UNIVERSITI TEKNOLOGI MARA

A CRITICAL ANALYSIS OF THE REGULATORY FRAMEWORK FOR PRIVATE SECURITY SERVICES IN MALAYSIA WITH REFERENCE TO SINGAPORE AND INDONESIA

AZLANOR BIN RAHMAD

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AZLANOR BIN RAHMAD

Thesis submitted in fulfilment
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CONFIRMATION BY **PANEL OF EXAMINERS**

I certify that a Panel of Examiners has met on 20 November 2025 to conduct the final examination of Azlanor Bin Rahmad on his Doctors of Philosophy thesis entitled "A Critical Analysis of the Regulatory Framework for Private Security Services in Malaysia with Reference to Singapore and Indonesia' Rights in Malaysia" in accordance with Universiti Teknologi MARA Act 1976 (Akta 173). The Panel of Examiners recommends that the student be awarded the relevant degree. The Panel of Examiners was as follows:

Norazlina Abdul Aziz, PhD
Associate Professor
Faculty of Law
Universiti Teknologi MARA
(Chairman)

Rafizah Abu Hassan, PhD
Senior Lecturer
Faculty of Law
Universiti Teknologi MARA
(Internal Examiner)

Ashgar Ali Bin Ali Mohamed, PhD
Professor
Sultan Haji Hassanal Bolkiah Faculty of Law
Universiti Islam Sultan Sharif Ali
(External Examiner)

PROFESSOR DR HJH ZURAEDA BINTI IBRAHIM
Dean
Institute of Postgraduates Studies
Universiti Teknologi MARA

Date: 12 May 2026

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Name of Student	:	Azlanor Bin Rahmad
Student ID. No.	:	2022510923
Programme	:	Doctor of Philosophy (Law) – LW951
Faculty	:	Law
Thesis Title	:	A Critical Analysis of the Regulatory Framework for Private Security Services in Malaysia with reference to Singapore and Indonesia
Signature of Student	:	
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ABSTRACT

The rapid expansion of the private security sector in Southeast Asia necessitates robust oversight mechanisms to ensure accountability, professionalism, and adherence to human rights standards. The legal framework in Malaysia regarding private security services encounters challenges from multiple angles, beginning with the recruitment of talent and extending to the enforcement of regulations established by lawmakers. Although Malaysia has made progress in regulating private security services, it continues to encounter considerable challenges when compared to Singapore's more comprehensive and Indonesia's regulatory frameworks. As a guide for Malaysia in our efforts to revamp legal frameworks for the private security industry in Malaysia, incorporating best practices, particularly referencing Singapore, a nation with a similar legal foundation rooted in the common law system, and Indonesia, which emphasises the development of human capital within its industry, should be made. Accordingly, the current study evaluated the effectiveness and comprehensiveness of Malaysia's existing regulatory environment governing private security services without addressing cybersecurity issues. It critically assessed the roles of key regulatory bodies and industry associations and highlighted gaps in enforcement and compliance. A comparative analysis with Singapore and Indonesia was conducted to identify best practices and potential areas for reform. Particular attention was paid to the implications of regulatory shortcomings on service quality and public safety. The study employed qualitative methodologies, including interviews with stakeholders in the private security sector, to gather insights into operational challenges and regulatory perceptions. The regulatory framework for private security services in Malaysia, Singapore, and Indonesia reveals significant differences in structure, enforcement, and effectiveness. The findings from this study could contribute to the discourse on security governance in Malaysia by providing actionable recommendations aimed at enhancing regulatory frameworks, improving industry standards, and fostering a safer environment for citizens

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LIST OF ABBREVIATIONS

Abbreviation	
ACSA	Association of Certified Security Agencies
AI	Artificial Intelligence
BLS	Bureau of Labour Statistic
BRI	Belt and Road Initiative
CCPCJ	Commission on Crime Prevention and Criminal Justice
CGS	Certified Security Guards
CICP	Centre for International Crime Prevention
CMCO	Conditional Movement Control Order
CoC	Code of Conduct
COR	Contracting Officer Representative
CPI	Corruption Perception Index
CPD	Continuous Professional Development
CPSS	Civilian Private Security Services
CTRE	Continuous Tourism Related Education
DKKA and	Dasar Keselamatan dan Ketenteraman Awam (National Public Security Safety Policy)
DOSM	Department of Statistic Malaysia
DWP	Defence White Paper
FDI	Foreign Direct Investment
GACOS	Gated and Guarded Community Scheme
GDP	Gross Domestic Product
HRDC	Human Resources Development Council
HRDF	Human Resources Development Fund
HRDL	Human Resources Development Limited
ICoC	International Code of Conduct
ICRC	International Committee of the Red Cross
ICT	Information and Communication Technologies
IHL	International Humanitarian Law
IHRL	International Human Rights Law

ILO	International Labour Organisation
IMO	International Maritime Organisation
IoT	Internet of Things
ISO	International Organisation for Standardisation
ITM	Industry Transformation Map
JIM	Jabatan Imigresen Malaysia (Malaysia Immigration Department)
JPKK	Jaringan Pekerja Kontrak Kerajaan (Government Contract Workers Network)
KESUMA	Ministry of Human Resources
MBOT	Malaysia Board of Technologies
MCO	Movement Control Order
MEF	Malaysia Employers Federation
MMEA	Malaysia Maritime Enforcement Agency
MKN	Majlis Keselamatan Negara (National Security Council)
MOHA	Ministry of Human Home Affairs
MOTAC	Ministry of Tourism Arts and Culture
MOSTI	Ministry of Science Technology and Innovation
MOU	Memorandum of Understanding
MTUC	Malaysia Trade Union Council
NBOS	National Blue Ocean Strategy
NDP	National Defence Policy
NGO	Non-Governmental Organisation
NSB	National Standard Body
NSC	National Security Council
NSP	National Security Policy
OBC	Outcome Based Contracting
OBM	Outcome Business Model
OECD	The Organisation for Economic and Development
PDRM	Polis DiRaja Malaysia (Malaysia Royal Police)
PEMADAM	Persatuan Pencegahan Dadah Malaysia (Drug Prevention Association of Malaysia)
PIKM	Persatuan Industri Keselamatan Malaysia (Malaysia Security Industry Association)
PLRD	Police Licensing and Regulatory Department

PMSC	Private Military and Security Companies
PSC	Private Security Companies
PSIA	Private Security Industry Act 2007
REC	Research Ethic Committee
SAS	Security Association Singapore
SCAP	Security Consultants Accreditation Programme
SCESAC	Southeastern and Eastern Europe Clearinghouse for Control of Small and Light Weapons
SCMR	Solid Civil Military Relationship
SMT	Security Management Team
SOCSO	Social Security Organisation
SOP	Standard Operating Procedures
SPA	Suruhanjaya Perkhidmatan Awam (Civil Service Commission)
TVET	Technical and Vocational Education and Training
UN	United Nations
UNDCP	United Nations Drugs Control Programme
UNESCO	United Nations Education Scientific and Cultural Organisation
UNODC	United Nations Office on Drugs and Crime
UNSDG	United Nations Sustainable Development Goal
UNSMS	United Nations Security Management System
UNTOC	United Nations Transnational Organised Crime
UPSS	Unarmed Private Security Companies

CHAPTER 1
INTRODUCTION TO THE RESEARCH

1.1 Introduction

The private security services sector plays a crucial role in maintaining public safety and protecting assets in Malaysia, yet its regulatory framework faces ongoing challenges in ensuring effective governance, compliance, and professionalism. This thesis critically analyses Malaysia's regulatory framework for private security services, focusing on the legal requirements, licensing procedures, and operational standards that govern the industry. To provide a comprehensive perspective, the study draws comparative insights from Singapore and Indonesia, two neighbouring countries with distinct regulatory approaches. Singapore's stringent licensing regime under the Police Licensing and Regulatory Department (PLRD) exemplifies a well-structured system emphasising strict compliance, financial requirements, and professional standards. Indonesia's evolving regulatory landscape, including recent data protection laws and electronic system regulations, highlights emerging challenges and reforms in security governance. By examining these frameworks, the thesis aimed to identify gaps, best practices, and recommendations to enhance the effectiveness and accountability of private security services in Malaysia.

The legal framework governing private security services in Malaysia is primarily established under the Private Agencies Act 1971 (Act 27), which regulates private security agencies responsible for providing essential services such as unarmed and armed guards, escort services, cash management, and private investigations. These agencies play a complementary role to the Royal Malaysia Police or Polis DiRaja Malaysia (PDRM) in maintaining public safety and security. In comparison, Singapore's private security industry is regulated under PSIA enacted in 2007, with amendments made as recently as 2021 to enhance protections for security officers and refine regulatory scope. Licensing, administered by the Police Licensing and Regulatory Department of the Singapore Police Force, is mandatory for security officers and agencies. Singapore has also implemented an industry-led accreditation programme for security consultants to raise professionalism and competency in the sector. The regulatory framework includes specific penalties for offences such as

harassment or assault by security personnel, with higher fines and imprisonment terms than in Malaysia, reflecting a stringent enforcement approach.

Meanwhile, Indonesia's private security services operate within a broader legal context. The country seems to be rather robust by promoting and strengthening the role of its private security services, which are known as Satpam. The legal framework in Indonesia has clearly outlined the legal requirements before one can be accepted to serve as a security guard, as well as a clear career development path for this industry.

1.2 Research Background

The public members cannot entirely depend on the security forces, particularly the police force, to protect their lives, loved ones, and assets due to constraints encountered by the agency to safeguard public safety at all times. Therefore, private security services are services provided by private security companies (PSCs) to protect individuals and their assets and can be an option to fulfil the need of public members in their need for safety.

The services are extended by qualified and registered PSCs with the Ministry of Home Affairs (MOHA). The most common services[1] offered by them include security guards and regular monitoring. Security guards are trained personnel who provide physical security and surveillance services to protect people and property, deployed by the security company engaged by the customer. Meanwhile, regular monitoring of a property or area by way of regular patrolling within the designated area deters criminal activities and responds to emergencies on the premises owned by the customer. These are the most common[2] services provided by the registered private security services in Malaysia. Nevertheless, bigger industry players offer high-technological equipment to carry out the tasks assigned. They offer

1. Emergency response: A quick response to emergencies such as fires, medical emergencies, and security breaches to ensure public safety;

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1 https://esims.moha.gov.my/semakan/main/syarikat (retrieved on 13 May 2023)

2 Based on the type of licences issued by MOHA, There are two type of licences issued by MOHA namely 2(a) and 2(b) pursuant to Section 2 Private Agencies Act 1971:
2(a) providing guards and protection for personal safety and security of other person or for the safety and security of the property or business of such other person;
2(b) obtaining and furnishing information as to the conduct, activities or affairs of another person

2. Security technology: The use of technology such as cameras, which are normal of high definition for a better result, alarms, and access control systems to enhance accessibility security;
3. Conflict de-escalation: Trained personnel who can handle conflicts and de-escalate potentially dangerous situations; and
4. Reporting and communications: Regular reporting and communication with clients to keep them informed of security issues and concerns.

