



Province of Alberta

## SECURITY SERVICES AND INVESTIGATORS ACT

# SECURITY SERVICES AND INVESTIGATORS (MINISTERIAL) REGULATION

### Alberta Regulation 55/2010

With amendments up to and including Alberta Regulation 73/2015

#### Office Consolidation

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(Consolidated up to 73/2015)

**ALBERTA REGULATION 55/2010**

**Security Services and Investigators Act**

**SECURITY SERVICES AND INVESTIGATORS  
(MINISTERIAL) REGULATION**

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**33** Coming into force

## Schedules

**Licences**

**1(1)** The Minister may issue the following classes of licence:

- (a) investigator licence;
- (b) security services licence;
- (c) locksmith licence;
- (c.1) automotive lock bypass licence;
- (d) training licence.

**(2)** The Minister may issue an individual licence to an individual worker and a business licence to a security services business for each class of licence listed in subsection (1).

AR 55/2010 s1;73/2015

**Security services licence**

**2** A security services licence may be issued for the following services:

- (a) general security services;
- (b) loss prevention services;
- (c) executive security services;
- (d) patrol dog handler services;
- (e) security alarm responder services.

AR 55/2010 s2;73/2015

**Locksmith and automotive lock bypass licence**

**3(1)** The following types of locksmith licence may be issued:

- (a) general locksmith licence;
- (b) locksmith equipment sales and promotion licence.

**(2)** The following types of automotive locksmith licence may be issued:

- (a) automotive lock bypass worker licence.

AR 55/2010 s3;73/2015

**Training licence**

**4** The following types of training licence may be issued:

- (a) general training licence;
- (b) locksmith apprentice training licence.

**Application for or renewal of individual licence**

**5(1)** An application for an individual licence must be accompanied by

- (a) a statement signed by the applicant showing what, if any, criminal charges, convictions or investigations there are against the applicant,
- (b) proof that the applicant has reached the age of majority,
- (c) a colour passport-sized photograph of the applicant taken within the previous 3 months and notarized by a person authorized by the Registrar,
- (d) proof that the applicant is a Canadian citizen or lawfully entitled to work in Canada,
- (e) a criminal record check, police information check and vulnerable sector search,
- (f) a statement that the applicant has sufficient fluency in the English language to be able to converse in English with the public while carrying out his or her duties,
- (g) if required for the purposes of the class of licence, proof that the applicant has successfully completed training requirements, including baton training, as approved by the Registrar, and
- (h) any other information requested by the Registrar.

**(2)** An application for renewal of an individual licence must be accompanied by

- (a) a statement signed by the applicant showing what, if any, criminal charges, convictions or investigations there are against the applicant,
- (b) a colour passport-sized photograph of the applicant taken within the previous 3 months and notarized by a person authorized by the Registrar,

- (c) proof that the applicant is a Canadian citizen or lawfully entitled to work in Canada, if a change has occurred since application or last renewal,
- (d) a criminal record check, police information check and vulnerable sector search,
- (e) if required for the purposes of the class of licence, proof that the applicant has successfully completed baton training as approved by the Registrar, and
- (f) any other information requested by the Registrar.

AR 55/2010 s5;73/2015

**Application for or renewal of business licence**

**6(1)** Subject to subsection (3), an application for a business licence must be accompanied by

- (a) proof that the business is incorporated in Canada and has a mailing address in Alberta,
- (b) proof the business has minimum liability insurance of \$1 000 000,
- (c) if required, a municipal business licence or permit,
- (d) a description of the licensed services the business plans to provide,
- (e) a copy of the code of conduct required under section 20,
- (f) colour pictures of uniforms, if applicable,
- (g) colour pictures of vehicles, if applicable,
- (h) samples of the shoulder crest on uniforms, if applicable,
- (i) a copy of the internal policy of the business for training, issuing, using and storing weapons and equipment, if applicable,
- (j) a list of equipment carried and used by individual licensees,
- (k) the complaint management process,
- (l) contact information for senior officials for the business,
- (m) a list of individual licensees that are employed by the business and a list of individuals who, subject to being issued a licence, will be employed by that business,

- (n) a criminal record check, police information check and vulnerable sector search for each director or officer of the business who reside in Alberta,
- (o) a signed statement for each owner and partner of the business showing what, if any, convictions there are against that individual, and
- (p) any other information requested by the Registrar.

