



**THE PRIVATE INVESTIGATORS AND SECURITY GUARDS
REGULATIONS 1975, AMENDMENT NO. 6**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 29th day of May 1995

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 71 of the Private Investigators and Security Guards Act 1974, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Private Investigators and Security Guards Regulations 1975, Amendment No. 6, and shall be read together with and deemed part of the Private Investigators and Security Guards Regulations 1975* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1995.

2. Prescribed fees—Regulation 4 (5) of the principal regulations is hereby amended by omitting the words “or by any auditor acting under Part II of these regulations”,.

*S.R. 1975/188

Amendment No. 1: (Revoked by 1987/49)

Amendment No. 2: (Revoked by 1987/185)

Amendment No. 3: (Revoked by 1991/194)

Amendment No. 4: S.R. 1991/194

Amendment No. 5: S.R. 1994/287

3. Audit provisions—Part II of the principal regulations is hereby amended by—

(a) Omitting the heading “PART II—AUDIT PROVISIONS”, and substituting the heading “PART II—MISCELLANEOUS PROVISIONS”;

(b) Revoking regulations 12 to 23.

4. Offences—Regulation 25(1) of the principal regulations is hereby amended by omitting the words “, auditor, banker,”.

5. Forms amended—The First Schedule to the principal regulations is hereby amended by revoking forms 1, 2, 3, 4, 7, 10, and 11, and substituting the forms 1, 2, 3, 4, 7, 10, and 11 as set out in the Schedule to these regulations.

6. Third Schedule revoked—The Third Schedule to the principal regulations is hereby revoked.

Reg. 5

SCHEDULE
NEW FORMS SUBSTITUTED

Section 18

Form 1

APPLICATION FOR PRIVATE INVESTIGATORS LICENCE BY AN INDIVIDUAL*

To:

The Registrar of Private Investigators and Security Guards:

I, [Full Name] of [Residential Address], [Occupation], solemnly and sincerely declare as follows:

1. That I was born on [Specify date of birth] at [Specify place and country of birth].

2. That within the last 3 years I have carried on business as a private investigator (or worked as a responsible employee of a private investigator) as follows: [Give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph.]

3. That I have not previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.

or

That a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator held by me was cancelled on the day of 19..... .

4. That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [Give details.]

5. That I have not been detained in a penal institution at any time within the last 5 years.

or

That I have been detained in a penal institution within the last 5 years as follows:

[Give details of sentence(s) served, and the nature of the offence(s) of which you were convicted.]

6. That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

7. That if a licence is granted to me I intend to carry on business as a private investigator at each of the following addresses:

- (a)
- (b)
- (c)
- (d)

and to have my registered office at:

8. That my address for service of notices relating to this application is:

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 1—continued

And I hereby apply for a private investigator's licence.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19..... .

Signature of Applicant

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

**If the applicant is a company Form 3 must be used instead of this form.*

NOTES

1. If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 4 of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):

(iv) Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):

(v) Burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):

(vi) False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):

(vii) Personation and acknowledging an instrument in a false name:

(viii) Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 1—continued

(ix) *Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):*

(x) *Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):*

(xi) *Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):*

(b) *Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—*

(i) *Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:*

(ii) *Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):*

(iii) *Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):*

(iv) *Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):*

(c) *Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—*

(i) *Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):*

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*Form 1—*continued*

(ii) *Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):*

(iii) *Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).*

2. *This application must be accompanied by the application fee of \$245 and by 2 identical photographs of yourself. The photographs must be of good quality, show your head and shoulders, and measure between 2.5 and 4 centimetres in width and between 2.5 and 5 centimetres in height.*

3. *You are required to serve a copy of this application on the senior police officer of the district in which you reside. It would help that officer to process your application if you attached a photograph of yourself to the copy of your application. In addition, you are required to give notice of your application in Form 5 or Form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.*

4. *If you have any queries ask the Registrar who will be pleased to assist you.*

SCHEDULE—*continued*

NEW FORMS SUBSTITUTED—*continued*

Section 18

Form 2

APPLICATION FOR SECURITY GUARD'S LICENCE BY AN INDIVIDUAL*

To:

The Registrar of Private Investigators and Security Guards:

I, [Full Name] of [Residential address], [Occupation], solemnly and sincerely declare as follows:

1. That I was born on [Specify date of birth] at [Specify place and country of birth].

2. That within the last 3 years I have carried on business as a security guard (or worked as a responsible employee of a security guard) as follows: [Give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph.]