Private security services are normally used by a wide range of business entities and organisations, particularly banks, hospitals, schools, and event venues. These services are commonly used by individuals who require personal protection or security for their lives and assets[3]. Customers may demand for customised private security services to meet their specific needs[4] and can be provided on a term to be agreed upon by the contracting parties. The best way to describe private security is as a transfer of authority or power from the security sector to one or more individuals in accordance with the state's legal authority. [5]

Private security guards are becoming essential for many people and companies, and the industry plays an important role in contributing to the country's economy, both directly and indirectly. [6] As a result, private security services in Malaysia have become increasingly important in recent years due to the crime rate and security risks in the country. According to the Crime Index by Country 2023 Mid-Year, Malaysia was ranked 48th out of 139 countries with a crime index of 51.6.[7] This placed Malaysia in the lower half[8] of the rankings.[9]

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3 https://www.securityri.com/private-security-guards-protect-assets;(retrieved on 2 June 2023)

4 Strom,Berzofsky,Shsok-Sa,Barick, Saye, Horstmann,Kinsey'The Private Security Industry: A Review of the Definitions Available Data Sources and path Moving Forward) (Dec 2010 US Department of Justice) Award Number 2009-BJex K045; (retrieved on 2 June 2023)

5 Nuhiu A. (2019) A. Public And Private Security Strategic Plannning In Urban Areas. In International Scientific Committee/International Scientific Conference Urban Security. Dialogues Security

6 https://www.malaymail.com/news/malaysia/2019/03/20/dr-m-private-security-services-industry-plays-important-role-in-countrys-ec/1734788; (retrieved on 2 July 2023)

7 https://www.numbeo.com/crime/rankings_by_country.jsp (retrieved on 2 June 2023)

8 The crime index is usually expressed as a number between 0 and 100, with lower numbers indicating lower levels of crime. For example, crime levels lower than 20 are considered very low, crime levels between 20 and 40 are considered low, crime levels between 40 and 60 are considered moderate, crime levels between 60 and 80 are considered high, and crime levels higher than 80 are considered very high

9 https://www.numbeo.com/crime/rankings_by_country.jsp (retrieved on 2 June 2023)

Security systems that are visible and strong can deter criminal activity for internal and external crimes on the premises. The demand for private security services in Malaysia has increased. Private security services in Malaysia include security guards[10], bodyguards[11], and private investigators.[12] The market is anticipated to experience robust growth due to the perception of sustained security threats and various statutory guidelines.[13] To illustrate, the market is anticipated to rise at a considerable rate during the forecast period, between 2022 and 2029. The market is expected to increase by USD 56.33 billion from 2021 to 2026.[14] In another calculation, the private security services market is experiencing significant growth worldwide, with the market expected to increase by USD 56.33 billion from 2021 to 2026.[15] The security segment in Malaysia is projected to grow by 16.30 per cent from 2022 to 2027, resulting in a market volume of USD 95.57 million in 2027.[16] The world private security service market is anticipated to rise at a considerable rate during the forecast period, between 2022 and 2029.

The need for better security to safeguard one's life and assets is justified and in line with a motivational theory in psychology, Maslow's theory on the hierarchy of needs[17]. The theory comprises a five-tier model of human needs that explains human motivation based on the pursuit of different levels of needs, often depicted as hierarchical levels within a pyramid. From the bottom of the hierarchy up, the needs are physiological (food and clothing), safety (job security), love and belonging (friendship), esteem, and self-actualisation. Needs at the lower end of the hierarchy must be satisfied before individuals can attend to higher. Due to increased crime rates, there is a need for increased measures to ensure the safety and security of individuals and businesses. This calls for the demand for private security services.

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10 Cambridge Dictionary defines as someone whose job involves preventing people going into places without permission, transporting large amount of money or protecting goods from stolen.

11 Cambridge Dictionary defines as a person whose job is to protect someone from attack

12 Oxford Dictionary defines as a person who examines a situation such as an accident to find out the truth.

13 https://www.alliedmarketresearch.com/private-security-market-A06346; (retrieved 4 June 2023)

14 https://www.technavio.com/report/private-security-services-market-size-industry-analysis; (retrieved 4 June 2023)

15 https://www.technavio.com/report/private-security-services-market-size-industry-analysis; (retrieved 4 June 2023)

16 https://www.statista.com/outlook/dmo/smart-home/security/malaysia; (retrieved on 2 July 2023)

17 https://www.thoughtco.com/maslows-hierarchy-of-needs-4582571; (retrieved 5 June 2023)

Security has been an essential element in society since the dawn of time. Private security officers existed centuries before the first police department was established, when local law enforcement was too poorly equipped. [18] The need for good protection for one's life and assets can be traced back to Ancient Egypt when pharaohs hired private security officers for personal protection. Ancient Roman emperors of the Byzantine Empire also hired security officers to protect their families and property.[19] Nonetheless, security services of this modern era had a more comprehensive role, which included thoroughly investigating crimes and security consulting. Due to the development of the private security services offered by companies, they need to be regulated through a comprehensive and robust legal framework.

In recent years, private security guard services have grown in popularity in Malaysia. This scenario can be seen through the increased number of licenses issued by MOHA. The demand for private security services in Malaysia seems to keep increasing over time in tandem with the positive socioeconomic growth of the nation. Malaysian economy showed sustained expansion in the early months of 2023, with a year-on-year growth rate of 5.6% in the first quarter of 2023. The increase followed a strong performance in 2022, which saw an annual GDP growth rate of 8.7%, the fastest since 2000. According to recent reports, The GDP of Malaysia grew 5.1% in 2024 compared to 3.5% the year before. The manufacturing and services sectors, which accounted for 82.5% of the GDP, were the main drivers of the increase. Due to strong growth in all major industries, Malaysia's GDP is expected to expand by 5.2% in the third quarter of 2025. In the third quarter of 2025, Malaysia's advance GDP forecasts rose by 5.2% compared to 4.4% in the preceding quarter. The performance of the economy was influenced by every sector, but especially by the manufacturing and services industries [20]. Private security services provided by industry players are crucial to a country's security measures. In Malaysia, the services are regulated by MOHA; therefore, all registered and licensed industry players must adhere to strict guidelines and regulations imposed by MOHA.[21] Close regulation and adherence to guidelines in line with

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18 Mike Bowles, The Evolution of Private Security; https://topguardinc.com/the-evolution-of-private-security/ (retrieved on 6 July 2023)

19 J.Mark, Police in Ancient Egypt; https://www.worldhistory.org/article/1104/police-in-ancient-egypt/; (retrieved on 7 July 2023)

20 Department of Statistics Malaysia, https://www.dosm.gov.my/portal-main/release-content/gross-domestic-product retrieved on 2 Feb 2026

21 Section 18, Private Agencies Act 1971 (Act 27)

MOHA's aspiration to recognise this industry as the third line of defence are necessary.[22]

The Malaysian government launched a national security policy, National Security Policy (NSP) 2021–2025, or Dasar Keselamatan Negara 2021–2025, on 22 July 2019 to safeguard the country's national core values and ensure its safety from all forms of threats.[23] It aims to ensure that any issue or problem relating to security is at a minimum level so as not to jeopardise the lives of the people.[24] The policy covers various areas such as economic prosperity, social harmony, and political stability, as well as defence, intelligence, law enforcement, and border security. NSP 2021–2025 was reviewed to ensure that all primary strategies were suitable for confronting the current forms of security threats, including those posed by COVID-19.[25] In addition, the government empowers the National Security Council or Majlis Keselamatan Negara (MKN) to lead the management of national security to achieve the thrusts of the NSP 2021–2025.[26] MKN collaborates with other security agencies to address various new threats to the nation, which may be posed by either foreign states or individuals using traditional or non-traditional methods.

Another government policy is the Security and Public Order Policy or Dasar Keselamatan dan Ketenteraman Awam (DKKA).[27] DKKA is a comprehensive policy that ensures the upkeep of security and public order, the well-being of the people, and the survival of Malaysia as a peaceful, prosperous, sovereign, and respected nation in the world. [28] DKKA has six thrusts namely:

1. to safeguard the supremacy of the constitution, rule of law and the nation's vital institutions;
2. to enhance the governance and integrity of the security enforcement agencies;

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22 Para 7, Pekeliling Agensi Persendirian Bil 1 tahun 2010 dated 6 Jan 2010

23 https://www.malaysia.gov.my/portal/content/30905; (retrieved on 2 May 2023)

24 https://www.malaymail.com/news/malaysia/2021/07/13/muhyiddin-review-of-national-security-policy-takes-into-account-covid-19-th/1989567; (retrieved on 3 May 2023)

25 https://www.mkn.gov.my/web/ms/2022/05/10/dasar-keselamatan-negara-dkn-2021-2025/; (retrieved on 2 May 2023)

26 The council was formulated and empowered pursuant to the provisions under the Emergency (essential power) Act 1979 Act 216 which came into force on 25th Jan 1979 The Malaysian National Security Council (NSC) or *Majlis Keselamatan Negara* Malaysia (MKN) is a federal agency under the Prime Minister's Department. NSC is the agency responsible for managing and co-ordinating the implementation of policies related to the security of Malaysia.

27 https://www.malaysia.gov.my/portal/content/30902?language=my; (retrieved on 3 May 2023)

28 - https://www.malaysia.gov.my/portal/content/30902?language=my; (retrieved on 3 May 2023)

3. to tighten the security of the nation's border;
4. to ensure the public safety and security;
5. to combat drugs; and
6. to protect the national vital assets and target.

