### GOVERNMENT OF PAKISTAN MINISTRY OF INTERIOR <><><>

# STANDARD OPERATING PROCEDURE (SOP) - 2020 ON ISSUANCE OF NOC TO PRIVATE SECURITY COMPANIES AT THE TIME OF THEIR INCORPORATION, CHANGE OF DIRECTORS, ETC.

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In exer	cise of powers conferred	d upon Ministry of Interior, under the Rules of Business, 1973, the following				
SOP o	on issuance of NOC to	Private Security Companies at the time of their incorporation, change of				
		ed as given here under:-				
1.	Short Title	- This SOP may be called Standard Operating Procedure (SOP)				
		2020 on issuance of NOC to Private Security Companies at the time of				
		their incorporation, change of directors, etc				
1.1	Scope	- This SOP provides for;				
		<ul> <li>The establishment of new Private Security Companies in the</li> </ul>				
		country, Monitoring and Regulating the functions of Private Security				
		Monitoring and Regulating the functions of Private Security Companies and				
		Matters ancillary to the above.				
1.2	Jurisdiction	This SOP shall apply to the whole of Pakistan and will also cover Azad				
1.2	Jurisdiction	Jammu & Kashmir (AJ&K) Territory and Gilgit-Baltistan.				
1.3	Commencement	The SOP shall come into force at once and supersede all previous policies				
1.5	Commencement	and instructions of Ministry of Interior, Government of Pakistan on the				
	-	aforesaid subject.				
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2.	Definitions					
2.1		In this SOP, unless the context requires otherwise:				
		a) Private Security Company means a private limited having at least 2				
		directors, registered with SECP and duly approved by MOI for the				
		purpose of providing private security services to private and public				
		sector.				
		b) Competent Authority means Secretary Interior, Government of				
		Pakistan or an officer of the Ministry of Interior authorized by the				
		Secretary				
		c) Licensing Authority means Chief Commissioner in ICT, Home				
		Secretary in Provinces, GB, AJK and Additional Chief Secretary in				
		FATA.				
		d) Private Security Guard means a person, who is a major but not				
		more than the age of 60 years, is engaged with a Private Security				
		Company to do security work or watch and ward work.  e) PSC stands for Private Security Company.				
		f) LEA stands for Law Enforcement Agency.				
		g) MOI stands for Ministry of Interior.				
		h) SECP stands for Securities and Exchange Commission of Pakistan.				
		i) NRO stands for National Reconciliation Ordinance.				
		Three stands for traditional resonantial or annumber.				
2.2	Private Security	i. For the purpose of this SOP Private Security means a non-				
2.2	Filvate occurry	governmental, private-sector practice of protecting people.				
		property, and safeguarding organizations' assets.				
3.	Permission to Establi	sh a Company				
3.1	Other laws also	The NOC of MOI shall not obviate the need for any other permission or				
5.1	applicable	procedural compliance as required under any other law or lawful instruction				
		of the Federal Government or the relevant Provincial Government.				
4.	Eligibility and Criteria	to apply for NOC of MOI for establishing Private				
Se	curity Company					
4.1		A company shall be registered company with SECP after getting security				
		clearance and fulfilling all other mandatory codal formalities.				
5.	Eligibility for fresh ap	pilcant				
N	<ul> <li>A citizen of Pakistan can apply for establishing Private Security Company subject to fulfilment</li> </ul>					
II	of the following conditions:  The applicant should be at least 25 years of age.					
V	• The app	have valid CNIC.				
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-2-National Tax Number. Should be financially sound having more than Rs.5 million in the account of the applicant for the last three months. Not dual national, not NRO beneficiary, Never convicted for any offence other than minor offences (like traffic violation) by any court of law (affidavit to be attached). One of the Directors of the proposed PSC should be retired Officer of Armed Forces / Only one authorization / NOC will be allowed to an applicant. Security clearance of all directors. Certified trained man power. The person should not be a Director in any other Private Security Company ehich may amount to conflict of interest. Eligibility for incorporation of a New Director A new Director may be incorporated in an already established Private Security Company subject to fulfilment of the following conditions: The applicant should be at least 25 years of age. Should have Valid CNIC. National Tax Number. Not dual national, not NRO beneficiary. Never convicted for any offence other than minor offences (like traffic violation) by any court of law (affidavit to be attached). Security clearance. The person should not be a director in any other private security company which may amount to conflict of interest. Setting up PSC by a Public Body Similarly, a public body requesting for establishment of a private security company can apply for NOC after seeking relevant clearance/ permission from the Competent Authority which administers it and fulfilment of required formalities to set up a private security company. Procedure to Register as a Private Security Company Submission of On completion of the required documents, SECP will forward following case by SECP to documents of the proposed PSC to MOI for NOC prior to incorporation under Companies Act, 2017:a) Memorandum and Articles of Association showing authorized capital and the paid up capital (to be taken up by the subscriber directors in case of new companies) of more than Rs.10 million and likewise the existing companies shall also maintain their paid-up capital of more than Rs.10 million b) Financial Statement showing more than a sum of Rs.10.00 million in the account of the Director(s) of the proposed company. c) CVs & Photographs of the (proposed) Director(s) d) Copies of valid CNIC of the (proposed) Director(s) Verification of Character and Antecedents of the Applicants a) The Intelligence Agencies may be given 10-12 weeks for verification of Verification by antecedents/details input/issuance of NOC. The condition may be considered applicable provided the required documents are duly shared with the concerned agencies accordingly. b) Security Agencies will submit report regarding PSCs activities to MOI annually. The security reports shall facilitate the Competent Authority in decision making. The final decision will rest with the Competent Authority in MOI.

