



## Lecture & Presentation Notes

# BASIC SECURITY TRAINING

## INTRODUCTION TO THE PRIVATE SECURITY & INVESTIGATIVE SERVICES ACT, 2005 (ONTARIO)

COMPILED, WRITTEN & PRESENTED BY  
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Reading Time: 15 minutes

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# INTRODUCTION TO THE PRIVATE SECURITY & INVESTIGATIVE SERVICES ACT, 2005 (ONTARIO)

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The Private Security and Investigative Services Act 2005 (PSISA), is Ontario provincial legislation that regulates the security industry in Ontario. The PSISA as it is often referred to, replaced the Ontario Private Investigators & Security Guards Act of 1965 (PISG). The PSISA is administered by the Private Security & Investigative Services Branch (PSISB) under the Ontario Ministry of Community Safety & Correctional Services.

The PSISA legally mandates specific requirements for companies and individuals who are in the security industry; how they conduct business and provide services. Companies that provide service and individuals who act as security guards, private investigators, bouncers and bodyguards must be in compliance with the PSISA.

## **COMPANY LICENSING & REGISTRATION**

All companies that sell the services of, or employ security guards, private investigators, bouncers and bodyguards must hold a license to engage in the business of selling these services or hold registration as an employer of security practitioners under the PSISA. Companies that sell security services to others are quite often referred to as Contract Security Companies or Contract Security Agencies as they sell their services for a specific contracted period of time to their clients.

Companies that directly employ security guards, private investigators, bouncers and bodyguards for their own exclusive use, must be registered as an employer as such under the PSISA. These companies, while not directly involved in the security industry, may have a security or investigations department or permanent requirement within the company for this type of service. Quite often this type of service is referred to as in-house, proprietary, internal or corporate security. Examples of this would be where the property management of a building or shopping mall directly hires security guards, an entertainment venue directly hires bouncers, or a corporation directly hires private investigators and bodyguards.

In addition to companies either being licensed or registered under the act, they must also have general liability insurance for at least \$2,000,000. Further, companies are responsible for complying with all the regulations specified under the PSISA. Failure to comply can result in fines of up to \$250,000. Directors, partners, owners and officers of a company can also face imprisonment of up to one year and an individual fine of up to \$25,000 for infractions under the PSISA.

Licensed companies and registered employers under the PSISA are legally required to ensure their security uniforms and marked security vehicles meet the specifications of the PSISA, and that records relating to the operation of their business are created and maintained.

## **INDIVIDUAL LICENSING**

Individuals who work as security guards, private investigators, bouncers and bodyguards must be personally licensed under the PSISA. These individuals are also referred to collectively, as security practitioners. The licensing of individuals under the PSISA establishes legally mandatory requirements with regard to background checks, training and the professional conduct of the individual while performing private investigative and security services.

In order to obtain a security guard license which enables the individual to not only work as a security guard but also a bouncer, bodyguard and loss prevention operative; the individual must be of 18 years of age or older, be legally eligible to work in Canada, have a clean criminal record and have successfully completed a 40 hour basic security training program from an approved training provider. Further, the individual must pass a supervised multiple choice examination based on the training program with a minimum score of 62%.

The term “clean criminal record” is a term used in the PSISA to identify that an individual has no record of outstanding warrants or summonses, and no current or prior criminal convictions from a specific list of Canadian criminal code offenses or their equivalent as enumerated in the regulations under the PSISA. For those who have had prior criminal convictions, the only exception are those who have received a formal pardon, also referred to as a record suspension, from the Parole Board of Canada.

Record suspensions or pardons are only granted to those individuals who have completed all the requirements of their sentence and a sufficient amount of time has passed since their sentence completion date as prescribed under the Criminal Records Act. Record suspensions or pardons are not granted automatically at the completion of a sentence but must be formally requested by the individual from the Parole Board of Canada.

Once an application has been submitted for a security guard license, a criminal records check and the identity of the applicant is verified. Only after successful verification and the result of a clean criminal record, a license is issued approximately 15 business days later.