Private security services should be reliable and responsive to the needs of the consumers. This includes having security personnel who are available when needed and can respond quickly to emergencies, preventing theft and vandalism[29] while performing their duty to protect the customers' property, assets, and people. Moreover, consumers expect private security services to use technology to enhance their security measures because modern and sophisticated technologies are widely used in almost all sectors. This includes using surveillance cameras, drones, and access control systems to monitor and protect their property. The private security services industry plays an important role in contributing to Malaysia's economy, both directly and indirectly, and is an important driver of economic growth. [30] Malaysia saw a boom in the security services industry in the 1990s, with the establishment of over 500 security companies, a rise of 60 per cent from the 1980s.[31] As of December, a total of 1006 licences have been issued by MOHA to the industry players.[32]

Type of crimes	2017		2018		2019	
Violent	**21,366**	**100.0**	**16,902**	**100.0**	**16,489**	**100.0**
Murder	379	1.8	323	1.9	310	1.9
Rape	1,835	8.6	1,648	9.8	1,738	10.5
Robbery	14,128	66.1	10,271	61.1	9,729	59.0
Causing injury	5,024	23.5	4,660	27.6	4,712	28.6
Property	**77,803**	**100.0**	**71,760**	**100.0**	**66,967**	**100.0**
House break-in & theft	16,200	20.8	15,742	21.9	16,497	24.6
Vehicle theft	42,159	54.2	35,953	50.1	30,867	46.1
Snatch theft	240	0.3	138	0.2	19	0.1
Other theft	19,204	24.7	19,927	27.8	19,584	29.2
Total	**99,169**		**88,581**		**83,456**	

Note: Snatch theft categorized as robbery when force is used, the victim is injured or in a state of fear during the incident

Data source: Royal Malaysian Police

Figure1.1 Crime Index by Type of Crimes , Malaysia , 2019 and 2020

29 https://www.technavio.com favicon; (retrieved on 4 May 2023)
30 Datuk Nur Jazlan , The ex-Deputy Minster of MOHA (2015-2018)
31 https://www.moha.gov.my/images/maklumat_bahagian/ipsom/jurnal/volume5/3_v5.pdf; (retrieved on 5 may 2023)
32 Hhttps://www/esisms.moha.gov.my/opendata; (retrieved on 5 May 2023)

Type of crimes	2019	2020	YoY (%)
Violence	**16,489**	**13,279**	**-19.5**
Murder	310	253	-18.4
Rape	1,738	1,582	-9.0
Robbery[a]	9,729	7,326	-24.7
Causing injury	4,712	4,118	-12.6
Property	**66,967**	**52,344**	**-21.8**
House break-in & theft	16,497	14,040	-14.9
Vehicles theft	30,867	21,579	-30.1
Snatch theft	19	-	-
Other theft	19,584	16,725	-14.6
Total	**83,456**	**65,623**	**-21.4**

Figure1.2 Includes Gang robbery with firearms, Gang robbery without firearms, Robbery with firearm and Robbery without firearms YoY: Percentage refers to annual percentage change rate
Data source: Royal Malaysia Police

Latest Release : 16 October 2024
Upcoming release : 16 October 2025

Type of Crime	2022	2023	Percentage change (%)
Assault crime	10,348	10,453	1.0
Murder	240	258	7.5
Rape[a]	1,712	1,914	11.8
Robbery[b]	4,589	4,588	-0.0
Causing injury	3,807	3,693	-3.0
Property crime	40,465	41,991	3.8
House break-in & theft	10,585	11,557	9.2
Vehicles theft	14,446	14,597	1.0
Other thefts	15,434	15,837	2.6
Total	50,813	52,444	3.2

Notes:

[a] Rape case involving Section 376 of the Penal Code

[b] Includes gang robbery with firearms, gang robbery without firearms, robbery with firearms and robbery without firearms

Source: Royal Malaysia Police

Figure1.3 Crime Statistics, Malaysia 2024

Malaysia as a developing nation [33] faces challenges, including crime. [34] Understanding crime rates, patterns, and causes is essential for devising effective

[33] http.www.worldbank.org; (retrieved on 5 July 2023)
[34] http://www.ocerint.org/intcess17_epublication/papers/292.pdf (retrieved on 5 July 2023)

strategies to ensure the safety and well-being of its citizens. Crime rates in Malaysia have been a topic of concern. Figure1.1, 1.2 and 1.3 show the crime index pattern and statistics from 2017 to 2024. Despite the fluctuation of crime rates and security risks, the pattern was on a downward trend. In general, the crime rate in Malaysia has been decreasing in recent years.[35] Crime rates in Malaysia dropped by 46.7 per cent during the 84 days of MCO and the Conditional Movement Control Order (CMCO). [36] Despite the crime index in Malaysia having dropped in recent years, the demand for private security services has not reduced commensurately with the crime rate. This could be due to human nature, which often remembers the bad better than the good.

Property crimes make up the majority of index crimes in Malaysia.[37] Kuala Lumpur, Selangor, and the federal territories experience the majority of the crime index due to their economic vibrancy.[38] Selangor is Malaysia's largest economy, contributing over 22 per cent of the country's GDP.[39] Wilayah Persekutuan Kuala Lumpur is the wealthiest federal territory in Malaysia, accounting for 16 per cent of GDP and having an average annual growth rate of six per cent to seven per cent per year.[40] The per capita GDP for Kuala Lumpur in 2015 was RM94,722, and the average monthly household income was RM9,073 as of 2016.[41] Selangor and Kuala Lumpur remained the major contributors to the country's economic growth in 2021, with Selangor growing by 2.2 per cent and Kuala Lumpur growing by 1.6 per cent.[42] The prosperity and wealth of Kuala Lumpur and Selangor have a clear correlation to the high crime rates recorded in these two states, as shown in Figure1.4. This encourages the increase in demand and

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35 http://www. kyotoreview.org favicon; (retrieved on 8 July 2023)

36 This was the first type of Movement Control Order (MCO) implemented in Malaysia, beginning on March 18, 2020, and lasting until May 3, 2020. It involved strict restrictions on movement and business operations during the pandemic of Covid 19.

37 -https://www.therakyatpost.com/news/malaysia/2020/06/11/police-saw-decline-in-crime-rates-during-mco-cmco/; (retrieved on 8 July 2023)

38 https://www.therakyatpost.com/news/malaysia/2020/06/11/police-saw-decline-in-crime-rates-during-mco-cmco/; (retrieved on 8 July 2023)

39 https://www.enterprisesg.gov.sg/grow-your-business/go-global/market-guides/southeast-asia/malaysia/overview; (retrieved on 9 July 2023)

40 Wilayah Persekutuan is a federal territory in Malaysia. It is one of three federal territories in Malaysia, along with Kuala Lumpur, Putrajaya and Labuan in Sabah. The Federal Territories are governed directly by the Federal Government of Malaysia.

41 https://www.dosm.gov.my/portal. (retrieved on 9 July 2023)

42 https://www.dosm.gov.my/portal-main/release-content/gross-domestic-product-gdp-by-state-2021; (retrieved on 9 July 2023)

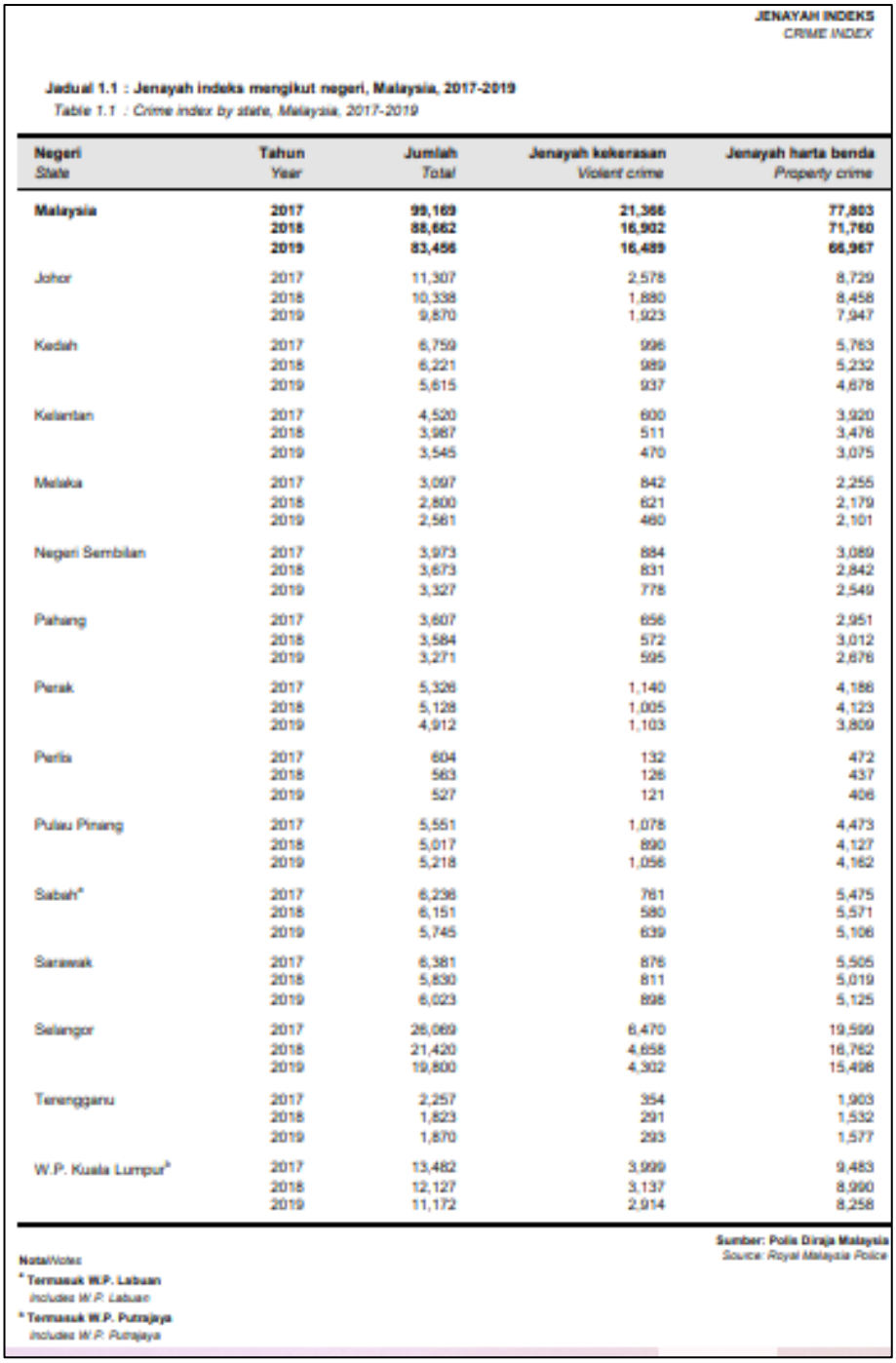
supply of security services in Kuala Lumpur and Selangor, evidenced by the large number of PSCs being set up in these two places.

