Proposed Amendments to PSIRA Regulations will Destroy the Security Industry

By Gideon Joubert, South African Gun Owners Association (SAGA)

On 28 March, draft amendments to the Private Security Industry Regulations were published in the Government Gazette. These proposed changes carry severe and damaging consequences for the entire private security industry—its clients, employees, stakeholders, and public safety at large. **Interested parties have four weeks from 28 March to submit written comments** to the Office of the Director: Private Security Regulatory Authority at Regulations@psira.co.za (note: the email in the gazette is incorrect).

There are numerous serious and debilitating flaws in these amendments. They will significantly increase the administrative burden and costs on private security providers, and severely curtail their ability to render services to their clients. With over 580 000 security officers employed serving millions of clients, the industry is a cornerstone of South African safety — these amendments threaten to destabilize it entirely.

> (j) the security business and the security officer are not under State investigation in respect of an offence specified in the Schedule to the Act relating to the unlawful use of force or an offence provided for in Schedule 2 of the Firearms Control Act, or are not being criminally prosecuted in respect of such an offence;
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> (k) there is no pending improper conduct enquiry initiated by the Authority into an alleged violation of the Code of Conduct, by the security business or the security officer relating to an offence contemplated in paragraph (j);

Sub-regulation 13A. (1) paragraphs (j) and (k) are extremely broad. It appears that if a security firm is simply under investigation for an alleged or suspected offence or violation, it will be prohibited from issuing firearms to any of its armed officers. Therefore, a security firm can effectively be prevented from conducting business and servicing its contracted clients without being officially suspended, and simply by being subjected to an investigation.

This process is open to abuse, considering the potential that even unsubstantiated or malicious accusations from a variety of origins can result in such an investigation or enquiry. Should a firm be unable to service its contracted clients due to its inability to provide armed security officers, it can result in the termination of contracts and the firm going out of business.

(q) such issuing does not include security officers possessing firearms at the following public places:
- (i) Taxi rank;
- (ii) Cemetery;
- (iii) Stadium;
- (iv) Shopping Malls;
- (v) Church;
- (vi) Restaurants;
- (vii) Parks;
- (viii) Hospital
- (ix) Public and Private Schools; or
- (x) Any other similar public establishments.

(u) A security service provider using or intending to use firearms in a public place as envisaged in sub-regulation (1) of this regulation must meet the following requirements-

- (i) the public place must not be declared a firearm free zone as by the Minister in terms of Section 140 of the Firearms Controls Act;
- (ii) the use of firearms must be in the interest of public safety;
- (iii) firearms must not be used unless a risk assessment report has been submitted to the Authority;
- (iv) steps must be taken to mitigate identified risks in terms of paragraph (b) of this regulation; and
- (v) there is no other alternative means of protection without using high calibre firearms.

Paragraph (q) effectively prohibits security officers from possessing firearms in public locations unless all the extensive requirements under paragraph (u) are complied with. This infers that even armed response officers are prevented from doing their jobs and servicing their clients, since they patrol, transit through, and stand-off in these public locations.

It also means that shopping malls, churches, restaurants, hospitals, and schools cannot contract armed response services unless they meet all the requirements stipulated in paragraph (u), and potentially leaves even residential armed response clients in the lurch.

> (s) the security officer, is provided with no more than a reasonable quantity of ammunition for the purposes of rendering the relevant security service and the ammunition meets any applicable requirements contemplated in the Firearms Control Act;

Paragraph (s) is vague and ill-defined. What constitutes a "no more than reasonable quantity of ammunition" and how is it determined and quantified? What are the underlying assumptions and their foundations?

Security firms operating in different contexts and with different task and purpose requirements will need to issue their armed personnel with widely varying quantities of ammunition. A firm guarding a rural mine might need 60 or 90 rounds per officer (two spare magazines for a rifle), while an urban patrol needs 45 (two spare magazines for a pistol) — how will 'reasonable' be judged?