(2) Subject to subsection (3), an application for renewal of a business licence must be accompanied by

- (a) proof the business has minimum liability insurance of \$1 000 000,
- (b) if required, a municipal business licence or permit,
- (c) contact information for senior officials for the business,
- (d) a list of individual licensees that are employed by the business and a list of individuals who, subject to being issued a licence, will be employed by that business,
- (e) a criminal record check, police information check and vulnerable sector search for each director or officer of the business located in Alberta,
- (f) a signed statement for each owner and partner of the business showing what, if any, convictions there are against that individual,
- (g) any information requested in subsection (1) where a change has occurred since the application or the previous renewal, and
- (h) any other information requested by the Registrar.

(3) Where the security services provided by a business are not the primary services provided by a business, that business is not required to submit the information referred to in subsection (1)(n) and (o) with the application for or a renewal of a business licence.

AR 55/2010 s6;73/2015

#### **Locksmith licence**

**7(1)** In addition to the requirements under section 351 of the *Criminal Code* (Canada), an applicant for a locksmith licence must provide the Registrar with a copy of the individual's trade certificate or an approved equivalency.

(2) If an individual who holds a locksmith licence wishes to apply for an individual licence in another class of licence, the individual must obtain the Registrar's approval before applying.

(3) Subject to the terms and conditions of the locksmith licence, a locksmith licensee may perform all of the functions performed by an automotive lock bypass worker licensee.

(4) An investigator may not hold a locksmith licence or an automotive lock bypass worker licence.

AR 55/2010 s7;73/2015

#### **Issue of licence**

8 The Registrar may issue a licence subject to any terms and conditions the Registrar considers appropriate.

#### **Term of licence**

9(1) A business licence may be issued for a term of up to 3 years.

(2) Subject to subsection (3), an individual licence may be issued for a term of up to 2 years.

(3) If an individual has a valid Canada work permit, the term of the individual licence expires at the same time the Canada work permit expires.

#### **Terms and conditions of licence**

10(1) The Registrar may, at any time, cancel, suspend or impose any terms and conditions on a licence or a class of licence the Registrar considers appropriate.

(2) If the Registrar cancels, suspends or imposes additional terms and conditions on a licence under subsection (1), the Registrar must provide written notice to the licensee, and if the licensee is an individual licensee, provide written notice to the business licensee that employs or engages the services of that individual licensee.

#### **Restriction on individual licences**

11(1) An individual licence is only valid while the individual licensee is employed or engaged for services by a business licensee.

(2) An individual licensee may not act as or hold out to be a business that can provide, perform or sell security or investigative work.



**Portability of individual licences**

**12(1)** A business licensee must notify the Registrar

- (a) when the business licensee employs an individual licensee, and
- (b) when that individual licensee is no longer employed by the business licensee.

**(2)** An individual licensee may be employed by more than one business licensee, simultaneously or consecutively, during the term of the individual licence.

**13** Repealed AR 73/2015 s8.

**Training**

**14(1)** An applicant for an individual licence must

- (a) complete the applicable training program established by the Registrar for the class of individual licence applied for, and
- (b) pass the training test established by the Registrar with a grade satisfactory to the Registrar.

**(2)** The Registrar may certify a person or business to deliver training programs for a particular class of individual licence.

**(3)** Applicants who request authorization to carry a baton must successfully complete a training course approved by the Registrar.

**(4)** Persons who are authorized to carry a baton must every 36 months successfully complete a recertification course approved by the Registrar.

**(5)** Repealed AR 73/2015 s9.

AR 55/2010 s14;73/2015

**Training licences**

**15(1)** If an individual is in the process of completing training required in order to obtain an individual licence of a particular class of licence, the business licensee that employs that individual must apply to the Registrar for a training licence on behalf of that individual.