Contingent	Ratio (per 100,000 population)	
	2022	2023
Malaysia	**146**	**149**
Johor	111	131
Kedah	200	193
Kelantan	108	96
Melaka	132	146
Negeri Sembilan	151	159
Pahang	105	103
Perak	123	134
Perlis	149	124
Pulau Pinang	188	193
Sabah[a]	96	95
Sarawak	130	134
Selangor	188	196
Terengganu	110	100
W.P. Kuala Lumpur[b]	241	221

Source: Royal Malaysia Police

Notes:
[a] Includes W.P. Labuan
[b] Includes W.P. Putrajaya

Figure1.4 Ratio Crime Index by Contigent, Malaysia 2022 and 2023



JENAYAH INDEKS
CRIME INDEX

Jadual 1.1 : Jenayah indeks mengikut negeri, Malaysia, 2017-2019
Table 1.1 : Crime index by state, Malaysia, 2017-2019

Negeri *State*	Tahun *Year*	Jumlah *Total*	Jenayah kekerasan *Violent crime*	Jenayah harta benda *Property crime*
Malaysia	**2017**	**99,169**	**21,366**	**77,803**
	2018	**88,662**	**16,902**	**71,760**
	2019	**83,456**	**16,489**	**66,967**
Johor	2017	11,307	2,578	8,729
	2018	10,338	1,880	8,458
	2019	9,870	1,923	7,947
Kedah	2017	6,759	996	5,763
	2018	6,221	989	5,232
	2019	5,615	937	4,678
Kelantan	2017	4,520	600	3,920
	2018	3,987	511	3,476
	2019	3,545	470	3,075
Melaka	2017	3,097	842	2,255
	2018	2,800	621	2,179
	2019	2,561	460	2,101
Negeri Sembilan	2017	3,973	884	3,089
	2018	3,673	831	2,842
	2019	3,327	778	2,549
Pahang	2017	3,607	656	2,951
	2018	3,584	572	3,012
	2019	3,271	595	2,676
Perak	2017	5,326	1,140	4,186
	2018	5,128	1,005	4,123
	2019	4,912	1,103	3,809
Perlis	2017	604	132	472
	2018	563	126	437
	2019	527	121	406
Pulau Pinang	2017	5,551	1,078	4,473
	2018	5,017	890	4,127
	2019	5,218	1,056	4,162
Sabah[a]	2017	6,236	761	5,475
	2018	6,151	580	5,571
	2019	5,745	639	5,106
Sarawak	2017	6,381	876	5,505
	2018	5,830	811	5,019
	2019	6,023	898	5,125
Selangor	2017	26,069	6,470	19,599
	2018	21,420	4,658	16,762
	2019	19,800	4,302	15,498
Terengganu	2017	2,257	354	1,903
	2018	1,823	291	1,532
	2019	1,870	293	1,577
W.P. Kuala Lumpur[b]	2017	13,482	3,999	9,483
	2018	12,127	3,137	8,990
	2019	11,172	2,914	8,258

Sumber: Polis Diraja Malaysia
Source: Royal Malaysia Police

Nota/Notes
[a] **Termasuk W.P. Labuan**
Includes W.P. Labuan
[b] **Termasuk W.P. Putrajaya**
Includes W.P. Putrajaya

Figure1.5 Crime Index based on State

Figure1.5 suggest the rationale for higher numbers of private security services companies in Kuala Lumpur and Selangor.[43] Based on the statistics revealed by PDRM and the Department of Statistics Malaysia, violent crimes in Malaysia show a steady

43 https://open.dosm.gov.my/violent-property-crime; (retrieved on 12 may 2023)

pattern over the years.[44] Crime in Malaysia manifests in various forms, including murder, drive-by killing, drug trafficking, money laundering, fraud, black marketeering, and sex trafficking. Nonetheless, property crimes are more common than violent crimes. According to PDRM, the cities and towns with the highest number of criminal cases are Petaling Jaya, Johor Bahru, Bukit Mertajam, Ipoh, and Kuantan. Violent crime against foreign tourists is less frequent in Malaysia, though pickpocketing and burglaries are common.[45] Nonetheless, unarmed robbery and vehicle theft are the most frequent crimes in Kuala Lumpur and Selangor. Credit card fraud is a problem in Malaysia, with a high rate of credit card fraud. Other types of non-violent crime include motor vehicle theft, scams, and corruption.

The presence of private security guards can help reduce petty crimes in public spaces. The mere presence of a security guard may deter any potential criminal from committing a crime.[46] Security guards can play the role of sentinels, which can lead to a reduction in victim-generated crimes and an increase in detection. Trained guards are trained to identify suspicious activity immediately. They can assess a situation and react to security breaches.[47] A guard is a greater visual deterrent than just camera surveillance or a standard security system. It sends a message to potential criminals that one is serious about the security of their business. Overall, while crime is present in Malaysia, the country has seen a decline in crime rates recently.

Private security services can be effective in preventing crime, but they are not necessarily the best tool in all situations. A randomised controlled trial in a mass transit system found that increasing the number of private security agents in public spaces led to a reduction in crime.[48] PSCs can be essential to enhancing public safety, and co-operation between private security agencies, law enforcement, and citizens is crucial.[49]

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44 https://www.macrotrends.net/countries/MYS/malaysia/crime-rate-statistics; (retrieved on 12 July 2023)

45 https://govdocs.sinarproject.org/documents/department-of-statistics/crime-statistics-malaysia-2020/statistik-jenayah-malaysia-2020-final-v2-19112020.pdf (retrieved on 11 July 2023)

46 https://www.securitymagazine.com/articles/95484-the-fine-line-of-securitys-role-as-a-deterrent-how-people-process-and-technology-influence-response; (retrieved on 11 July 2023)

47 https://smallbusiness.chron.com/benefits-having-security-guard-business-2386.html; (retrieved on 11 July 2023)

48 Ariel, Blant and Sutherland, 'Lowering the threshold of effective deterrence'—Testing the effect of private security agents in public spaces on crime: A randomized controlled trial in a mass transit system'. Published online 2017 Dec 6. doi: 10.1371/journal.pone.0187392. (retrieved on 4 July 2023)

49 https://www.aus.com/security-resources/manufacturing-security-best-practices-5-critical-considerations, (retrieved on 4 July 2023)

Collaboration between PSCs and law enforcement is steadily growing,[50] although there is still much more room for further technical and procedural development in order to successfully prevent crime within societies.[51] Private security can gather better information about incidents and reduce the number of calls for service, but they are not a substitute for law enforcement.[52]

Private security services can be an effective tool in preventing crime, but they should be used in conjunction with law enforcement and other crime prevention measures. The effectiveness of private security services depends on the specific situation and the level of co-operation between private security agencies, law enforcement, and citizens.[53] PSCs can play a vital role by extending their services and working closely with the government to combat crime. This aim can be achieved through their partnerships and collaborations with the government agencies, particularly PDRM. Private security and law enforcement agencies may work together through various modes and proactive approaches. A clear provision to stipulate the roles and functions of the parties must be drawn for an effective result. The law enforcement agencies and the PSCs can form partnerships to combat specific types of crime that concern both the police and the private security service industry.[54] In addition, collaboration between PSCs and law enforcement is significant to better tackle crime and terrorism. Though the collaboration is steadily increasing, there is still considerable room for enhancement. private security service companies can serve as community watchdogs by collaborating with the Public Security Division of MOHA Security to combat global.[55] They can coordinate with other government agencies and non-governmental organisations (NGOs), such as PEMADAM,[56] to reduce crime and disorder, as crime and drugs are closely related.[57]

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50 https://www.rmp.gov.my/galeri/galeri-2019/kpdrm-respa-dan-pikm-jalin-kerjasama-strategik; (retrieved on 12 July 2023)

51 https://www.asisonline.org/publications--resources/news/blog/how-private-security-and-law-enforcement-work-together/, (retrieved on 4 July 2023)

52 Engaging the Private Sector To Promote Homeland Security: Law-Enforcement-Private Security Partnerships chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/revised_laser_public_private_partnerships.pdf (retrieved on 5 July 2023)

53 Mudhol S (2024 Vol 12 Issue 1) Role of Private Security and Private Detective Agencies in Crime Prevention, IJCRT

54 https://www.usdoj.gov favicon;(retrieved on 7 July 2023)

55 https://www. intesecurity.com favicon; (retrieved on 8 July 2023)

56 https://www.pemadam.org.my an NGO to combat drug abuse in Malaysia; (retrieved on 8 July 2023)

57 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4070162/; (retrieved on 6 July 2023)

Private security companies can fill in gaps in law enforcement by reducing some of the policing workloads and responsibilities of public law enforcement, improving an area's safety and response time. Private security services can potentially reduce the burden on the police in several ways, among others, through supplemental protection provided by the PSCs, as many individuals and corporations have hired private security contractors for supplemental protection. These services can lessen police work by taking on some of their duties. Private security and law enforcement can work together to prevent and respond to crime and reduce the burden on the police by sharing the workload and resources. Thus, it can cut down on unneeded bureaucracy and focus on more effective law enforcement. Such collaboration can help reduce the burden on the police by finding more efficient ways to handle more crucial, aggravated, and complex criminal tasks.[58]

The government of Malaysia acknowledged the importance of peace and stability to achieve economic prosperity. As a result, the Malaysian government has taken various steps, including allocating a budget for the security sector to address these security concerns. For example, from RM17.7 billion received by the Ministry of Defence in 2015, RM3.6 billion was spent on military procurement. [59] This was earmarked mainly for the purchase of four Airbus Military A400M cargo planes as well as navy patrol vessels. Malaysia announced a 2023 budget of RM4 billion for the Ministry of Defence, a nominal 10 per cent increase over the original 2022 allocation.[60] The revised budget for 2023 included RM1 billion to enhance domestic security, such as by acquiring 2,100 body cameras for the police and RM450 million for defence. Also, MOHA received a budget of RM4.2 billion.[61] MOHA is responsible for public order, border and maritime security, crime, and terrorism prevention. Those areas are covered under the ministry's enforcement agencies, such as PDRM, Malaysian Maritime Enforcement Agencies (MMEA), Malaysian Prison Department (PRIDE), and Immigration. The Malaysian government allocated a total of RM332.1 billion for

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58 by the law enforcement private security commission; Operation partnership- trends and practices in law enforcement and private security collaboration,; published by US Department of Justice https://portal.cops.usdoj.gov/resourcecenter/RIC/Publications/cops-p169-pub.pdf; (retrieved on 7 July 2023)

59 https://www.malaysiandefence.com/malaysian-defence-budget-2015/; (retrieved on 11 July 2023)

60 https://www.thevibes.com/articles/news/86094/budget-2023-home-defence-ministries-get-rm36.2-bil; (retrieved on 11 July 2023)

61 https://www.mod.gov.my/en/mediamenu-2/news/2114-defence-minister-message-2023; (retrieved on 11 July 2023)

Budget 2022, the highest value compared to previous budgets. The government allocated budgets for defence and security in the past, but there is no specific information about budgets for private security services. Though security guards, along with the police force, were front-line workers who played a vital role in keeping buildings safe from crime and contributing to public health during the pandemic,[62] no specific information about the allocation for private security services from the Malaysian government in the expansionary budget in 2021 that aimed at spurring economic activity as the country grappled with the COVID-19 pandemic. [63]