3. That I have not previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

That a security guard's licence or a certificate of approval to be a responsible employee of a security guard held by me was cancelled on the day of 19..... .

4. That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [Give details.]

5. That I have not been detained in a penal institution at any time within the last 5 years.

or

That I have been detained in a penal institution within the last 5 years as follows:

[Give details of sentence(s) served, and the nature of the offence(s) of which you were convicted.]

6. That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

7. That if a licence is granted to me I intend to carry on business as a security guard at each of the following addresses:

- (a)
- (b)
- (c)
- (d)

and to have my registered office at:

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*Form 2—*continued*

8. That my address for service of notices relating to this application is:

.....

And I hereby apply for a security guard's licence.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19.....

Signature of Applicant

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

**If the applicant is a company Form 4 must be used instead of this form.*

NOTES

1. If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 4 of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):

(iv) Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):

(v) Burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):

(vi) False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):

(vii) Personation and acknowledging an instrument in a false name:

(viii) Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 2—continued

statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):

(ix) Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):

(x) Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):

(xi) Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):

(b) Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—

(i) Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:

(ii) Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):

(iii) Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):

(iv) Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):

(c) Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—

(i) Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 2—continued

(ii) *Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):*

(iii) *Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).*

2. *This application must be accompanied by the application fee of \$245 and by 2 identical photographs of yourself. The photographs must be of good quality, show your head and shoulders, and measure between 2.5 and 4 centimetres in width and between 2.5 and 5 centimetres in height.*

3. *You are required to serve a copy of this application on the senior police officer of the district in which you reside. It would help that officer to process your application if you attached a photograph of yourself to the copy of your application. In addition, you are required to give notice of your application, in Form 5 or Form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.*

4. *If you have any queries ask the Registrar who will be pleased to assist you.*

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*

Section 18

Form 3

APPLICATION FOR PRIVATE INVESTIGATOR'S LICENCE BY A COMPANY

To:

The Registrar of Private Investigators and Security Guards:

PURSUANT to section 18 of the Private Investigators and Security Guards Act 1974 [*Name of company*], a duly incorporated company having its registered office at, hereby applies for a private investigator's licence.

Dated at this day of 19..... .

Signature of Director:

Name of Director:

Witness:

SUPPORTING DECLARATION BY DIRECTOR

I, [*Full Name*] of [*Residential address*], [*Occupation*], solemnly and sincerely declare as follows:

1. That I am a director of [*Name of applicant company*], a duly incorporated company having its registered office at, and as such am authorised to make this declaration.

2. That the officers of the company are:

Full Name, Residential Address, and Occupation of Officer	Date of Birth	Place and Country of Birth	Officer's Designation
1.			
2.			
3.			
4.			

3. That within the last 3 years the said officers have carried on business as private investigators (or worked as responsible employees of private investigators) as follows: [*Give details of the previous experience of each officer within the last 3 years. If any officer has had no such experience, state that fact.*]

4. That the company has not previously held a private investigator's licence that has been cancelled within the last 5 years.

or

That a private investigator's licence held by the company was cancelled on the day of 19..... .

5. That no officer of the company has previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.

SCHEDULE—*continued*

NEW FORMS SUBSTITUTED—*continued*

Form 3—*continued*

or

That the following officer(s) of the company previously held a private investigator’s licence or a certificate of approval to be a responsible employee of a private investigator that was cancelled within the last 5 years: *[Give details.]*

6. That the company has not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That the company has been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: *[Give details.]*

7. That no officer of the company has been convicted of a crime involving dishonesty or a specified offence within the last 5 years.

or

That the following officer(s) was (were) convicted of the following crimes involving dishonesty or a specified offence within the last 5 years: *[Give details.]*

8. That no officer of the company has been detained in a penal institution within the last 5 years.

or

That the following officer(s) was (were) detained in a penal institution within the last 5 years: *[Give details of sentence(s) served and the nature of the offence(s) of which the officer(s) was (were) convicted.]*

9. That at the date of this application the company satisfies the solvency test as set out in section 4 of the Companies Act 1993.