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#### Scrutiny and Recommendation Procedure 10. On receiving clearance from all security agencies, the case will be placed 10.1 Scrutiny before the following Committee for scrutiny and recommendation for issuance Committee of NOC to SECP a) Additional Secretary-I Chairman b) Joint Secretary Member c) Deputy Secretary Secretary d) Rep from ISI (At least BS-20) Member Rep from IB (At least BS-20) Member

The state of the s		f) Rep from MI (At least BS-20) Member g) SECP officer (Equivalent to BS-20) Member
10.2	Scrutiny Criteria	The Committee shall scrutinize / analyse cases on following criteria;
		<ul> <li>a) Scrutiny of documents forwarded by SECP</li> <li>b) Reports of Government Security Agencies</li> <li>c) Bank statement (more than Rs.10 million in last three months w.e.f. date of application with the SECP).</li> <li>d) Profile of company - list of Directors their CV &amp; photos and relevant security experience and expertise, along with proposed location for establishment of offices for operations.</li> <li>e) Proposed employment structure of the company.</li> <li>f) Terms and conditions ensuring suitable compensation as specified by ICT Administration / Provinces / GB / AJK from time to time regarding illness, injury or death of a guard(s) while on duty.</li> <li>g) Number of security guards to be employed as per proposed offices and operations.</li> <li>h) Detail of proposed number / type of weapons and other security gadgets</li> </ul>
11	Procedure / Criteria	for Change of Director/o)/Sele of Drivete Security Company

## 11. Procedure / Criteria for Change of Director(s)/Sale of Private Security Company

- a) Security Clearance for new Director/s.
- b) Financial health of the company, details of payment of taxes and tax filing certificate.
- c) Biodata and photo of new / proposed Director(s)
- d) In case of change of Directors at least one Director should be a Retired Employee of Armed Forces / Law Enforcement Agencies.