**(2)** The Registrar may issue

- (a) a general training licence in accordance with section 4, or

(b) a locksmith apprentice training licence in accordance with section 4.

(3) Any change in information to the application submitted under subsection (1) must be provided by the business licensee to the Registrar within 30 days.

#### **General training licence**

**16(1)** A general training licence may only be issued to an individual once and may not be renewed.

(2) A general training licence may be issued for a term of up to 30 days.

(3) An individual who holds a general training licence must be supervised by an individual licensee who currently holds and has held a valid licence in the same class of licence for a minimum of 2 years.

(4) While on duty, a general training licensee

- (a) must be in the uniform of the employer, if required for that particular class of licence,
- (b) may not carry handcuffs or a baton, and
- (c) may not drive a vehicle.

(5) At any time during the training period, a general training licensee must pass a written examination.

(6) If an individual does not pass the written examination with a grade satisfactory to the Registrar during the term of the general training licence, the individual may re-write the examination at any time within 2 years from the date the general training licence was issued but the individual may not perform any of the functions performed by a licensee.

(7) On passing the written examination with a grade satisfactory to the Registrar, a general training licensee must return the general training licence to the Registrar prior to the Registrar issuing a valid licence for a specific class of licences.

AR 55/2010 s16;73/2015

#### **Locksmith apprentice training licence**

**17(1)** The minimum age for a locksmith apprentice is 16 years.

(2) A locksmith apprentice training licence may be issued for a term of up to 7 years.

- (3) An apprentice locksmith must provide the Registrar and the business licensee employer with proof of enrolment in an apprenticeship program approved by the Registrar.
- (4) An apprentice locksmith may carry lock picks and any other trade tools identified under section 351 of the *Criminal Code* (Canada).

**Security alarm responder business licensees**

- 18(1)** A security alarm responder business licensee must ensure all employees who have access to clients' personal information undergo a police information check and a criminal records check every 3 years.
- (2) The results of the police information check and criminal records check referred to in subsection (1) must be kept on file for a minimum of 3 years and be provided to the Registrar on request.
- (3) A security alarm responder business licensee must ensure the business implements effective and safe storage of the business's clients' personal information and must provide a copy of the business's storage protocols to the Registrar with the application for or renewal of a security alarm responder business licence.

**Exemption from licensing**

- 19(1)** The owner, manager or designate of an owner or manager of a business that attends the premises where a security alarm has been triggered at the request of a security alarm responder or security services business to meet the police, the security services business representative or an alarm responder for the purpose of providing access to, information about or the verification of the validity of an alarm is not required to hold a licence.
- (2) Any individual licensee, other than a locksmith licensee, who has been hired to provide security or investigative services to a business and who responds to a security alarm does not need a security alarm responder licence.

**Code of conduct**

- 20(1)** Every business licensee must establish and maintain a code of conduct for individual licensees it employs or engages the services of.
- (2) The code of conduct must include provisions applicable to the duties and responsibilities of individual licensees the business licensee employs or engages the services of, including

- (a) requiring individual licensees to act with honesty and integrity,
- (b) requiring individual licensees to comply with all federal, provincial and municipal laws,
- (c) requiring individual licensees to respect and use all property and equipment in accordance with the terms and conditions of the individual licensee's licence,
- (d) requiring individual licensees to comply with the terms and conditions of the individual's licence,
- (e) requiring individual licensees to comply with the business licensee's code of conduct for individual licensees,
- (f) prohibiting individual licensees from engaging in disorderly or inappropriate conduct,
- (g) prohibiting individual licensees from withholding or suppressing information, complaints or reports about any other licensee,
- (h) prohibiting individual licensees from making or signing false, misleading or inaccurate statements,
- (i) respecting when confidentiality must be maintained,
- (j) prohibiting individual licensees from consuming alcohol while on duty, except in the performance of the individual licensee's duties,
- (k) prohibiting individual licensees from consuming controlled drugs and controlled substances under the *Controlled Drugs and Substances Act* (Canada), and
- (l) except in the performance of the individual licensee's duties, prohibiting individual licensees from possessing or consuming alcohol.