Different types of private security guard services are available in Malaysia, including armed security guard service, mobile patrols, executive protection, private investigators, security systems, canine force, risk assessment, safety, and audit. In general, local security companies dominate the market, with the top ten based on work environment, company culture, remuneration, and accommodation standards. On the other hand, PSCs in Malaysia face challenges, such as the lack of standardisation and regulation of training programmes for security guards. This calls for better governance mechanisms to regulate the industry and ensure compliance with international law and human rights standards such as the Sarajevo Code of Conduct, [64] the Montreux Document[65], and the United Nations Office on Drugs and Crime.[66]

The industry has seen significant growth in recent years, with the establishment of hundreds of security companies. As of August 2022, a total of 930 companies with a valid licence to operate were registered as members of Persatuan Industri Kawalan Malaysia (PIKM).[67] As of January 2023, there were 1006 licences[68] issued by MOHA to various companies in Malaysia to operate as private security services companies registered under the Private Agencies Act 1971. It is a legal requirement that, besides

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62 https://www.centreforsecurity.com/importance-of-security-guards-during-the-pandemic/; (retrieved on 9 June 2023)

63 https://www.belanjawan2021.treasury.gov.my/index.php/en; (retrieved on 9 June 2023)

64 https://www.securityhumanrightshub.org/node/277#:~:text=The%20Sarajevo%20Code%20of%20Conduct%20is%2C%20together%20with,the%20private%20security%20industry%20across%20South%20Eastern%20Europe. (retrieved on 9 June 2023)

65 https://www.eda.admin.ch/eda/en/fdfa/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html#:~:text=The%20Montreux%20Document%20is%20the%20first%20international%20document,to%20comply%20with%20their%20obligations%20under%20international%20law.; (retrieved on 10 June 2023)

66 https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/Ebook0.pdf; (retrieved on 10 June 2023)

67 https://www.pikm.my; (retrieved on 3 May 2023)

68 https://www.esims.moha.gov.my/opendata; (retrieved on 11 June 2023)

the licence granted by MOHA, the company must be a member of PIKM before they are allowed to operate.[69] However, the promotion of the well-being of the security guards is not expressly mentioned in any legal framework of Malaysia, but it is rather implied by some of the laws and regulations that govern the security industry. As upholding the well-being[70] of security guards is crucial to the growth and success of the private security services industry in Malaysia, a robust and comprehensive legal framework for this purpose is crucial and required to ensure the well-being of this vulnerable group is upheld and protected. The current study focused on the existing legal framework governing the industry in Malaysia, Singapore,[71] and Indonesia.[72] It focused on the different types of private security guard services, unarmed and armed security guard services provided by the registered companies licensed by MOHA. It also examined the significance and effectiveness of each type of service in addressing security concerns in the country.

Comparing Malaysia's Private Agencies Act 1971 with legal frameworks in Singapore and Indonesia on private security services provides critical benchmarks for reform, given their shared ASEAN context and varying regulatory maturity. Singapore offers advanced models for training and oversight, while Indonesia highlights regional challenges in enforcement, enabling Malaysia to adopt best practices without reinventing frameworks. This comparative approach strengthens the thesis by grounding recommendations in empirical, contextual evidence.

ASEAN neighbors face similar issues like cross-border crime, migrant labour, and urban security demands, making Singapore's Police Licensing and Regulatory Department (PLRD) guidelines under the Private Security Industry Act and Indonesia's fragmented regulations under Ministry of Manpower useful mirrors. Direct comparison reveals Malaysia's gaps in digital licensing or mandatory training against Singapore's rigorous certification. Indonesia's weaker enforcement underscores the need for Malaysia's 2025 amendments to prioritize compliance mechanisms.

Singapore's emphasis on professional standards, including minimum wages and tech integration for guards, addresses Malaysia's outdated employee vetting under the

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69 Para 12 Pekeliling Agensi Persendirian Bil. 4 tahun 2010

70 Jarden A, Roache A. What Is Well-being? Int J Environ Res Public Health. 2023 Mar 12;20(6):5006. doi: 10.3390/ijerph20065006. PMID: 36981914; PMCID: PMC10049282.

71 Singapore Private Security Industry Act 2007

72 Republic of Indonesia State Police Regulations Number 4 of 2020 About Private Security (Peraturan Kepolisian Republik Indonesia Nomor 4 Tahun 2020 Tentang Pengamanan Swakarsa)

Act. Indonesia's Law No. 13/2003 on Manpower offers lessons on labor protections but exposes enforcement lacunae, justifying Malaysia's adoption of Singapore-style audits. This justifies reform proposals tailored to Malaysia's multi-billion-ringgit industry.

Specific aspects of private security law to compare between Malaysia, Singapore, and Indonesia include licensing regimes, training standards, enforcement mechanisms, and operational limits, as these directly address gaps in Malaysia's Private Agencies Act 1971. Such comparisons reveal best practices for modernization, like Singapore's rigorous certification versus Indonesia's labor-focused approach. This targeted analysis strengthens reform recommendations in a PhD thesis on legal lacunae.

Examine licence validity periods, renewal processes, and digital integration—Malaysia's annual manual system lags behind Singapore's multi-year PLRD licences under the Private Security Industry Act. Compare Indonesia's Ministry of Manpower requirements under Law No. 13/2003 for firm registration agai Malaysia's ministerial powers. This highlights efficiency gaps addressed in Malaysia's 2025 amendments.

Assess mandatory training hours, qualification vetting, and ongoing certification for guards and investigators. Singapore mandates 120-hour courses with fitness tests; Indonesia emphasizes basic manpower protections but lacks depth; Malaysia's pre-reform police checks fall short. Comparison justifies adopting minimum standards to reduce unqualified operators.

Contrast penalty levels, inspection frequencies, and appeal processes asSingapore's fines exceed RM50,000 with audits, Indonesia struggles with fragmented enforcement, while Malaysia caps at RM10,000 which is pre-2025. Evaluate corporate liability for subcontractors and inter-agency rules to curb exploitation.

Review powers of arrest, use of force, uniforms, and data handling such as the PDPA compliance. Singapore limits to citizen's arrest with clear uniforms; Indonesia ties to labor laws; Malaysia prohibits seizable offence inquiries without protocols. This ties to Crime Pattern Theory by linking regulations to opportunity reduction.

The study attempted to develop a conceptual framework for the private security services industry in Malaysia by gathering details and information from relevant governmental agencies, including MOHA, particularly the security division, the Immigration Department, the Malaysian PDRM, the Ministry of Human Resources (KESUMA), industry players, and experts on the subject, to identify the key components of the framework. The framework should identify the challenges and issues facing the private security services industry in Malaysia, for example, the lack of

standardisation, limited training and certification, and the high turnover rate of security personnel.[73] This would facilitate the exploration of the professionalisation of private security services in Malaysia, which includes training and certification for security personnel, regulation of PSCs, and standardisation of security services.[74]

The study also examined government policies and regulations related to private security services in Malaysia, with a great focus on the Private Agencies Act 1971 and circulars related thereto. It was due to the consideration of the role of the government in regulating the private security industry and ensuring the quality and effectiveness of private security services in the country. The study identified the major security services offered by PSCs in Malaysia. The role of their experience, trustworthiness, and commitment was also examined in maintaining the security industry's most stringent benchmarked standards. The study included a comparison of the Sarajevo Code of Conduct for Private Security Companies,[75] Montreux Document,[76] and the handbook issued by the United Nations Office on Drugs and Crime (UNODC)[77] as benchmarks. In short, the study focused on the importance and different types of private security guard services in Malaysia, as well as explored the development of a conceptual framework for the private security services industry. To do so, a study should be conducted on government policies and regulations, the role of PSCs, the professionalisation of private security services, and the challenges and issues faced by the industry.

A more comprehensive legal framework is required to promote the well-being of security guards in Malaysia. This study believed that security guards who are well-equipped with the required knowledge will be able to carry out their duties. Preliminary findings from this research suggest that there are innovative methods available to enhance human capital in Malaysia's private security services industry, aimed at training security guards to be more vigilant in their roles. Presently, PIKM has various training programmes, which include the Certified Security Guards (CSG) Training Programme. The Certified Security Guards Training Programme is a government

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73 https://www.sciencedaily.com/releases/2014/06/140603103503.htm (retrieved on 11 July 2023)

74 https://www.moha.gov.my/index.php/ms/program-latihan; (retrieved on 2 May 2023)

75 https://www.securityhumanrightshub.org/node/277#:~:text=The%20Sarajevo%20Code%20of%20Conduct%20is%2C%20together%20with,the%20private%20security%20industry%20across%20South%20Eastern%20Europe.; (retrieved on 12 June 2023)

76 https://www.montreuxdocument.org/about/montreux-document.html; (retrieved on 12 June 2023)

77 https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/Ebook0.pdf (retrieved on 12 June2023)

initiative aimed at providing training and certification to security personnel in Malaysia. The programme covers various aspects of security, including security operations, communication, and customer service.[78] This programme can help to enhance the skills and knowledge of security personnel and improve the quality of security services in Malaysia.

Professionalisation through training and certification programmes and regulation of the industry can help to improve the quality and effectiveness of security services in the country.[79] To exemplify, security personnel must be equipped with technology-based training, and development can be an innovative way to enhance their skills and knowledge to face the challenges of the current era. This can be done by including online training courses, virtual reality simulations, and other technology-based training methods. These methods can make training more engaging, effective, and accessible for security person.[80] Moreover, collaboration with higher learning institutions through research collaborations, joint training programmes, and other forms of collaboration with universities and research institutions[81] can help to enhance the skills and knowledge of security personnel. These collaborations can help bring new ideas and approaches to the private security services industry in Malaysia.

Continuous professional development or refresher courses are essential for security personnel to keep up with the changing security landscape. The usage of advanced technologies and devices in the industry is crucial. This can include ongoing training and education, participation in conferences and seminars, and other forms of professional development. The security personnel must be exposed to continuous professional development, which will help to enhance their skills and knowledge and improve the quality of security services in the country. Meanwhile, innovative human capital development is crucial to the growth and success of the private security services industry in Malaysia. In short, the industry can benefit from various training and development programmes, collaboration with universities and research institutions, and

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78 https://www.moha.gov.my/index.php/ms/program-latihan; (retrieved on 2 May 2023)

79 https://www.academia.edu/7934608/The_professionalisation_of_security; (retrieved on 11 July 2023)

80 https://www.cybsafe.com/blog/four-different-types-of-security-awareness-training/; (retrieved on 11 July 2023)

81 Selangor and Wilayah Industrial Security Society and Meritus University had on 2 February 2023 –signed an agreement to formalise their continuous collaborative effort in elevating the standards of security services in Malaysia; https://meritus.edu.my/mu/meritus-university-collaborates-with-selangor-wilayah-industrial-security-society-to-offer-certification-courses-for-security-workforce/;(retrieved on 11 July 2023)

continuous professional development. These innovative approaches can help to enhance the skills and knowledge of security personnel and improve the quality.