# 12. SOPs to be followed after issuance of NOC

- a) The subject Company will NOT establish any training institute/ establishment for provision of manpower to other agencies for commercial purpose without NOC/ approval of MOI.
- b) The company will NOT provide any cash and transit services without formal NOC from respective Provincial Government/ Commissioner;
- c) The Company will NOT act as an investigating/interrogating agency;
- d) The Company will NOT establish its commercial office in residential area.
- The Company will NOT sublet /change directors without prior approval/NOC from Ministry of Interior;
- f) The Company abide by the instructions issued on dress code by Ministry of Interior;
- g) Moreover Military pattern uniform will NOT be used by the employee/ security guards of the company;
- h) The company will NOT use services colour / pattern for vehicles of Company;
- i) The Company will NOT hire the services of any foreigners for security duties in Pakistan.
- j) The Company will NOT use prohibited bore weapon without formal approval of Ministry of Interior.
- k) Furthermore NOC will be cancelled on receipt of any adverse report from any Agency/quarter concerned;
- The Company will NOT use armoured/bullet proof vehicles without NOC from Ministry of Interior.
- m) As per existing SOP no foreign security company is allowed to operate in Pakistan individually or partnership with any Pakistani security company. Employment/hiring of any foreigner is also not allowed in any security company.
- n) All Pakistan Arms licenses to PSCs must be obtained from MOI. No provincial Government will give NOC/ permit to ant PSC regarding this matter.
- o) The legal rights of those employed by PSC shall be protected under the laws of land by Federal and Provincial Authorities.

#### 13. Monitoring & Regulating

- a) Deleted.
- b) Deleted.
- c) Deleted.
- d) Deleted.