10. That no officer of the company is a bankrupt, and at the date of this declaration each officer is able to pay his or her debts.

11. That in addition to the business of a private investigator, the company carries on or proposes to carry on business as: *[Give details.]*

12. That if a licence is granted to the company it intends to carry on business as a private investigator at each of the following addresses:

- (a)
- (b)
- (c)
- (d)

and to have its registered office at:

13. That the company’s address for service of notices relating to this application is:.....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 3—continued

Declared at this day of 19.....

Signature of Director

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

NOTES

1. If the company or an officer of the company has been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 6 or clause 7 of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):

(iv) Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):

(v) Burglary (including entering with intent, being armed with intent to break or enter, being disguised or in possession of instruments for burglary):

(vi) False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):

(vii) Personation and acknowledging an instrument in a false name:

(viii) Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):

(ix) Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):

(x) Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*Form 3—*continued*

reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):

(xi) *Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):*

(b) *Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—*

(i) *Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:*

(ii) *Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):*

(iii) *Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):*

(iv) *Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):*

(c) *Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—*

(i) *Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):*

(ii) *Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):*

(iii) *Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).*

SCHEDULE—continued**NEW FORMS SUBSTITUTED—continued****Form 3—continued**

2. *Clause 9 of this form must be completed by all applicants, as it applies to all companies governed by the Companies Act 1955 and all companies governed by the Companies Act 1993.*

3. *This application must be accompanied by the prescribed fee of \$245.*

4. *The company is required to serve a copy of this application on the senior police officer of the district in which its registered office is situated. In addition, it is required to give notice of this application, in Form 5 or Form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.*

5. *If you have any queries ask the Registrar who will be pleased to assist you.*

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 4

Section 18

APPLICATION FOR SECURITY GUARD'S LICENCE BY A COMPANY

To:

The Registrar of Private Investigators and Security Guards:

.....

PURSUANT to section 18 of the Private Investigators and Security Guards Act 1974 [*Name of company*], a duly incorporated company having its registered office at, hereby applies for a security guard's licence.

Dated at this day of 19..... .

Signature of Director:

Name of Director:

Witness:

SUPPORTING DECLARATION BY DIRECTOR

I, [*Full Name*] of [*Residential Address*], [*Occupation*], solemnly and sincerely declare as follows:

1. That I am a director of [*Name of applicant company*], a duly incorporated company having its registered office at, and as such am authorised to make this declaration.

2. That the officers of the company are:

Full Name, Residential Address, and Occupation of Officer	Date of Birth	Place and Country of Birth	Officer's Designation
1.			
2.			
3.			
4.			

3. That within the last 3 years the said officers have carried on business as security guards (or worked as responsible employees of security guards) as follows: [*Give details of the previous experience of each officer within the last 3 years. If any officer has had no such experience, state that fact.*]

4. That the company has not previously held a security guard's licence that has been cancelled within the last 5 years.

or

That a security guard's licence held by the company was cancelled on the day of 19..... .

5. That no officer of the company has previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 4—continued

That the following officer(s) of the company held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that was cancelled within the last 5 years: *[Give details.]*

6. That the company has not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That the company has been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: *[Give details.]*

7. That no officer of the company has been convicted of a crime involving dishonesty or a specified offence within the last 5 years.

or

That the following officer(s) was (were) convicted of the following crimes involving dishonesty or a specified offence within the last 5 years: *[Give details.]*

8. That no officer of the company has been detained in a penal institution within the last 5 years.

or

That the following officer(s) was (were) detained in a penal institution within the last 5 years: *[Give details of sentence(s) served and the nature of the offence(s) of which the officer(s) was (were) convicted.]*

9. That at the date of this application the company satisfies the solvency test as set out in section 4 of the Companies Act 1993.