**Uniforms**

**21(1)** Unless exempted by section 22 or the Registrar, an individual licensee must wear an approved uniform, as designated by the individual's employer, while on duty.

**(2)** An individual licensee must not, while engaged in security or investigative services, wear a uniform that resembles a uniform used by police officers or other law enforcement agencies.

**(3)** A uniform

- (a) may be any colour,
  - (b) may show rank markings on part of the uniform as determined by the business licensee,
  - (c) may only have a white reflective stripe on a pant or hat band,
  - (d) for security services workers, must have the term “SECURITY”, “SECURITY GUARD” or “SECURITY AGENT” clearly displayed on the front, back and both shoulders of all shirts, sweaters, vests, coveralls and jackets with lettering
    - (i) that is a colour that contrasts with the colour of the uniform,
    - (ii) on the front and both shoulders of the uniform that is in upper case and not less than 1.5 centimetres high, and
    - (iii) on the back of the uniform that is in upper case and not less than 5 centimetres high,
- and
- (e) for security service workers, must bear a shoulder flash on the upper sleeve of all shirts, sweaters, coveralls and jackets that clearly displays the name of the business licensee and the shoulder flashes must not resemble a shoulder flash used by a police agency or a peace officer agency.

**(4)** Individual licensees whose uniforms are a suit or include a blazer must wear an identification tag on the suit or blazer lapel that clearly displays the term “SECURITY”, “SECURITY GUARD” or “SECURITY AGENT” and the name of business licensee.

**(5)** This section comes into force 12 months after the coming into force of the Act.

AR 55/2010 s21;73/2015

#### **Exemption from uniforms**

**22(1)** The following classes of licences are exempt from the uniform requirements listed under section 21:

- (a) executive security workers;
- (b) loss prevention workers;

- (c) investigators;
- (d) locksmiths and locksmith apprentices;
- (e) automotive lock bypass workers.

**(2)** If an executive security worker or a loss prevention worker is required by the licensee's employer to wear a uniform, the uniform must comply with the requirements listed under section 21.

**(3)** A business licensee may submit a request in writing to the Registrar for an exemption from the uniform requirements for its individual licensees for specific events or contracts.

### **Badges**

**23(1)** An individual licensee may only use a badge in the course of providing security services if it is issued by the business licensee that employs or engages the services of the individual licensee.

**(2)** A badge issued under this Regulation must meet the standards established by the Registrar.

**(3)** A badge may not form part of or be attached to any part of an individual licensee's uniform.

**(4)** A badge must be returned to the business licensee when the individual licensee is no longer employed by the business licensee.

**(5)** A badge must not be used in place of a licence identification card and must only be shown with a licence identification card.

### **Licence identification card**

**24(1)** The Registrar shall issue a licence identification card to each individual licensee that includes the following information:

- (a) a picture of the individual licensee;
- (b) the name of the individual licensee;
- (c) the licence number;
- (d) the authorized class or classes of licence;
- (e) the expiry date of the licence;
- (f) the terms and conditions of the licence on the back of the licence identification card.

- (2) An individual licensee must carry the licence identification card issued under subsection (1) while on duty, and must present it to any person on request.
- (3) If an individual licensee loses the individual licensee's licence identification card, the loss must be reported to the Registrar within 24 hours.

**Vehicles**

- 25(1)** A vehicle used for security services may be any colour acceptable to the Registrar.
- (2) Vehicle marking must
- (a) include the term "SECURITY", "SECURITY SERVICES" or "SECURITY AGENT" in upper-case letters that are
    - (i) not less than 10 centimetres high on each side of the vehicle, and
    - (ii) not less than 8 centimetres high on the front and back of the vehicle,
  - (b) be displayed clearly in a contrasting colour on the front, back and each side of the vehicle,
  - (c) display the name of the business licensee,
  - (d) display the crest or logo of the business licensee, if any, and
  - (e) may include colour stripes so long as the colour stripes do not resemble the colour stripes or colour combination used by the RCMP, a police agency or a peace officer agency.
- (3) Locksmith licensees, automotive lock bypass worker licensees, investigator licensees, loss prevention worker licensees and executive security service licensees are not required to mark the vehicles used in the performance of security or investigative services.
- (4) Flashing lights, other than turn signals and hazard warning lamps, may be affixed to a vehicle with the prior approval of the Minister responsible for the *Traffic Safety Act*.
- (5) An individual licensee must provide a copy of the approval obtained under subsection (4) to the Registrar.

