



Province of Alberta

## SECURITY SERVICES AND INVESTIGATORS ACT

# SECURITY SERVICES AND INVESTIGATORS REGULATION

### Alberta Regulation 52/2010

With amendments up to and including Alberta Regulation 154/2015

#### Office Consolidation

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(Consolidated up to 154/2015)

**ALBERTA REGULATION 52/2010**

**Security Services and Investigators Act**

**SECURITY SERVICES AND INVESTIGATORS REGULATION**

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**Definitions**

**1** In this Regulation,

- (a) “armoured vehicle” means a motor vehicle constructed or adapted to protect its occupants
  - (i) from forced entry, and
  - (ii) from firearms;
- (b) “armoured vehicle service” means a company that performs services related to the transportation of property in an armoured vehicle with armed guards;

- (c) “automotive locksmith bypass tool” means any instrument designed, or that can be modified or adapted, to operate the locks, ignition or other switches on a motor vehicle.

AR 52/2010 s1;45/2015

### **Exemptions from licensing**

**2** In addition to the persons and classes of persons set out in section 10 of the Act, the following persons or classes of persons are exempt from the requirement to be licensed under the Act and the regulations:

- (a) business entities or in-house employees of business entities governed under the *Bank Act* (Canada);
- (b) finance entities or in-house employees of finance entities as defined under the *Finance Entity Regulations* (Canada);
- (c) entities or in-house employees of entities governed under the *Credit Union Act*;
- (d) employees of an innkeeper who are responsible for the maintenance and management of guest room keys and key systems;
- (e) in the Minister’s opinion, any individual who performs an activity described under Part 1 of the Act, except the activities described in sections 4 and 5 of the Act, if that activity is incidental to the individual’s primary job duties or functions.

AR 52/2010 s2;45/2015

### **Individual licensee reporting requirements**

**3(1)** An individual licensee who is arrested or charged with an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) or any other enactment of Canada must, within 24 hours, provide a report to the Registrar in writing of the arrest or charge laid.

**(2)** If an individual licensee loses his or her licence, the individual licensee must, within 24 hours, report the loss to the Registrar in writing.

**(3)** An individual licensee must report a change in information described under section 18(a) or (b) of the Act to the Registrar in writing within 30 days of the change.

**(4)** If an individual licensee fails to comply with this section, the Registrar may cancel or suspend the individual licensee’s licence or

impose additional terms and conditions on the individual licensee's licence.

**Business licensee reporting requirements**

- 4(1)** A business licensee must report to the Registrar in writing any incident described under section 19(d) to (i) of the Act within 24 hours of the incident becoming known to the business licensee.
- (2)** A business licensee must report to the Registrar in writing every instance where a guard dog utilized by a licensee attacks, bites or injures an individual, including the patrol dog handler licensee, within 24 hours of the incident occurring.
- (3)** A business licensee must report a change in information described under section 19(a), (b) or (c) of the Act to the Registrar in writing within 30 days of the change.
- (4)** A business licensee must report to the Registrar in writing when an individual licensee is no longer employed by that business licensee and must include the details of the termination of the employment within 30 days of the termination.
- (5)** If a business licensee fails to comply with this section, the Registrar may cancel or suspend the business licensee's licence or impose additional terms and conditions on the business licensee's licence.

AR 52/2010 s4;45/2015

**Reports**

- 5** A business licensee must keep a copy of any report made under section 19 of the Act
  - (a) for a minimum of 2 years, or
  - (b) if the report relates to an ongoing investigation, inspection, complaint, court proceeding or administrative proceeding, for a minimum of 2 years after the investigation, inspection, complaint, court proceeding or administrative proceeding has concluded,

whichever is later.

AR 52/2010 s5;45/2015

**Locksmith tools**

- 6(1)** In this section, "locksmith tools" mean any instruments designed or that can be modified or adapted, to manipulate manual, electronic, computerized or other locking systems.

(2) A locksmith business licensee must keep records of any locksmith tools used in the course of the locksmith licensee's employment and provide these records to the Registrar on request.

(3) If a locksmith business licensee provides locksmith tools to its locksmith licensee, the locksmith business must ensure the locksmith tools used by a locksmith licensee are returned to the owner of the tools on termination of employment of the locksmith licensee.

AR 52/2010 s6;45/2015

#### **Automotive lock bypass tools**

7(1) If an automotive lock bypass business licensee provides automotive lock bypass tools to its automotive lock bypass worker licensees, the automotive lock bypass business must ensure the automotive lock bypass tools used by an automotive lock bypass worker licensee are returned to the owner of the tools on termination of employment of the automotive lock bypass worker licensee.

(2) Automotive locksmith bypass tools mean any instruments designed, or that can be modified or adapted, to operate the locks, ignition or other switches on a motor vehicle.

AR 52/2010 s7;45/2015

#### **Restrictions on weapons**

8(1) An individual licensee must not carry, use or have in the individual licensee's possession any weapon unless

- (a) permitted by this Regulation,
- (b) the individual licensee is authorized to carry and use the weapon by the terms of the individual licensee's licence, and
- (c) the weapon is issued to the individual licensee by or under the authority of the business licensee who employs or engages the services of the individual licensee.

(2) In accordance with this section, an individual licensee may carry only those weapons that the individual licensee is authorized to use under the terms and conditions of the individual licensee's licence.