10. That no officer of the company is a bankrupt, and at the date of this declaration each officer is able to pay his or her debts.

11. That in addition to the business of a security guard, the company carries on or proposes to carry on business as: *[Give details.]*

12. That if a licence is granted to the company it intends to carry on business as a security guard at each of the following addresses:

- (a)
- (b)
- (c)
- (d)

and to have its registered office at:

13. That the company's address for service of notices relating to this application is:

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 4—continued

Declared at this day of 19.....

Signature of Director

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

NOTES

1. If the company or an officer of the company has been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 6 or clause 7 of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):

(iv) Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):

(v) Burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):

(vi) False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):

(vii) Personation and acknowledging an instrument in a false name:

(viii) Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):

(ix) Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 4—continued

(x) *Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):*

(xi) *Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):*

(b) *Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—*

(i) *Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:*

(ii) *Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):*

(iii) *Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):*

(iv) *Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):*

(c) *Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—*

(i) *Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):*

(ii) *Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):*

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*Form 4—*continued*

(iii) *Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).*

2. *Clause 9 of this form must be completed by all applicants, as it applies to all companies governed by the Companies Act 1955 and all companies governed by the Companies Act 1993.*

3. *This application must be accompanied by the prescribed fee of \$245.*

4. *The company is required to serve a copy of this application on the senior police officer of the district in which its registered office is situated. In addition, it is required to give notice of this application, in Form 5 or Form 5A where appropriate, in such newspaper or newspapers as the Registrar may specify.*

5. *If you have any queries ask the Registrar who will be pleased to assist you.*

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Section 32

Form 7

APPLICATION BY LICENSEE COMPANY FOR APPROVAL OF NEW OFFICER

To:

The Registrar of Private Investigators and Security Guards:

PURSUANT to section 32 of the Private Investigators and Security Guards Act 1974 [*Name of company*], a duly incorporated company having its registered office at, hereby applies for your approval to the appointment of [*Full name of proposed officer*] of [*Address*], [*Occupation*] to be an officer of the company.

Dated at this day of 19..... .

Signature of Director:

Name of Director:

Witness:

SUPPORTING DECLARATION BY A DIRECTOR

I, [*Full Name*] of [*Residential address*], [*Occupation*], solemnly and sincerely declare as follows:

1. That I am a director of [*Name of licensee company*], a duly incorporated company having its registered office at, and as such am authorised to make this declaration.

2. That the company is the holder of a private investigator's (or security guard's) licence, and wishes to appoint [*Full name of proposed officer*] of [*Residential address*], [*Occupation*] to be [*State position to which it is intended to appoint the proposed officer*] of the company.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19..... .

Signature of Director

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

SUPPORTING DECLARATION BY PROPOSED OFFICER

Part A*

I, [*Full Name*] of [*Residential address*], [*Occupation*], solemnly and sincerely declare as follows:

1. That I was born on [*Specify date of birth*] at [*Specify place and country of birth*].

2. That within the last 3 years I have carried on business as a private investigator (or worked as a responsible employee of a private investigator) as follows: [*Give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph.*]

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 7—continued

3. That I have not previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.

or

That a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator held by me was cancelled on the day of 19.....

4. That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: *[Give details.]*

5. That I have not been detained in a penal institution at any time within the last 5 years.

or

That I have been detained in a penal institution within the last 5 years as follows:

[Give details of sentence(s) served, and the nature of the offence(s) of which you were convicted.]

6. That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

Declared at this day of 19.....

Signature of Proposed Officer

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

**To be filled in only if the applicant company is the holder of a private investigator's licence. If the applicant company is the holder of a security guard's licence Part B should be filled in.*

Part B

I, *[Full Name]* of *[Residential address]*, *[Occupation]*, solemnly and sincerely declare as follows:

1. That I was born on *[Specify date of birth]* at *[Specify place and country of birth]*.

2. That within the last 3 years I have carried on business as a security guard (or worked as a responsible employee of a security guard) as follows: *[Give details of your previous experience within the last 3 years. If you have had no such experience, strike out the whole of this paragraph.]*

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 7—continued

3. That I have not previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

That a security guard's licence or a certificate of approval to be a responsible employee of a security guard held by me was cancelled on the day of 19..... .

