

Money Lenders Ordinance

Resolution

(Under sections 24 and 25 of the Money Lenders Ordinance (Cap. 163))

Resolved that, with effect from 30 December 2022, the Money Lenders Ordinance (Cap. 163) be amended as set out in the Schedule.

Schedule

Amendments to Money Lenders Ordinance

1. **Section 24 amended (prohibition of excessive interest rates)**
Section 24(1)—
Repeal
“60”
Substitute
“48”.
2. **Section 25 amended (reopening of certain transactions)**
Section 25(3)—
Repeal
“48”
Substitute
“36”.

Wording of the Resolution

"That the notice, as annexed to this Resolution, which specifies the revised criteria that a person must satisfy before the Commissioner of Police may, under the Security and Guarding Services Ordinance, issue to him a security personnel permit, be approved."

SECURITY AND GUARDING SERVICES ORDINANCE

(Chapter 460)

(Notice under section 6(1)(b)(i))

CRITERIA FOR ISSUING A SECURITY PERSONNEL PERMIT

Take notice that, pursuant to section 6(1)(b)(i) of the Security and Guarding Services Ordinance, the Security and Guarding Services Industry Authority (hereafter referred to as ‘the Authority’) hereby specifies the following revised criteria (hereafter referred to as ‘the revised criteria’), which replace the ones published in G.N. 9730 on 18 December 2015 with effect from the day on which the notice is published in the Gazette, for issuing a permit under the said Ordinance. The criteria specified below in relation to a particular type of security work must be satisfied by a person before the Commissioner of Police may issue to him a permit under the said Ordinance to do that type of security work.

(A) Guarding work restricted to a ‘single private residential building’, the performance of which does not require the carrying of arms and ammunition (See Note 1)

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| (a) | <i>Age</i> | The applicant must be 18 years of age or above on the date of application. |
| (b) | <i>Fitness</i> | The applicant must be physically fit to perform the job. If the applicant is 65 years of age or above, he/she must produce a medical certificate issued by a registered medical practitioner (see Note 2) to certify that he/she is fit to undertake the duties required. If the applicant is aged below 65, a medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary. |
| (c) | <i>Good Character</i> | The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors. |

- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings:
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- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
 - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
 - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
 - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.
- (B) **Guarding work in respect of any persons, premises or properties, the performance of which does not require the carrying of arms and ammunition and which does not fall within Category A**
- (a) *Age* The applicant must be 18 years of age or above.
The upper age limit for engaging in this type of security work is 70 years.

- (b) *Fitness* The applicant must be physically fit to perform the job. If the applicant is 65 years of age or above, he/she must produce a medical certificate issued by a registered medical practitioner (see Note 2) to certify that he/she is fit to undertake the duties required. If the applicant is aged below 65, a medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings:
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- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
 - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
 - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
 - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.

(C) Guarding work, the performance of which requires the carrying of arms and ammunition

- (a) *Age* The applicant must be 18 years of age or above. The upper age limit for engaging in this type of security work is 60 years.
- (b) *Fitness* The applicant must be physically fit to perform the job. A medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings: —
- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
 - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
 - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
 - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements

of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.

- (e) *Arms Licence* The applicant must possess a valid arms licence for the arms used on duty issued by the Commissioner of Police.

(D) Installation, maintenance and/or repairing of a security device and/or designing (for any particular premises or place) a system incorporating a security device

- (a) *Age* The applicant must be 18 years of age or above.
- (b) *Proficiency* The applicant shall have received appropriate training or can demonstrate the capability and proficiency (see Note 5) in the skills/technique required in performing his/her job.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Certification of Employment by Prospective Employer* On his/her first application for a permit, the applicant must produce a letter of employment from the prospective employer.

Notes

- (1) A single private residential building means an independent* structure:-
- (a) covered by a roof and enclosed by walls extending from the foundation to the roof, and
 - (b) used substantially for private residential purpose; and
 - (c) with only one main access point⁺.
- * A building is considered to be independent from another if on most of the floors, one cannot get access to the quarters on the same floor in the other building without going to an upper/lower floor, roof or the street.
- ⁺ 'Main access point' means the entrance gate or lift lobby or staircase commonly used by residents to gain access to their flats. This excludes emergency and fire exit.
- (2) A Registered medical practitioner means a person who is registered under the Medical Registration Ordinance (Cap 161). A standard medical certificate form is available from the Licensing Office of the Hong Kong Police Force. The

medical certificate must be issued by a registered medical practitioner within four months before the applicant submits the application.

- (3) The Commissioner of Police shall consider the nature of the criminal offence committed by the applicant and may refer the application to the Security and Guarding Services Industry Authority for decision under section 14(5)(b) of the Security and Guarding Services Ordinance. No person will normally be granted a permit if he/she:-
 - (a) was convicted of any offence specified in column 2 of Schedule 2 to the Security and Guarding Services Ordinance and the penalty imposed on him/her for that offence is the corresponding penalty specified in column 3 of that Schedule, within 5 years before submitting his/her application; or
 - (b) is currently on probation, bound over, remission or suspended sentence; or
 - (c) is within 3 years of release from a term of imprisonment; or
 - (d) was convicted of 3 or more offences within 5 years before submitting his/her application. Offences involving fixed penalty tickets, traffic summons, illegal hawking, article obstruction, littering, jaywalking and failing to answer Police or Court bail are considered minor and will be excluded.
- (4) Working experience may be substantiated by relevant documentary evidence, certification provided by employers or a statutory declaration of experience by the applicant.
- (5) The applicant shall attach copies of certificate of relevant technical training, or record of employment showing his/her experience in this type of security work.

*Jane Curzon LO, Chairman, for and on behalf of the
Security and Guarding Services Industry Authority*