#### **Authorized weapons and equipment**

9(1) An individual licensee may be authorized, by the individual licensee's licence, to carry and use the following weapons and equipment:

- (a) in the case of security services workers and investigators, batons not longer than 26 inches in length;
- (b) in the case of locksmiths, any instrument designed, modified or adapted to manipulate manual, electronic, computerized or other locking systems;
- (c) in the case of automotive lock bypass workers, any automotive locksmith bypass tools.

(2) Notwithstanding the individual licensee's licence authorizing equipment the individual licensee may use, a business licensee may limit or restrict the equipment the individual licensee employed or engaged for services by that business licensee may carry and use.

(3) A business licensee may permit the use of additional equipment, other than the equipment listed under subsection (1), to an individual licensee employed or engaged for services by the business licensee.

AR 52/2010 s9;45/2015;154/2015

#### **Restricted weapons or prohibited devices**

**10** A person licensed as a security services worker, investigator, executive security worker, patrol dog handler, locksmith, automotive lock bypass worker, loss prevention worker or security alarm responder must not carry a restricted weapon or a prohibited device as described under Part III of the *Criminal Code* (Canada), unless authorized to do so by the chief firearms officer under the *Firearms Act* (Canada).

#### **Armoured vehicle service**

**11(1)** A security services business that provides an armoured vehicle service is not required to hold a security services business licence.

(2) An armed guard employed by an armoured vehicle service is not required to hold a security services worker licence.

#### **Records**

**12(1)** Every business licensee shall keep the following records:

- (a) records stating the locations where each individual licensee employed by the business licensee was employed, including the locations where each individual licensee provided security services;
- (b) records that include the information described under section 19 of the Act;

- (c) copies of agreements entered into with a client;
- (d) copies of invoices and proofs of payment made and received in relation to the work a licensee is approved to perform or has performed.

(2) Every business licensee shall retain the records referred to under subsection (1) for a minimum of 2 years, unless the records relate to an ongoing investigation, inspection, complaint, court proceeding or administrative proceeding.

(3) If the records referred to in subsection (1) relate to an ongoing investigation, inspection, complaint, court proceeding or administrative proceeding, the business licensee shall retain the records until the investigation, inspection, complaint, court proceeding or administrative proceeding is concluded.

(4) For the purposes of subsection (3), an investigation, inspection, complaint, court proceeding or administrative proceeding is deemed to be concluded once a decision is rendered and all rights of appeal or review have been exhausted.

(5) For the purposes of section 32(c) of the Act, a business licensee must keep all records relating to incidents involving material use of force for a minimum of 2 years.

(6) An investigator must keep the following records for a minimum of 2 years:

- (a) all notes and reports prepared by an investigator;
- (b) all photographs, video, audio or other electronic records produced or obtained by the investigator in the course of providing security services.

(7) Every patrol dog services business licensee must keep the following records for a minimum of 2 years:

- (a) records of the training each patrol dog received;
- (b) records proving the patrol dog handler has received proper training in the use and handling of patrol dogs for security services;
- (c) a copy of the business licensee's policies and procedures on the care and handling of patrol dogs, including feeding, housing, transportation, veterinary care, retirement and euthanasia;
- (d) record logs detailing each time the business licensee issued a patrol dog to an individual licensee for the provision of security services, the name of the patrol dog



and the name of the individual licensee to whom the patrol dog was issued.

**Advertising**

**13** A business licensee shall not advertise or promote services that the business licensee is not licensed to provide.

AR 52/2010 s13;45/2015

**Collection, use and disclosure of personal information**

**14(1)** Without limiting the application of any other provisions of this Regulation allowing or requiring the collection, use or disclosure of personal information, the Registrar may, in accordance with section 33 of the *Freedom of Information and Protection of Privacy Act*, collect, use or disclose personal information that is necessary for and related to the Registrar's duties, functions and powers under this Regulation with respect to

- (a) an application for a licence,
  - (b) verification that insurance requirements are met by a business licensee,
  - (c) licences,
  - (d) inspections,
  - (e) appeals,
  - (f) criminal record checks,
  - (g) international criminal record checks,
  - (h) administrative penalties, and
  - (i) information held by law enforcement agencies.
- (2)** The following persons are required or allowed, as the case may be, to disclose to the Registrar personal information contemplated by the following provisions or matters:
- (a) an applicant for a licence, including a general training licence or a locksmith apprentice licence for the purpose of applying for a licence;
  - (b) a business licensee for the purposes of sections 4 and 12;
  - (c) an individual licensee for the purposes of sections 3 and 12.

**(3)** Personal information may be collected, with respect to this Regulation, from a person other than the individual that that information is about where

- (a) that other person is required or allowed to disclose that information under subsection (2), or
- (b) its collection from that individual is impracticable, and from that other person is necessary or unavoidable, in respect of the Registrar's duties or functions under this Regulation.

**(4)** In this section, "personal information" means personal information about an identifiable individual.

**Offence**

**15** A person who contravenes or fails to comply with any of the following provisions is guilty of an offence:

- section 3(1), (2) or (3);
- section 4(1), (2), (3) or (4);
- section 5;
- section 6(1), (2) or (3);
- section 7(1);
- section 8(1) or (2);
- section 9(1);
- section 12(1), (2), (3), (5), (6) or (7);
- section 13.

AR 52/2010 s15;45/2015

**Expiry**

**16** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on March 31, 2023.

AR 52/2010 s16;45/2015

**Coming into force**

**17** This Regulation comes into force on the coming into force of the *Security Services and Investigators Act*.





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