1.3 Problem Statement

On 30 April 1971,[82] Malaysia enacted the Private Agency Act[83] to regulate the private security services industry. The Act is outdated and has failed to embrace the current social and economic demands. Private security services in Malaysia see an upward demand due to the improvement in the economic and social standard amongst Malaysians in the public and business sectors. By the year 2030, Malaysia will need at least 500,000 security guards to meet market demand.[84] As of December 2022, a total of 1006 licenses[85] were issued by MOHA to industry players, and the number is escalating every year. However, the industry is heavily dependent on human labourers without adequate knowledge and training and is not keen to switch to high-tech solutions. The government acknowledges that the private security industry plays an important role in the country's economy,[86] but the legal framework seems to have failed to address this scenario. The current requirements and business environment have not led to any amendments to the Act.[87]

At present, only Nepalese are allowed to serve as security guards in Malaysia.[88] Andy Hall, an international human rights and labour activist, has urged the Malaysian government to regulate agencies to curb the poor treatment of Nepalese guards, as they seem to be the most abused, exploited, and ill-treated with poor working conditions in Malaysia.[89] Accordingly, Datuk Seri Hamzah Zainuddin, the former Minister of Home Affairs, once said a decision at the policy level had been agreed upon to bring foreign labour from the Philippines, Indonesia, and Bangladesh to work as security guards to

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82 Preamble of the Act (Private Agencies Act 1971 - Act 27)
83 Applicable throughout Malaysia since 30 April 1971
84 https://www.thestar.com.my/news/nation/2022/05/28/new-source-countries-sought-for-security-guards; (retrieved 3 May 2023)
85 https://esims/moha.gov.my/opendata; (retrieved on 3 May 2023)
86 https://www.thesundaily.my/local/private-security-services-industry-plays-important-role-in-country-s-economy-pm-BM709663; (retrieved on 3 May 2023)
87 Remarks by Gary Albert Jimbih the assistant secretary at the security division of MOHA reported in Buletin PIKM Edisi Khas Mesyuarat Agung Tahunan PIKM ke 26 at page 51
88 Surat Pekeliling Agensi Persendirian Bil 2 tahun 2006
89 https://focusmalaysia.my/saifuddin-must-regulate-security-agencies-to-curb-poor-treatment-of-nepalese-guards/; (retrieved on 6 May 2023)

overcome the shortage of Nepalese.[90] The current Minister of Home Affairs, Datuk Saifuddin Nasution, during his two-day official visit to Dhaka, Bangladesh, has further affirmed that Malaysia is keen to recruit Bangladeshis to serve as security guards.[91] Nonetheless, the development has caused grief, concern, and discomfort amongst Malaysians.[92] It is famously believed that industry should not be dependent on foreign labourers to meet the demand. The armed forces recognise the private security service as the 'third line of defence'.[93] Hence, the safety of a nation should not be given to foreign labourers.

Rather, a more robust and agile legal framework must be drafted to address the unpleasant issues revolving around the industry. The existing laws and regulations governing the industry seem to be outdated and have failed to address many issues faced by industry players, end users, and regulators, which has led to various socioeconomic issues. The current laws and regulations governing private security services in Malaysia have flaws that need to be addressed for the enhancement of their quality. At the same time, a legal framework must be developed to spur the interest of local talents in joining the industry. The framework must encourage the use of high-technology equipment and tools to reduce the dependency on humans.

Security guards play a critical role in maintaining safety and security, and their work should be valued and respected. They face various challenges in their work, including low pay, long working hours, and inadequate training.[94] Among the challenges is harassment. The issue of harassment and violence against security guards is a serious problem that deserves attention and action. The harassment they face will impact their health and work ability; robust measures should be taken to prevent and address this issue. A study found that the prevalence of verbal aggression, threats of assault, and physical acts against security guards at least once a month was 39 per cent, 19 per cent, and 15 per cent, respectively.[95] Another study published in the National

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90 https://www.thestar.com.my/news/nation/2022/05/28/new-source-countries-sought-for-security-guards; (retrieved on 6 May 2023)

91 https://www.bangladeshpost.net/posts/malaysia-keen-to-recruit-security-guards-from-bangladesh-105307#:~:text=M%20alaysian%20Home%20Affairs%20Minister%20Saifuddin%20Nasution%20Ismail,the%20state%20Guest%20House%20Padma%20in%20the%20city.; (retrieved on 6 May 2023)

92 https://www.academia.edu/19991938/Kesan_negatif_kebanjiran_warga_asing_di_Malaysia; (retrieved on 8 May 2023)

93 Para 7 – Pekeliling Agensi Persendirian Bil 1 tahun 2010 dated 6 Jan 2010

94 https://www.carecheck.co.uk/challenges-of-working-as-security-guard/;(retrieved on 20 May 2023)

95 https://pubmed.ncbi.nlm.nih.gov/21173537/; (retrieved on 20 May 2023)

Centre for Biotechnology Information (NCBI) supported that security guards in Malaysia are often subjected to verbal abuse, physical abuse, bullying, and sexual harassment.[96] A security guard was even beaten to death while performing his duty.[97] Sexual harassment includes acts such as repeatedly calling a person 'sayang' and flirting with colleagues, which are frowned upon in a professional work environment[98]. These acts not only violate the security guards' rights but also affect their mental and physical health. The same study published in NCBI found that higher occupational stress was associated with health impairments such as metabolic syndrome, diabetes, and cardiovascular disease among security guards.[99] In addition, harassment at the workplace can lead to stress, anxiety, depression, and other mental health issues. It can also affect the work ability of security guards, leading to absenteeism, decreased productivity, and increased turnover rates.

A recent report revealed that security guards in Malaysia are required to pay fees to secure their jobs. This malpractice violates the code of conduct established by many large multinational companies. IKEA stores in Malaysia cut ties with the company's labour provider after an internal investigation found that many security guards in IKEA's Malaysian stores had paid fees to secure their jobs.[100] Accordingly, employers in the private security services sector should take steps to address the issue of harassment and provide a safe working environment for their employees because the well-being and safety of security guards are essential to ensure the safety and security of people and properties in Malaysia. As harassment against security guards in Malaysia is a serious issue that affects their health and work ability, employers should take

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96 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9940995/ (retrieved on 11 July 2023)

97 https://www.malaymail.com/news/malaysia/2021/08/29/charge-assaulter-with-murder-ipoh-barat-mp-tells-prosecution-after-ipoh con/2001347#:~:text=The%20condo%20security%20guard%20Thava%20Sagayam%2C%20then%2063-years-old%2C,on%20the%20guard%20who%20fell%20on%20the%20floor. (retrieved on 6 May 2023)

98 Sexual harassment includes acts such as repeatedly calling a person 'sayang' - Calling colleagues 'sayang' or 'dear' as well as 'sexting' are now considered sexual harassment in the workplace and such behaviour is an offence for civil servants, according to the Public Services Commission (PSC). These were among the disciplinary offences for government servants as listed by the PSC in a circular dated April 7, reported in https://www.malaymail.com/news/malaysia/2023/05/07/calling-colleagues-sayang-dear-now-considered-sexual-harassment-at-work-for-civil-servants-says-public-services-commission/68036; (retrieved on 11 July 2023)
Public Service Commission Order dated 7 April 2023, an offence punishable under Regulation 4A Public Officers Regulations (Conduct and Discipline) 1993

99 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9940995;(retrieved on 11 July 2023)

100 https://scandasia.com/ikea-in-malaysia-cuts-ties-with-security-services-supplier-over-labor-policy-breach/; (retrieved on 17 April 2023 sighted on 3 July 2023)

proactive measures to prevent and address this issue, including promoting awareness, implementing internal policies and measures, and providing training to security guards and contractors. By taking these measures, security guards are able to work in a safe and secure environment, free from harassment and violence.

Security guards are vulnerable to abuse by the public members.[101] An elderly security guard being physically assaulted that led to his death while he was merely performing his duty must be addressed seriously. Therefore, a stringent legal framework must be drawn to prevent and address harassment against security guards. Employers should take proactive measures to promote awareness and handle cases regarding sexual harassment. This includes understanding and identifying what sexual harassment amounts to in the Malaysian workplace and implementing internal policies and measures to assist with prevention and addressing the issue. Businesses should ensure all security guards and contractors are trained in human rights principles and sexual harassment policies.[102] Employers should also conduct an inquiry as directed by the Director General of Labour or submit an inquiry report as directed by the Director General of Labour. Certain acts of sexual harassment, such as physical harassment, may also amount to a criminal offence under the Penal Code. In such circumstances, the complainant may consider lodging a police report against the perpetrator in addition to the sexual harassment complaint made to the employer or the Director General of Labour.[103] By taking these measures, security guards are able to work in a safe and secure environment, free from harassment and violence. In short, security guards in Malaysia face numerous challenges, including occupational stress, workplace violence, hiring and training, and labour policy breaches.

As Act 27 has never been repealed nor amended, numerous issue and lacunae can be found therein which require strinegt attention by the law makers and the relevant stakeholders .

The Private Agencies Act 1971 (Act 27) in Malaysia regulates private security and investigation agencies but contains several outdated provisions and gaps that fail to address modern industry challenges. Recent amendments in 2025 highlight some of

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101 https://www.channelnewsasia.com/commentary/red-swastika-security-guard-verbal-abuse-society-attitude-kindness-2447276(retrieved on 15 May 2023)

102 Alwi Ibrahim – certified security guards training programme towards security service industry reform - journal of public security vol 5 siri 1/2016

103 Sect 81G Employment Act 1955

these issues, yet significant lacunae persist in oversight, training, enforcement. The amendment has failed to address the issue on the wellbeing and career path of the security guards which is the most crucial issue encountered by the industry which lead to failure to attract local talent.

The Act mandates annual licence expirations and manual gazette publication of licensed agencies, creating administrative burdens and limiting public access to verification. It lacks provisions for fixed multi-year validity periods or full digital integration, despite the shift to systems like ESIM for online checks. These gaps hinder efficiency in a digitized era, as evidenced by 2025 reforms introducing calendar-year licences and empowering the Inspector-General for approvals.