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Any person aggrieved by an order made by the Competent Authority (MOI) or Licensing Authority under the SOP, may within thirty (30) days appeal in writing against such an order to the Appellate Authority (Minister/ Minister of State for Interior) whose decision thereafter shall be final.  Other conditions for NOC		I Fan				
of fee of Rs.1 million.  B) Fee for change of Management / Director(s) will be Rs.0.1 million. C) company's license annual renewal fee will be as follows: Sr.No	A STATE OF THE PARTY OF THE PAR	AND DESCRIPTION OF THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.				acc shall be subject to naumon
B) Fee for change of Management / Director(s) will be Rs.0.1 million. C) company's license annual renewal fee will be as follows: Sr No Province/Terrinary Annual Renewal Fee 1 ICT Rs 5,000 2 Punjab Rs 15,000 3 Sindh Rs 25,000 4 KFK Rs 5,000 5 Balochistan Rs 25,000 6 AJK Rs 10,000 7 GB Rs 2,000 D) Fee for the above said purposes will be deposited at National Bank or Pakistan and State Bank of Pakistan under account number C02895, account head 'Fee and fine for the private security companies' account head 'Fee and fine for the private security companies' the field of weapon handling, firing practice, ethics and general public dealing and will be mandatory. A certificate to that effect shall be submitted to licensing authority on annual basis.  16. Section 144  16.1 In case of imposition of Section 144 of the Code of Criminal Procedure, 1898 (V of 1898) on carrying or displaying weapons, the security guards of PSC shall be permitted to carry the weapons' arms:  a. After obtaining an NOC from the District Administration for up to fifteen days.  b. After obtaining an NOC from the Department for more than fifteen days, as the case may be.  17. Suspension and Cancellation of NOC and Operations License  18. No NOC issued under this SOP shall be cancelled or suspended until the licensee has been given a reasonable opportunity of showing cause and being neard after giving due service of notice.  18. The Competent Authority Licensing Authority shall decide a case of suspension within a period of three months from the date of appeal and thereafter or withdraw the suspension or another three months and thereafter or withdraw the suspension for another three months and thereafter or withdraw the suspension for another three months and thereafter or withdraw the suspension for another three months and thereafter or withdraw the suspension for another three months and thereafter or withdraw the suspension for another three months and thereafter or withdraw the suspension for another three months and thereafter or withdraw the	14.1		ges A) Gra	int of authoris	ation / NOC to set up F	250 shall be subject to payment
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Sr. No.   Province/ Territory   Annual Renewal Fee			B) Fee	for change o	f Management / Direct	or(s) will be Rs.U. I million.
ICT			C) com	ipany's licens	e annual renewal fee w	/ill be as follows:
2			Sr	No.	Province/ Terrirory	
3   Sindh   Rs. 25,000     4   KPK   Rs. 50,000     5   Balochistan   Rs. 25,000     6   AJK   Rs. 10,000     7   GB   Rs. 20,000     7   GB   Rs. 20,000     8   Rs. 20,000     9   Pee for the above said purposes will be deposited at National Bank or Pakistan and State Bank of Pakistan under account number CO2895, account head "Fee and fine for the private security companies".  15.   Training   Training should be imparted to the guards from certified / official Institutes in the field of weapon handling, firing practice, ethics and general public dealing and will be mandatory. A certificate to that effect shall be submitted to licensing authority on annual basis.  16.   Section 144   In case of imposition of Section 144 of the Code of Criminal Procedure, 1898 (V of 1898) on carrying or displaying weapons, the security guards of PSC shall be permitted to carry the weapons/arms;  a. After obtaining an NOC from Home Department for more than fifteen days, as the case may be.  17.   Suspension and Cancellation of NOC and Operations License  18.   No NOC issued under this SOP shall be cancelled or suspended until the licensee has been given a reasonable opportunity of showing cause and being heard after giving due service of notice.  18.   No NOC issued under this SOP shall be cancelled or suspension or asspension within a period of three months from the date of appeal and may decide to continue the suspension orders after ensuring that no violation took place.  18.   Appeal and Procedure      Appeal and Procedure   Any person aggrieved by an order made by the Competent Authority (MOI) or Licensing Authority under the SOP, may within thirty (30) days among an authority and the carry of the competent Authority (MOI) or Licensing Authority under the SOP may within thirty (30) days ampeal in writing against such an order to the Appellate Authority (MOI) or Licensing Authority under the SOP may within thirty (30) days appeal in writing against such an order to the Appellate Authority (MOI) or Licensing Authority under	1	,	1		ICT	
3   Sindin   Rs. 25,000			2		Punjab	Rs. 15,000
4 KPK Rs. 50,000			The state of the s			Rs. 25,000
Section 144	1					Rs. 50.000
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c) Names of the companies shall be cleaned			regar	ding uniform	c (preferably 5x month	ns) to implement the SOP
provision 10 under Part IV Incorporation of Companies and Matters		11 1	c) Name	es of the con	nnanies shall be als-	
The direct Plant to incorporation of Companies and Matters		Ver	provis	sion 10 under	Part IV Incorporation	ired and regulated as per
- Wildleis		1	p. 5 V II	To under	art iv incorporation	or Companies and Matters

19.2	Inspection of premises of PSC	b) c) l	The Scrutiny Committee may review/ physically inspect any PSC with advance notice of two weeks to ensure SOP is followed in letter and spirit.  The security company will abide by all the laws. Inspection Teams shall be set up time to time to scrutinize whether PSCs are operating within the domains of this SOP.
			Incidental Thereto, of Companies Act, 2017. (Responsibility of SECP)  d) Minimum wage / salary to the guard should not be less than the minimum ceiling fixed by the Federal / Provincial Government from time to time.  e) Overtime payment shall be made in accordance with labour laws Violation and subsequent penalties:  Deleted  g) Duty / Shift for security guards will be 8 hours.  There shall be timely disbursement of salaries i.e. upto 5 <sup>th</sup> day of the every month from the company's account into personal salary account of the Guard through bank transaction.  All the PSC staff will be entitled to leave as per labour laws.  All the PSC staff will be entitled for medical treatment as per labour laws.  Every PSC will be registered with concerned authority i.e. EOBI / social security depending upon their location / status.  All the conditions of this SOP except NOC fee will be applicable to all PSCs already having valid NOC / License with immediate effect.

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