What can be considered "reasonable" in this regard is therefore open to extremely subjective interpretation, and including such requirements in regulations creates unnecessary and unwanted uncertainty and risk.

> (f) ensure that security officers provided with firearms are properly assessed to the satisfaction of the Authority, including an assessment of their visual and audio capacity, locomotive system, neurological system and general mental and emotional condition at the cost of the security business, at least every 12 months, or within a shorter period which may be reasonably necessary in the circumstances, to verify that they do not suffer from any physical or mental condition that would render their continued possession of a firearm and ammunition as posing an unreasonable risk or as undesirable;

Sub-regulation 13A. (8) paragraph (f) stipulates compulsory annual medical, psychometric, and psychiatric evaluation of all armed security officers at the cost of their employers.

It does not provide the necessary guidance regarding who is certified to carry out these examinations, what criteria must be satisfied, and how one is supposed to assess the mental and emotional condition of armed security officers.

> (12) A security business which requires the use of a semi-automatic rifle must issue such firearm to a security officer as contemplated in sub-regulation (1) only for the rendering of one or more of the following services -
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> (a) Protection of valuables which are being transported (cash-in-transit);
> (b) Protection and security services at Critical Infrastructure; or
> (c) Anti-poaching services.
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> (13) The Authority may recommend and approve the use of firearms contemplated in sub-regulations (10), (11) and (12) where there are good grounds compelling the issuing of such firearms by a security business belonging to a different category or class specified in the mentioned sub-paragraphs.

Sub-regulations 13A. (12) and (13) place potentially significant restrictions on the issue and use of semi-automatic rifles by private security firms. Unless they are approved by the Authority as per sub-regulation (13), tactical intervention teams and high-risk units will no longer be able to function to their required level of effectiveness due to being prohibited from using semi-automatic rifles.

The implications of this are potentially highly significant. Security officers can protect high value goods in transit with semi-automatic rifles, but cannot protect those same goods in their warehouses or depots. Mine security, both in-house and contracted, cannot protect their facilities (often targeted by Zama Zamas and other armed and dangerous criminal groups) or assets. Tactical intervention teams and high-risk units protecting retail complexes, shopping centres, industrial parks, and corporate offices will similarly be rendered toothless and ineffective. Anti-hijacking units will be forced to confront dangerous hijacking syndicates while armed only with handguns.

Security firms' access to and ownership of firearms are already extensively regulated. I am unsure what the benefit of further narrowing the acceptable criteria for which types of firearms are considered suitable for which applications will be. Especially when such criteria appear to be applied subjectively.

Overall, this restriction will contribute to diminishing the ability of private security firms to protect private and public assets, including people and VIPs. These are just a few examples of immediate harm that results from an overly restrictive regulation that does not consider the complex dynamics of the industry it is applied to.

> (16) Every security business which is in possession of, and using firearms to render security services must install a tracking device in every firearm to track possession and use of such firearms as part of the reporting procedures contemplated in section 4(b) of the Act.

Sub-regulation 13A. (16) requires that all security firms who possess firearms must install a "tracking device in every firearm" to track possession and use of such firearms. I am not aware of any such devices or technology being currently available. This regulation therefore requires firms to adhere to an impossible requirement. Additionally, the purpose of firms keeping the numerous registers and appointing a Responsible Person is to keep track of their firearms. What purpose this requirement serves is therefore unclear.

> **Prohibited Weapons**
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> (17) Notwithstanding the provisions of regulation 13B, security service providers may not use the following weapons in the rendering of security services –
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> (a) Tasers;
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> (b) Tear gas;
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> (c) Water cannon;
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> (d) Sponge grenade;
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> (e) Rubber / Plastic bullet; and
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> (f) Any other weapon that may harm civilians.

Sub-regulation 13B. (17) prohibits private security firms from using several so-called "prohibited weapons". This includes rubber bullets and water cannons, which are vital for crowd control tasks. Bizarrely, "Tasers" are also included. Bear in mind that TASER is a specific brand of conductive energy device primarily used to incapacitate people by electric shock, and not the general term for such devices. TASERs are commonly used by law enforcement and private security worldwide as a less-lethal tool.