The Act reveals a weak regulation of investigations as section 2(b) provides a broad yet very vague definition of investigative activities without standards for ethics, data privacy, or modern threats like cybercrime and IP infringement. No requirements exist for investigator qualifications, training, or technology use, allowing unqualified operators and potential misuse of information. The Act prohibits inquiring into seizable offences but offers no protocols for handling sensitive data or PDPA compliance, exposing gaps in contemporary risk management.

As for the current practice letters of approval for prospect security guards rely on basic police vetting without mandatory training, fitness standards, or ongoing certification for security guards. No stringent requirements set forth for this purpose ever mentioned in the Act. This shows inadequate employee and operational controls by the regulators.

The Act has no explicit rules prioritized local hires over foreigners or banned licence leasing, enabling exploitation and non-compliance.

Uniform and identification rules exist but lack enforcement mechanisms for modern risks like impersonation in high-tech environments.

The Act has limited enforcement and penalties wherein broad ministerial powers for revocation lack clear appeal timelines or judicial oversight beyond final ministerial decisions, risking arbitrariness. Penalties as specified in the Act capped at RM10,000 fines pre-amendments, prove insufficient for deterring violations in a multi-billion-ringgit industry. No provisions address corporate liability for subcontractors or inter-agency collusion, weakening accountability.

Filling the lacunae in Private Agencies Act 1971 ensures robust regulation of private security and investigation agencies amid evolving threats. Outdated provisions

undermine public safety, industry professionalism, and legal compliance, necessitating reforms for modern challenges.

Gaps in training and qualification standards expose vulnerabilities to unqualified guards handling cyber threats or high-risk scenarios. Updated laws mandate rigorous vetting and certification, reducing risks like impersonation or data breaches. This aligns private agencies with public law enforcement, fostering intelligence sharing.

Weak enforcement and low financial penalties fail to deter violations such as licence leasing or unethical investigations. Comprehensive reforms introduce digital licensing, higher fines, and oversight, curbing exploitation and promoting ethical practices. Stronger rules build trust, attracting investment in a multi-billion-ringgit sector.

Outdated manual processes burden operations in a digital economy, as seen pre-2025 amendments. Filling lacunae with multi-year licences and PDPA integration streamlines compliance, aids local hiring, and addresses IP or cyber gaps. This prevents ultra vires actions and ensures constitutional alignment.

A clear protection given to the security guards coupled a clear career path crafted for the industry is deemed crucial and significant as this will attract local talents to join the industry which in turn will eliminate the reliance on foreigners to serve as security guards.

1.4 Research Questions

1. What is the existing regulatory framework governing the private security services in Malaysia?
2. How effective is the existing regulatory framework in promoting the well-being of the employees in the private security services in Malaysia?
3. How can the similar laws in Singapore and Indonesia be adopted and implemented in Malaysia?
4. What are the recommendations to enhance and improve the existing laws and regulations?

1.5 Research Objectives

This research was conducted:

1. To determine the scope and extent of the existing regulatory framework for private security services in Malaysia.
2. To critically analyse, with the aid of available data, the effectiveness of the existing regulatory framework in promoting the well-being of the employees for the private security services in Malaysia.
3. To ascertain from a comparative study of the laws and regulations in Indonesia and Singapore lessons that could be implemented in Malaysia.
4. To analyse and to put forward the proposals to enhance and improve the existing laws and regulations, particularly the Private Agency Act 1971 (Act 27), or to formulate the draft of a new bill (if necessary) supported by the evidence of findings.

1.6 Literature Review

The number of private security guard services has grown in popularity in Malaysia despite the fluctuation of crime rates and security risks. The services are an important driver of economic growth as they contributed 57.3 per cent to Malaysia's Gross Domestic Product (GDP) in 2010.[104] However, the private security sector in Malaysia is facing challenges such as the lack of standardisation and regulation of training programmes for security guards. In addition, Mohammad Fairuszaman Rustam and Nurul Fadly Habidin conducted research on the challenges of security guards in Selangor State Government Hospital in Malaysia,[105] highlighting the challenges of security guards in Selangor State Government Hospital.

There is a need for better governance mechanisms to regulate the industry and ensure compliance with international law and human rights standards. To address these security concerns, the government has taken a number of steps, including allocating and strengthening the defence and security system with the principle of forward defence.[106]

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104 http://dx.doi.org/10.6007/IJARBSS/v11-i6/10085; (retrieved on 25 May 2023)

105 https://hrmars.com/papers_submitted/10085/challenges-of-security-guards-in-selangor-state-government-hospital.pdf; (retrieved on 5 May 2023)

106 Malaysia Defence White Paper 2020 – chapter 8, clauses 45-48; https://www.mod.gov.my/images/mindef/article/kpp/Usul%20KPP.pdf; (retrieved on 11 July 2023)

However, the literature on private security services in Malaysia covers a wide range of topics, including the significance and challenges of private security guard services and the need for better governance mechanisms to regulate the industry and ensure compliance with international law and human rights standards. The literature shall look into the hurdles and challenges to improve the quality of services and the standard of living of the security guards in Malaysia.

A clear career path is significant to the profession of security guards and is crucial for ensuring the sustainability of the industry, as concluded by a study conducted by Dr. Edelito P. Deles. There is a need for enhanced career development opportunities, especially for high school graduates and college undergraduates working in the security sector. The findings highlight the potential for improvement and professionalisation of the industry, including training programmes for college undergraduates, providing promotions for qualified security guards with higher education and specialised training, conducting regular reviews of company policies, and implementing education and training for all levels of the organisation.[107] As of today, the Malaysian legal framework for the security industry fails to mention career paths for security guards, unlike in Indonesia.[108]

Upholding the well-being of employees plays a pivotal role in ensuring the sustainability of businesses. A study conducted by Krekel, Christian, Ward, George, and De Neve, Jan-Emmanuel, shows a significant, strong positive correlation between employee satisfaction with their company, employee productivity, and customer loyalty and a strong negative correlation with staff turnover. Ultimately, higher well-being at work is positively correlated with more business-unit-level profitability.[109] Hence, a legal framework must be comprehensive enough to ensure that the well-being of the private security services employees is upheld.

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107 Dr.Edelito P.Deles. 2023. 'Career Development Of Security Guards Of A Sampled Security Agency'. *EPRA International Journal* of Multidisciplinary Research (IJMR) 9 (10):223-28.

108 The second part -Rank Training and Competency Group - Republic of Indonesia State Police Regulations, Number 4 of 2020 About Private Security

109 Krekel, Christian and Ward, George and De Neve, Jan-Emmanuel (2019), Employee Well-being, Productivity, and Firm Performance; Saïd Business School WP 2019-04

1.6.1 The Sarajevo Code of Conduct[110]

The Sarajevo Code of Conduct for Private Security Companies is a set of basic principles of professional behaviour for PSCs. It is the first voluntary code of conduct for security providers in Southeast Europe that is based on European and international best practices and is recommended for use by any private security company based in the EU. The Code contains a set of basic principles of professional behaviour for PSCs, including respect for human rights, compliance with the law, and accountability for actions taken. The Code is intended to complement national legislation, and adherents to it are also expected to meet the basic conditions imposed by national law where the private security company is incorporated and based. Under the principles of the Code of Conduct, private security companies shall not act in a manner that would violate the spirit of international law or national laws of the country in which they operate. They should not, in any way whatsoever, accept any contract that violates national or international law. The Code also outlines guidelines on the use of minimal force in accordance with international best practice as formulated by the United Nations.

Meanwhile, the Sarajevo Client Guidelines for the Procurement of Private Security Companies are the product of the Sarajevo Process, which was aimed at enhancing the conduct and accountability of PSCs. The Sarajevo Code of Conduct and Sarajevo Client Guidelines are mutually reinforcing documents, and neither document is legally binding but can be used as a benchmark to enhance our legal framework for private security services.

1.6.2 The Montreux Document[111]

The Montreux Document on Private Military and Security Companies is an intergovernmental document that promotes respect for international humanitarian law (IHL) and international human rights law (IHRL) whenever private military and security companies (PMSCs) are present in armed conflicts. This subchapter will explore the Montreux Document and its relevance to Malaysia's private security services. The Montreux Document is an agreement between signatory countries

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110 https://www.securityhumanrightshub.org/node/277 (retrieved on 3 July 2023)
111 https://www.montreuxdocument.org/about/montreux-document.html (retrieved on 3 May 2023)

regarding private military and security companies in war zones. It was ratified in Montreux, Switzerland, in September 2008, and contains 70 recommendations for good state practices, such as verifying companies' track records, examining procedures used to vet staff, correcting prosecution when breaches of law occur, and ensuring compliance and personnel training with IHL and IHRL.

The Montreux Document is the first international document to reaffirm the international legal obligations of states regarding the activities of private military and security companies. It also aims to identify good practices and regulatory options that assist states in promoting respect for IHL and IHRL among private military and security companies (PMSCs). It is an intergovernmental document intended to promote respect for IHL and IHRL whenever private military and security companies are present in armed conflicts. The Montreux Document provides a framework for states to regulate and monitor the activities of PMSCs, including their recruitment, training, and deployment. The Montreux Document also encourages states to establish effective mechanisms for accountability and oversight of PMSCs, including the investigation and prosecution of any violations of international law.

However, the relationship between the Montreux Document and the Malaysian private security services industry is unclear, especially whether there is a direct ratification of the said document made between the regulators and Malaysian PSCs. Further research shall be conducted to ascertain the status. The current study focused on the second part of the Montreux Document, particularly on the good practices that should be adopted by Malaysian PSCs in line with the IHL, as recommended by the document.

1.6.3 United Nations, Organisation for Economic Co-operation and Development, and ISO 18788

The United Nations introduces the 'Guidelines on the Use of Unarmed Security Services from Private Security Companies,' which is the focus of this study. The guideline, imposed by the United Nations Security Management System (UNSMS), discussed how the principles can be used as parameters to be adopted by the stakeholders before engaging any private security services companies. The UNODC Handbook on State Regulation concerning Civilian Private Security Services was also utilised. The Organisation for Economic Co-operation and Development (OECD)'s

Due Diligence Guidance states that private security service companies should conduct crucial actions in accordance with the instructions provided by the organisation. The salient features introduced by the OECD through the guidance should be used as a basis for crafting a better legal framework. The study also reviewed the International Organisation for Standardisation (ISO), particularly ISO 18788, a global standard that offers recommendations for managing private security operations. The norm places a strong emphasis on upholding human rights and refraining from actions that could endanger or infringe upon the rights of people or groups. Any organisation that offers security services is covered, including governmental bodies, non-profits, and PSCs.