4. That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [Give details.]

5. That I have not been detained in a penal institution at any time within the last 5 years.

or

That I have been detained in a penal institution within the last 5 years as follows:

[Give details of sentence(s) served, and the nature of the offence(s) of which you were convicted.]

6. That I am not a bankrupt, and at the date of this declaration I am able to pay all my debts.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19..... .

Signature of Proposed Officer

.....
before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

NOTES

1. If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 4 of Part A of this form or clause 4 of Part B of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses);

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 7—continued

misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) *Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):*

(iv) *Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):*

(v) *Burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):*

(vi) *False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):*

(vii) *Personation and acknowledging an instrument in a false name:*

(viii) *Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):*

(ix) *Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):*

(x) *Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):*

(xi) *Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):*

(b) *Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—*

(i) *Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:*

(ii) *Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding*

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 7—continued

and abetting suicide, suicide pacts, and concealing the dead body of a child):

(iii) Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):

(iv) Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):

(c) Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—

(i) Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):

(ii) Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):

(iii) Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).

2. If you have any queries ask the Registrar who will be pleased to assist you.

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*

Form 10

Section 36

APPLICATION FOR APPROVAL OF RESPONSIBLE EMPLOYEE OF PRIVATE
INVESTIGATOR

To:

The Registrar of Private Investigators and Security Guards:

PURSUANT to section 36 of the Private Investigators and Security Guards Act 1974, I, [Full Name], of [Address of registered office], [Occupation] being the holder of a private investigator's licence, seek your approval to the employment, in my business as a private investigator, of [Full name of proposed employee], of [Residential address], [Occupation] as a responsible employee.

Signed at this day of 19..... .

.....
Signature of Applicant

SUPPORTING DECLARATION BY PROPOSED EMPLOYEE

I, [Full Name] of [Residential address], [Occupation], solemnly and sincerely declare as follows:

1. That I was born on [Specify date of birth] at [Specify place and country of birth].

2. That I have not previously held a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator that has been cancelled at any time within the last 5 years.

or

That a private investigator's licence or a certificate of approval to be a responsible employee of a private investigator held by me was cancelled on the day of 19..... .

3. That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [Give details.]

4. That I have not been detained in a penal institution at any time within the last 5 years.

or

That I have been detained in a penal institution within the last 5 years as follows:

[Give details of sentence(s) served, and the nature of the offence(s) of which you were convicted.]

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

SCHEDULE—*continued*NEW FORMS SUBSTITUTED—*continued*Form 10—*continued*

Declared at this day of 19.....

Signature of Proposed Employee

before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

NOTES

1. If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 3 of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):

(iv) Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):

(v) Burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):

(vi) False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):

(vii) Personation and acknowledging an instrument in a false name:

(viii) Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):

(ix) Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):

(x) Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 10—continued

corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):

(xi) Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):

(b) Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—

(i) Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:

(ii) Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):

(iii) Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):

(iv) Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):

(c) Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—

(i) Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):

(ii) Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):

(iii) Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).

2. This application must be accompanied by the application fee of \$100 and by 2 identical photographs of the proposed employee. The photographs must be of good

SCHEDULE—continued**NEW FORMS SUBSTITUTED—continued****Form 10—continued**

quality, show the head and shoulders of the proposed employee, and measure between 2.5 and 4 centimetres in width and between 2.5 and 5 centimetres in height.

3. The applicant is required to serve a copy of this application on the senior police officer of the district in which his or her registered office is situated. It would help that officer to process the application if a photograph of the proposed employee was attached to the copy of the application.

4. If the applicant or the responsible employee has any queries he or she should ask the Registrar who will be pleased to assist him or her.