The only way for a firm to access and use prohibited weapons as per sub-regulation (17) is to apply for exemptions via an extensive process.

This severely restricts the role private security firms can play to protect assets and people, especially in situations where violent strike action and rioting threatens neighbourhoods, businesses, facilities, and people. Removing and restricting access to less-lethal tools creates a significant risk for the safety of security officers, their clients, the public, and even the perpetrators.

The aforementioned examples do not constitute the full amount of flawed, problematic, vague, and outright unworkable provisions contained within these proposed regulatory amendments. There is a myriad of other harmful details contained within, such as handcuffs being classified as weapons and requiring registration with the Authority. In short, these amendments represent significant regulatory overreach, irrational micromanagement, and extreme administrative burdening of an industry already heavily regulated. Should they be passed, they would represent a significant threat to the continued existence of the private security industry in South Africa.

If these amendments aim to tighten control over the private security industry to root out rogue and criminal players, they are taking the wrong path. Most would agree that purging harmful entities is a vital task for the regulatory authority—but this can be achieved by enforcing existing laws, not piling on new burdens. Criminal groups thrive by exploiting corruption and inefficiency in state bodies like SAPS and PSIRA, operating as sham security firms. The rational fix is to investigate, prosecute, and convict these bad actors, not to saddle a critical industry with costly, crippling restrictions that punish legitimate players and weaken their ability to serve the public and state. By pushing these changes, the regulator risks harming the very industry it is meant to protect—along with its clients, employees, and the broader economy. If enacted, they will leave us with a less safe, less secure society.

I urge that these amendments be scrapped, that enforcement of current rules be prioritised, and that a transparent, thorough stakeholder process precede any future changes. **Time is short—comments are due by 25 April 2025, at Regulations@psira.co.za**

Summary

- Proposed Amendments Threaten Industry: Draft changes to the Private Security Industry Regulations, published 28 March 2025, could severely harm South Africa's private security sector, its 580,000+ officers, clients, and public safety.
- Comment Period Open: Stakeholders have until 25 April 2025 to submit feedback to Regulations@psira.co.za (mailto:Regulations@psira.co.za) (correcting the gazette's error).
- Broad Restrictions on Firearms: Sub-regulation 13A.(1)(j) and (k) bar firms under investigation from issuing firearms, risking operations based on unproven claims—open to abuse and contract losses.
- Public Space Limits: Paragraph (q) bans firearms in public areas unless strict rules are met, crippling armed response for malls, schools, homes, and more.
- Vague Ammo Rules: Paragraph (s) caps ammunition at a "reasonable" amount, undefined and subjective—e.g., rural mines need 60-90 rounds, urban patrols 45—creating uncertainty.
- Costly Evaluations: Sub-regulation 13A.(8)(f) mandates annual medical, psychometric, and psychiatric tests for armed officers, with no clear guidelines, burdening employers.
- Rifle Restrictions: Sub-regulations 13A.(12) and (13) limit semi-automatic rifles, weakening tactical units guarding mines, warehouses, and high-risk sites against armed threats.
- Impossible Tracking: Sub-regulation 13A.(16) requires non-existent firearm tracking devices, duplicating existing oversight with an unfeasible rule.
- Less-Lethal Bans: Sub-regulation 13B.(17) prohibits rubber bullets, water cannons, and "Tasers" (a misnamed brand), hobbling crowd control; even handcuffs need registration.
- Overreach, Not Solutions: Already regulated, the industry faces micromanagement that punishes legitimate firms instead of targeting criminals exploiting SAPS/PSIRA corruption.
- Economic and Safety Risks: If passed, these changes could collapse firms, cut jobs, and leave society less secure—harming a vital sector.
- Call to Action: Scrap the amendments, enforce current laws, and engage stakeholders transparently before new rules are considered—act by 25 April 2025.