

Human Rights Council resolution 36/11 – Consultation on private and security companies

The activities of private security companies in Mauritius are regulated by the Private Security Service Act 2004 (PSSA) which was proclaimed since 1st July 2008. Its main aim is to provide for the licensing and control of private security services and the registration of security guards. Any person who wishes to operate a Private Security Service or be employed as a security guard, has to make an application for a licence or certificate of registration to the Commissioner of Police. Approval of such application is subjected to laid down conditions in compliance with our laws and regulations. As such, the Commissioner of Police is empowered under Section 17 of the Act to:

- “(a) keep under review the provision of private security services;*
- (b) for the purpose of protecting the public, monitor the activities and effectiveness of persons carrying on the business of providing private security services; and*
- (c) carry such inspections, as he considers necessary, of the activities of private security services”.*

The present legislation (PSSA) does not make provision for private military companies. It neither establishes legal processes for the hiring of private security companies by local/foreign entities, governmental/non-governmental organisations or public/private departments. As such, Mauritius does not have private military companies. There are no complaints of human rights violations that were reported to the National Human Rights Commission in relation to the activities of security companies.

However, it clearly defines and interprets the meaning of private security services which are basically security guarding for the purpose of protecting persons and/or property. These include security of the property during transportation and escort of persons from one place to another.

Besides PSSA, there is no regulatory framework/ code of conduct/ legal job specification either for private security service providers or security guards in Mauritius. Their powers, functions and duties are limited to merely guarding, observe and report untoward occurrences to the hiring company or/and the Police particularly where criminal offences are or likely to be disclosed. Private security guards do not have powers of entry, search (unless in their private premises), arrest or detain.

Likewise, any private/public company or citizens/visitors in Mauritius, Private Security Companies and their employees are bound to comply with all laws in Mauritius and in the event of any breach, they are criminally liable on the same stand as any other person or company in Mauritius

The examples of services offered by Private Security Service Providers in Mauritius are:

- Security guards;
- Security during transportation and delivery of property;
- Guarding, patrolling or providing any other security services for the purpose of protection a person or property; and
- Escort during cash in transit.

The security services offered include:

- Physical presence of security guards;
- CCTV or any other electronic devices;
- Dog handlers; and
- Escort of V.I.P and others.

Some places where security services are being provided in Mauritius:

- Schools (State & Private);
- Hospitals (States & Private);
- Offices (States & Private);
- Banks;
- Hotels;
- Site of Constructions (States & Private); and
- Industries (Textiles and Sugar Cane Factories).

The services of Security Services are solicited by:

- Owner or operator of a night club;
- Discotheque;
- Private Club;
- Restaurant;
- Café;
- Pub or bar; and
- Or by any licensee under the Gambling Regulatory Authority Act.