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 11

Section 36

APPLICATION FOR APPROVAL OF RESPONSIBLE EMPLOYEE OF SECURITY
GUARD

To:

The Registrar of Private Investigators and Security Guards:

PURSUANT to section 36 of the Private Investigators and Security Guards Act 1974, I, [Full name], of [Address of registered office], being the holder of a security guard's licence, seek your approval to the employment, in my business as a security guard, of [Full name of proposed employee], of [Residential address], [Occupation] as a responsible employee.

Signed at this day of 19..... .

.....

Signature of Applicant

SUPPORTING DECLARATION BY PROPOSED EMPLOYEE

I, [Full Name] of [Residential address], [Occupation], solemnly and sincerely declare as follows:

1. That I was born on [Specify date of birth] at [Specify place and country of birth].

2. That I have not previously held a security guard's licence or a certificate of approval to be a responsible employee of a security guard that has been cancelled at any time within the last 5 years.

or

That a security guard's licence or a certificate of approval to be a responsible employee of a security guard held by me was cancelled on the day of 19..... .

3. That I have not been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years.

or

That I have been convicted of a crime involving dishonesty or a specified offence at any time within the last 5 years: [Give details.]

4. That I have not been detained in a penal institution at any time within the last 5 years.

or

That I have been detained in a penal institution within the last 5 years as follows:

[Give details of sentence(s) served, and the nature of the offence(s) of which you were convicted.]

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 11—continued

Declared at this day of 19..... .

Signature of Proposed Employee

before me
Justice of the Peace, Solicitor,
or other person authorised to
take statutory declarations.

NOTES

1. If you have been convicted of a crime involving dishonesty or a specified offence within the previous 5 years, you must list these convictions under clause 3 of this form. For your information,—

(a) Crimes involving dishonesty are those crimes described in sections 108 to 117 and section 217 to 292 of the Crimes Act 1961. The crimes described in these sections are—

(i) Misleading justice (in particular, perjury, false oaths, false statements or declarations, fabricating evidence, use of a purported affidavit or declaration, conspiring to bring a false accusation, conspiring to defeat justice, and corrupting juries and witnesses):

(ii) Theft (including theft of animals, theft by a person required to account, theft by a person holding power of attorney, theft by misappropriating proceeds held under direction, theft by a co-owner, and theft by a husband or wife):

(iii) Crimes resembling theft (in particular, conversion or attempted conversion of motorcars etc., possession of instruments for conversion, taking or dealing with certain documents with intent to defraud, criminal breach of trust, fraudulently destroying a document, fraudulent concealment, and bringing stolen things into New Zealand):

(iv) Robbery and extortion (including aggravated robbery, compelling execution of documents by force, assault with intent to rob, extortion by certain threats, and demanding with intent to steal):

(v) Burglary (including entering with intent, being armed with intent to break or enter, and being disguised or in possession of instruments for burglary):

(vi) False pretences (in particular, obtaining by false pretence and obtaining credit fraudulently):

(vii) Personation and acknowledging an instrument in a false name:

(viii) Fraud (in particular, false statement by a promoter, falsifying accounts relating to public funds, false accounting by an officer or member of a body corporate, false accounting by an employee, false statement by a public officer, issuing false dividend warrants, concealing deeds and encumbrances, and conspiracy to defraud):

(ix) Receiving (in particular, receiving property dishonestly obtained, receiving property of a husband or wife, and taking a reward for recovery of stolen goods):

(x) Forgery (including uttering forged documents, altering or reproducing a document with intent to defraud, using an altered or a reproduced document with intent to defraud, counterfeiting public or

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 11—continued

corporate seals, sending a false telegram, procuring execution of a document by fraud, possessing forged bank notes, drawing a document without authority, using probate obtained by forgery or perjury, paper or implements for forgery, counterfeiting stamps, falsifying registers, falsifying extracts from registers, uttering false certificates, forging certificates, and imitating authorised marks or customary marks):

(xi) Coinage (in particular, preparations for coining, counterfeiting coin, altering coin, impairing coin, defacing coin, melting coin, possessing or uttering counterfeit coin, buying and selling counterfeit coin, and importing and exporting counterfeit coin):

