assets while in transit, within the private security industry, to ensure the safe and secured movement of assets, as well as the safety of persons transporting such assets.

(2) These regulations must be interpreted in accordance with their purpose and in a manner consistent with the Act, the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended, and any other law providing for the safe transportation of assets applicable to the private security industry.

Application

3. These regulations apply to –

- (a) all security service providers, practising the occupation of security service provider and transporting or protecting assets or in connection with rendering a security service or carrying on business as a security service provider, or in performing any other act or function which is subject to the Act; and
- (b) every other person using his or her own employees as security officers to transport or protect assets in connection with rendering a security service, to the extent provided for in the Act and these regulations.

CHAPTER 2

FUNCTIONS OF THE AUTHORITY

General functions of the Authority pertaining to assets-in-transit security service providers

4. The Authority shall for the purpose of regulating the transportation of assets within the private security industry and in accordance with the Act and these regulations –

CONTINUES ON PAGE 258 OF BOOK 3

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- (a) determine requirements for the vetting of existing assets-in-transit officers and new entrants in the assets-in-transit sector by the security business;
- (b) determine and enforce minimum requirements for vehicles being used to transport assets;
- (c) determine systems and devices installed in vehicles and aimed at protecting assets transported;
- (d) enforce the PSiRA minimum training standards for assets-in-transit employees;
- (e) keep a record in which it must enter the details and particulars of all robberies, incidents, injuries or deaths that occurred during the transportation, collection or protection of assets; and
- (f) enter into agreements with or obtain the assistance of any relevant person, institution or organ of state to conduct or assist it in conducting any investigation or perform any function in terms of these regulations.

Vetting of Asset-in-transit security service providers

5. (1) A security business that is employing persons to render assets-in-transit services must ensure that such persons submit the following particulars and documentation–

- (a) proof of Occupational Health and Safety Compliance;
- (b) proof of financial risk assessment; and
- (c) a copy of a credit report obtained from one of the Credit Bureaus.

(2) The provisions referred to in sub-regulation (1) are applicable to the existing assets-in-transit security service providers and new entrants in the assets-in-transit sector.

Vetting of Asset-in-transit security service personnel

6. (1) A security business that is employing persons to render Asset-in-transit services must ensure that such persons in possession of the following particulars and documentation in alignment with the Protection of Personal Information Act, 2013 (Act No.3 of 2013) -

- (a) a certified copy of firearms competency certificate for the type of firearm to be used in the service;
- (b) criminal check every six (6) months;
- (c) residential check;
- (d) past employers check;
- (e) scientific test that measures integrity and assesses personality;
- (f) an Authority registered check;

(2) The scientific test that measures integrity envisaged in paragraph (e) must be taken by all personnel of a security business, including non-security personnel every six (6) months.

(3) The provisions referred to in sub-regulation (1) are applicable to the existing Asset-in-transit security service providers and new entrants in the Asset-in-transit sector.

Minimum requirements for Asset-in-transit vehicles

7. (1) A security service provider must use a marked armoured vehicle to transport assets and such vehicle must -

- (a) be equipped with a tracking device for purposes of continuously tracking and monitoring the location and movement of the vehicle;
- (b) be equipped with back-to-back base radio or have an alternative communication method effective in radio reception to allow the Asset-in-transit officer in the vehicle to make contact with the security company control centre or the South African Police Service when it may be necessary;
- (c) be equipped with a digital video recording device with an onsite and offsite storage capability to record footage that will be stored only where there is an incident for until finalisation of legal processes.
- (d) be equipped with a panic button with back-to-back base alert for use in an emergency;
- (e) have a procedure or an alternative method of preventing unauthorised entry into the vehicle and have a drop safe or secure container installed in the vehicle; and
- (f) be serviced and maintained regularly and properly to ensure continued safe use of the vehicle.

(2) An Asset-in-transit security service provider must use a marked armoured vehicle that is made of ballistic protective materials in accordance with the risk assessment.

(3) A security business rendering assets-in-transit security services must provide any person who is responsible for the transportation of assets with protective clothing, including a bulletproof vest or soft vest and helmet.

(4) The protective clothing contemplated in sub-regulation (3) must be approved and certified in accordance with the relevant standards and specifications for ballistic protective materials.

Risk Assessments

8. (1) A security business rendering assets-in-transit services must conduct a risk assessment before commencing a client service and thereafter as and when required.

(2) A risk assessment referred to in sub-regulation (1) must be conducted by a person in possession of a qualification in risk management and has a minimum of two (2) years' experience in policing, security and law enforcement.

(3) Written information with regard to the requirements of sub-regulation (2) must be made available when requested by the Authority for inspection.

(4) A risk assessment report must contain the following information –

- (a) the number of personnel required for each operation, taking into account the amount to be collected;
- (b) the minimum level of ballistic protection for Asset-in-transit vehicles required for the service to be rendered;
- (c) the number of escort vehicles required for each operation;

Record Keeping

9. (1) A security business rendering Asset-in-transit services must –

- (a) keep a record of all persons with knowledge of operations for each service;
- (b) keep a record at its business premises in which it enters the details and particulars of all robberies, incidents, injuries or deaths that occurred during the transportation of assets; and

- (c) inform the Authority in writing of any robbery, incident, discharge of firearm, injury or death that occurred during the transportation of assets within a period of 48 hours from such occurrence.

Asset Movement

10. (1) Asset-in-transit service providers collecting or delivering cash to or from the bank or retail facility, must use a cross pavement carrier that is enabled with a cash degradation device or a currency protection device, which is capable of being electronically monitored.

(2) Asset-in-transit service providers collecting and transporting precious metals, must comply with the Precious Metals Act, 2005 (Act No. 37 of 2005).

(3) Asset-in-transit service providers must take all measures in line with these regulations to ensure safe movement of the client's cash or assets.

(3) An Asset-in-transit officer that requires a firearm to render Asset-in-transit services must ensure that the carrying and use of such firearm is in line with the provisions contained in the Firearms Control Act, No. 60 of 2000 and Regulation 13 (5) of the Private Security Industry Regulations, 2002.

CHAPTER 3

GENERAL PROVISIONS

Offences and Penalties

11. Any security service provider who –

- (a) fails to use a vehicle which is equipped with security features as contemplated in regulation (7) when transporting assets;

- (b) fails to appoint a risk assessor for purposes of conducting a risk assessment;
- (c) carries or uses a firearm not in accordance with the requirements of the Firearms Control Act and the Private Security Industry Regulations;
- (d) fails to inform the Authority of any incident relating to a robbery, injury or death of any person transporting or protecting cash or assets within the prescribed timelines; and
- (e) contravenes or fails to comply with a provision of these regulations;

is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding twenty-four (24) months, or to both a fine and such imprisonment.

Transitional Provisions

12. Every person deemed to have been registered as a security service provider and practicing the occupation of Asset-in-transit service provider, must within a period of 180 days from the date of promulgation of these Regulations, or within such period as the Director may allow on the basis of a substantiated written application by such security service provider within a period of 60 days from the date of promulgation of these Regulations, comply with the requirements and minimum standards regarding the transportation and protection of cash or other assets with high value.

Short Title

13. These regulations are called the Regulations relating to the rendering of Asset-in-transit security services in the Private Security Industry, 2024.