(6) Subsections (1), (2) and (3) come into force 24 months after the coming into force of the Act.

#### **Acknowledgement of complaints**

**26** On receipt of a complaint under section 24 of the Act, the business licensee must acknowledge to the complainant receipt of the complaint in writing within 30 days and, where the Registrar deems appropriate, notify the individual licensee concerned that a complaint has been made and advise the complainant of the status of the complaint in accordance with section 25 of the Act.

#### **Investigation of complaints**

**27(1)** If an investigation is carried out in respect of a complaint under section 24 of the Act, the business licensee must, where the Registrar deems appropriate, give the individual licensee notice of the details of the complaint.

(2) The investigation must be carried out in accordance with the business licensee's policies and procedures provided to the Registrar under section 6.

#### **Disposition of complaints**

**28(1)** Subject to section 25 of the Act, the authorized employer must dispose of a complaint by making one of the following decisions and giving reasons for the decision:

- (a) the complaint is unfounded;
- (b) the complaint is unsubstantiated;
- (c) the complaint is found to have merit in whole or in part;
- (d) the complaint is frivolous, vexatious or made in bad faith.

(2) If a complaint about an individual licensee is found to have merit or is founded in part, the business licensee must notify the complainant, the individual licensee concerned and the Registrar of the disposition.

(3) If a complaint about an individual licensee is disposed of under section 25(3) of the Act, the employer must notify the complainant in writing of the right of the complainant to have the employer's disposition of the complaint reviewed by the Registrar.

#### **Prohibitions**

**29(1)** The following persons are prohibited from holding a licence under this Regulation:



- (a) a police officer as defined in the *Police Act*;
- (b) a sheriff as defined in the *Civil Enforcement Act*;
- (c) a bailiff as defined in the *Civil Enforcement Act*;
- (d) a collection agency or a collector as defined in the *Fair Trading Act*.

(2) A peace officer as defined in the *Peace Officer Act* may also hold an individual licence under this Regulation.

### Offences

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

- section 14(3);
- section 16(4);
- section 18(1), (2) or (3);
- section 21(1), (2), (3) or (4);
- section 23(1), (2), (3), (4) or (5);
- section 24(2) or (3);
- section 25(1), (2), (3), (4) or (5);
- section 26
- section 27(1) or (2);
- section 28(2) or (3).

### Fees

**30.1** The fees for business licences and individual licences are set out in the Schedule.

AR 73/2015 s12

**31** Repealed AR 73/2015 s13.

### Expiry

**32** 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 55/2010 s32;73/2015

### Coming into force

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

**Schedule  
Fees for Business Licences**

The fee for a one-year term business licence is set out in column 2. The fee for a 2-year or a 3-year term business licence is twice or triple the amount set out in column 2, as the case may be.

Column 1 Licence type	Column 2 Fee (in dollars)
Application for an investigator licence	500
Application for a locksmith licence	500
Application for a locksmith equipment sales and promotion licence	400
Application for an automotive lock bypass licence	400
Application for a security services licence	500
Application for a registered business that employs licensees on an in-house basis	400

**Fees for Individual Licences**

The fee for a one-year term individual licence is set out in column 2. The fee for a 2-year individual licence is twice the amount set out in column 2.

Column 1 Licence type	Column 2 Fee (in dollars)
Application for an investigator licence	80
Application for a locksmith licence	80
Application for a locksmith equipment sales and promotion worker licence	50
Application for an automotive lock bypass worker licence	50
Application for a security services licence	50

AR 55/2010 Sched.;73/2015





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