(b) Specified offences are those crimes described in sections 104, 105B, 158 to 181, 188 to 204, and 216B to 216D of the Crimes Act 1961. The crimes described in these sections are—

(i) Corruption and bribery of a law enforcement officer and use or disclosure of personal information disclosed under section 105A of the Crimes Act 1961:

(ii) Murder and manslaughter offences (including attempt to murder, counselling or attempting to procure murder, conspiracy to murder, being an accessory after the fact to murder, infanticide, aiding and abetting suicide, suicide pacts, and concealing the dead body of a child):

(iii) Assaults and injuries to the person (in particular, wounding with intent, injuring with intent, injuring by an unlawful act, aggravated wounding or injury, aggravated assault, assault with intent to injure, assault on a child, cruelty to a child, common assault, disabling, discharging a firearm or doing a dangerous act with intent, using any firearm against a law enforcement officer, commission of a crime with a firearm, acid throwing, poisoning with intent, infecting with disease, setting traps, possession of offensive weapons or disabling substances, endangering transport, and impeding rescue):

(iv) Crimes against personal privacy (in particular, prohibition on the use of listening devices, prohibition on the disclosure of private communications unlawfully intercepted, and prohibition on dealing etc., with listening devices):

(c) Specified offences are also those crimes described in sections 3, 5, 5A, 6, 9, 10, 14, 15, 18, 19, 20, or 21 of the Summary Offences Act 1981. The crimes described in these sections are—

(i) Offences against public order (in particular, disorderly behaviour, disorderly behaviour on private premises, disorderly assembly, and associating with convicted thieves):

(ii) Offences against persons and property (in particular, common assault, assault on a police, prison or traffic officer, and possession of burglary tools):

(iii) Offences resembling forgery or fraud (in particular, seeking donations by false pretences, imitation of Court documents, imitation of official documents, false claim of qualifications, and intimidation).

2. This application must be accompanied by the application fee of \$100 and by 2 identical photographs of the proposed employee. The photographs must be of good

SCHEDULE—continued

NEW FORMS SUBSTITUTED—continued

Form 11—continued

quality, show the proposed employee's head and shoulders, and measure between 2.5 and 4 centimetres in width and between 2.5 and 5 centimetres in height.

3. The applicant is required to serve a copy of this application on the senior police officer of the district in which his or her registered office is situated. It would help that officer to process the application if a photograph of the proposed employee was attached to the copy of the application.

4. If the applicant or the responsible employee has any queries he or she should ask the Registrar who will be pleased to assist him or her.

DIANE WILDERSPIN,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 1995, amend the Private Investigators and Security Guards Regulations 1975. The amendments are mainly consequential upon the Private Investigators and Security Guards Amendment Act 1995.

The Private Investigators and Security Guards Act 1975 as amended no longer requires a private investigator to—

- (a) Lodge a bond with the Crown while holding a private investigator's licence; and
- (b) Pay any money received by a client into a special trust account; and
- (c) Arrange for his or her trust account to be audited.

The Act as amended has also changed the considerations which the Registrar of Private Investigators and Security Guards takes into account when deciding whether to grant private investigators licences or security guards licences. The Registrar will take into account whether an applicant for either licence—

- (a) Has been convicted at any time within the preceding 5 years of any crime involving dishonesty or of a specified offence;
- (b) Has been detained at any time within the preceding 5 years in a penal institution because he or she has been convicted of an offence.

Regulations 2, 3, 4, and 6 reflect these amendments. New application forms 1, 2, 3, 4, 7, 10, and 11 have also been substituted to take account of these changes (Regulation 5).

For ease of reference, the notes to forms 1, 2, 3, 4, 7, 10, and 11 now also list what constitutes a crime involving dishonesty or a specified offence.

Forms 3, 4, and 7 have also been amended in light of the Companies Act 1993. In particular, a director may sign these forms in the presence of a witness and the common seal does not need to be affixed. Forms 3 and 4 also now refer to the solvency test as set out in section 4 of the Companies Act 1993.

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