To be clear, in order to work or be hired as a security guard you must have a valid security guard license. If an individual is found guilty of an offence under the PSISA, such as working with an expired, or without a security guard license they may face a fine of up to \$25,000; imprisonment for up to 1 year, or both. Likewise, these penalties may be levied for other infractions under the PSISA.

## **REQUIREMENTS FOR LICENSED INDIVIDUALS**

Under sections 35 and 40 of the PSISA there are General Rules & Standards of Practice a security guard must follow. Specifically:

Licensees must always carry their security license on their person when they are working, and must show this license to anyone who asks them to do so.

Licensees are forbidden by law to have a metal badge or plastic badge or any other additional form of identification not issued or authorized under the PSISA.

Under the PSISA, security guards are prohibited from referring to themselves as “officer”, “security officer”, “constable”, “police”, “detective”, “private detective” or “law enforcement.”

Excluding bodyguards and loss prevention operatives, security guards must wear an approved security guard uniform while working.

Security guards must wear a uniform that has the word SECURITY in upper case letters on the chest of shirts, sweaters and outerwear, below the logo or crest of their employer, and in addition SECURITY in upper case letters must be on the back of outerwear such as windbreakers, winter coats and vests. The security guard must also wear on the chest of their visible garment, an identification tag or nameplate that has either their full name or security guard license number.

Security guard uniform shirts that are button down with a collar must not be black or navy blue, trousers must not have stripes down the side with the exception of reflective safety stripes.

Police or military style forage caps also known as peaked caps and rank chevrons also known as stripes are not authorized to be worn as part of a security uniform under the PSISA.

### **CODE OF CONDUCT**

Under the PSISA, a Code of Conduct is used to define the professional behavior of a security guard. Security guards are bound by this regulation to:

Treat all members of the public in a respectful and professional manner.  
Act with honesty and integrity.

Comply with all federal, provincial and municipal laws.

Treat all persons equally (without discrimination).

Avoid using profanity or abusive language (swearing).

Avoid using excessive (physical) force.

Not to be under the influence of alcohol or drugs while on duty.

### **NO SPECIAL LEGAL AUTHORITY**

As a security guard licensed under the Private Security & Investigative Services Act, security guards do not have any additional legal authority beyond that of a regular citizen. However, being the holder of a valid license confirms the individual has undergone a specific level of security training, has passed a criminal background check and is registered as a security practitioner under the act.

## **OTHER NOTABLE REGULATIONS**

Furthermore, those licensed under the PSISA must also be aware of the following regulations:

An individual who holds both a security guard license and private investigator license, also known as a dual license; cannot act as both at the same time.

A security guard cannot act as a bill collector, bailiff or evict anyone.

An individual security guard license does not allow the individual to set up a security business but does allow the individual to be employed as a security practitioner by a PSISA licensed or registered business.

To operate a security business, a business must either be licensed or registered under the PSISA.

If an individual or business licensed or registered under the PSISA changes or moves from their address, they must notify the Registrar, Private Security & Investigative Services Branch (PSISB), within 5 business days of the change or move.

## **PUBLIC COMPLAINTS**

Any member of the public may file a public complaint against any licensed individual or licensed company if they feel a violation of the private Security & Investigative Services Act has occurred.

Public complaints may lead to facilitation. The Private Security & Investigative Services Branch (PSIB) may investigate the matter and based on their findings the complaint may be cleared, charges may be laid, a warning may be issued or the license may be revoked.

Individual licensees if found guilty of an offence under the PSISA may face a fine of up to \$25,000; imprisonment for up to 1 year or both. Thus it is very important all licensees familiarize themselves with the PSISA, act accordingly and maintain detailed written reports and records while on duty.

Company licensees if found guilty of an offence under the PSISA may face a fine of up to \$250,000 and individual directors, partners, owners or managers of the company may face a fine of up to \$25,000; imprisonment for up to 1 year or both.



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Robert Ing is a forensic intelligence specialist and has appeared on North American news networks on the issues of technology crime, computer security, privacy and identity theft. With over 25 years experience in the public and private safety and security sectors, he has worked in the biomedical, technical, privacy and risk management aspects of safety and security.

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