1.7 Private Security Services Act 1971 (Act 27)

Malaysia's private security services are regulated by the Private Agency Act 1971 and the Private Agency Regulations 1971. These legal provisions require PSCs to obtain a license from the MOHA and to comply with certain standards and guidelines. However, there have been concerns about the lack of oversight and accountability of private security services in Malaysia, particularly in relation to their activities in the engagement of security guards. In general, there are no clear laws on security guards' interests and well-being while on duty. There is no visible career pathway to advance in this field. This limitation has discouraged the local youths from joining the industry, which has led the industry to source the required manpower from other nations to fulfil the market demand.

The Montreux Document on Private Military and Security Companies provides a framework for states to regulate and monitor the activities of PMSCs, including their recruitment, training, and deployment. It encourages states to establish effective mechanisms for accountability and oversight of PMSCs, including the investigation and prosecution of any violations of international law. Malaysia can use the Montreux Document as a guide to establish effective mechanisms for accountability and oversight of private security services, particularly concerning their activities. This would help to ensure that private security services in Malaysia operate in accordance with international law and respect human rights and, at the same time, uphold local laws.

Although Malaysia is not a signatory to the Montreux Document, Malaysia has implemented the Montreux Document on Private Military and Security Companies in

regulating private security services in various ways. [112] For example, the implementation practised by the business operators ought to be clearly provided for and stipulated in the Act; thereby, the Private Agencies Act needs to be revamped to reflect the current needs of the industry. Despite not being a signatory member, Malaysia has taken steps to implement the Montreux Document in regulating private security services. However, there have been concerns about the lack of oversight and accountability of private security services in Malaysia, particularly in relation to their activities and engagement with security guards, as well as ensuring their welfare is well taken care of. Malaysia can use the Montreux Document as a guide to establish effective mechanisms for accountability and oversight of private security services, including the investigation and prosecution of any violations of law. Strict implementation of the laws must be adhered to, including revoking the licenses of any company that is found to have violated them. Such an arrangement would help to ensure that private security services in Malaysia operate in accordance with the law.

1.8 The National Security Council of Malaysia: Roles and Functions for More Effective Functioning of Private Security Services

The National Security Council (NSC) is a federal agency under the Prime Minister's Department of Malaysia responsible for managing and plays a key role in regulating private security services in Malaysia by advising the Malaysian government on matters related to national security and coordinating actions between various government agencies. Meanwhile, Persatuan Industri Keselamatan Malaysia (PIKM) is responsible for ensuring that members comply with national laws and regulations, including those related to the use of force, the handling of sensitive information, and the protection of human rights. Private security services in Malaysia are licensed and regulated by MOHA and certified by PIKM. It is a mandatory requirement that all

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[112] 1. Licensing - Private security companies in Malaysia are required to obtain a license from the Ministry of Home Affairs, which includes compliance with certain standards and guidelines.
2. Training - Private security companies in Malaysia are required to provide training to their personnel on human rights and international humanitarian law, as well as on the use of force and firearms.
3. Oversight - The Ministry of Home Affairs under the Security Division is responsible for overseeing private security companies in Malaysia, including monitoring their activities and ensuring compliance with relevant laws and regulations.
4. Accountability - Private security companies in Malaysia are subject to legal liability for any violations of international law, including human rights and international humanitarian law.

licensed companies must be registered as members of PIKM before they are allowed to operate.[113]

A study conducted by Amarjit Kaur reveals that rregular migration persists due to recruitment agency flaws, high profits in the migration industry, and policy inconsistencies like amnesties alternating with crackdowns. Malaysia employs strategies such as Ops Mega raids, employer sanctions, and attrition through enforcement, targeting undocumented workers and errant employers via programs like the Enforcement Card (E-Card). Guest worker systems exacerbate irregularity, as low-skilled workers face vulnerability without protections, leading to overstays and trafficking into sweatshops or domestic roles.[114] The private security services industry in Malaysia is not spared from encountering the similar issue.

Given its significance as a destination for Asian migrant workers, Malaysia provides an interesting framework for examining foreign worker management procedures. Theoretically, Malaysia should not experience the same difficulties in regulating and controlling migration as liberal democratic governments because it has both broad leeway to make judgements and comparatively good state capacity and enforcement measures. Malaysia has put in place a number of laws intended to control the presence of unauthorised people, However, there are still a lot of foreign workers in Malaysia, both legally and illegally.[115]

1.9 Occupational Licensing – A Game Changer

According to Allied Universal[116], the regulation of private security services is uneven at best, and state regulation can supply a false sense of security and open new dimensions of liability risk. The scope and limitations of state regulations concerning security should be understood, including licensing requirements. The occupational licensing shall form part of the Continuous Professional Development (CPD), which is the ongoing process of developing, maintaining, and documenting professional

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113 Para 12 Private Agencies Circular No 4 Year 2010 (*Pekeliling Agensi Persendirian Bil 4 Tahun 2010*)

114 Amarjit Kaur, (2010) Volume 29, Issue 4, Labour migration trends and policy challenges in Southeast Asia, Policy and Society, Volume 29, Pages 385–397

115 Anderson, J. T. (2021). Managing labour migration in Malaysia: foreign workers and the challenges of 'control' beyond liberal democracies. Third World Quarterly, 42(1), 86–104.

116 Allied Universal, "Understanding Security Regulation and Licensing," Allied Universal Insights, discussing uneven regulation of private security services and the role of licensing and professional development, available at https://www.aus.com (accessed 16 February 2026).

skills.[117] It is a commitment to lifelong learning that involves actively participating in formal and informal learning activities that assist individuals in developing and maintaining continuing competence, enhancing their professional practice, and supporting the achievement of their career goals.[118]

Occupational licensing is a requirement for professions that can have significant effects on people, such as medicine, law, or engineering. The principal purpose of imposing such a requirement is to protect and ensure that only qualified personnel are hired to assume the job. Though occupational licensing requirements can raise the price of goods and services, restrict employment opportunities, and make it more difficult for workers to obtain jobs, the licensing requirement can improve the quality of services.[119] Even so, the impact of occupational licensing requirements on the quality of private security services varies depending on the country and the regulations imposed. Some studies suggest that licensing requirements can reduce the number of PSCs, increase their size, and raise average wages in the industry[120]. However, other studies suggest that minimum quality standards involved in occupational licensing can increase welfare[121]. Occupational licensing makes for an interesting case because it is almost ubiquitously considered in the public interest and even necessary to prevent catastrophe. And yet there is actually zero evidence that it leads to a higher quality of service provision.[122] Other studies suggest that minimum quality standards involved in occupational licensing can increase welfare.[123] A study conducted by Caroll and Gaston shows that quality of services will be delivered with licensing. Somehow, such barriers to entry can pose substantial difficulties for job seekers and would-be

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117 https://www.skillsyouneed.com/ps/continuing-professional-development.html; (retrieved on 12 July 2023)

118 https://www.acpe-accredit.org/continuing-professional-development/; (retrieved on 12 July 2023)

119 https://www.thecgo.org/wp-content/uploads/2020/10/how-does-occupational-licensing-afect-US-consumers-and-workers.pdf; (retrieved on 12 July 2023)

120 Morris M. Kleiner, Licensing Occupations: Ensuring Quality or Restricting Competition? (Kalamazoo, MI: W.E. Upjohn Institute for Employment Research, 2006).

121 Morris M. Kleiner and Alan B. Krueger, "Analyzing the Extent and Influence of Occupational Licensing on the Labor Market," Journal of Labor Economics 31, no. S1 (2013): S173–S202.

122 https://mises.org/wire/high-cost-occupational licensing#:~:text=Occupational%20licensing%20makes%20for%20an%20interesting%20case%20because,leads%20to%20a%20higher%20quality%20of%20service%20provision.; (retrieved on 12 July 2023)

123 https://wol.iza.org/articles/the-influence-of-occupational-licensing-and-regulation/long; (retrieved on 12 Jul y 2023)

entrepreneurs.[124, 125] Thus, a rigorous study needs to be carried out before such implementation, as it may have an adverse impact since licensing imposes barriers to entry in an occupation, effectively restricting the supply of licensed workers in the occupation and driving prices up.[126] At the same time, the industry is having difficulty recruiting local talent. The problem could get worse if the license requirement is introduced.

A similar provision may be adopted and implemented for the private security services in Malaysia. A rule for the licensing requirement can be introduced through the provisions of laws and regulations issued by the minister empowered. There is a clear analogy to the license given to the local tour guides, which will be discussed in the next chapter of the thesis. Accordingly, MOHA may introduce the requirement that every security guard in Malaysia obtain an occupational license before they are allowed to serve the industry.

1.10 Private Security in Singapore: A Brief History and Development

Private security in Singapore has a long history, dating back to the colonial era when PSCs were established to protect the interests of the British Empire.[127] Today, private security in Singapore is a thriving industry that plays a crucial role in maintaining public safety and security.[128] The private security industry in Singapore has experienced significant growth in recent years. According to a report by MOHA, there were over 250 licensed security agencies in Singapore as of 2023, employing more than 49,000 security officers.[129] It is a statute that grants the executive power to enforce preventive detention, prevent subversion, suppress organised violence against persons and property, and do other things incidental to the internal security of Singapore. The private security industry is regulated by PLRD, which is responsible for licensing and

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124 Carpenter, Sweetland, Knepper& McDonald (2017); License to Work: A National Study of Burdens from Occupational Licensing; Institute for Justice Arlington, Va.

125 https://www.archbridgeinstitute.org/too-much-license/#:~:text=As%20indicated%20by%20Meehan%20%282015%29%20increases%20in%20occupational,come%20with%20increased%20entrepreneurial%20activity%20may%20be%20limited; (retrieved on 12 July 2023)

126 Miana Plesca (2015) The Impact of Introducing Mandatory Occupational Licensing; Scientic Research Publishing Inc

127 Cambridge dictionary defines British Empire as the group of countries that in the past were ruled or controlled by the UK, including Australia, Canada, India, and many parts of Africa

128 https://ktree.com.sg/industry/private-security-industry/ (retrieved on 12 July 2023)

129 https://sso.agc.gov.sg/Act/ISA1960; (retrieved on 2 June 2023)

regulating private security agencies and security officers.[130] The PLRD is empowered to ensure that private security agencies and security officers comply with the regulations and standards set by the government.

The private security industry in Singapore is a diverse and complex sector that includes a wide range of services, from guarding and surveillance to investigation and consultancy.[131] Private security officers in Singapore are required to undergo training and certification before they can be licensed to work in the industry. The training covers a range of topics, including security operations, legal aspects of security, and customer service.[132] A study conducted by researchers at the National University of Singapore found that private security officers in Singapore generally have positive attitudes towards their work environment.[133] The study also found that private security officers in Singapore are motivated by a sense of duty and responsibility to protect the public. Another study published in the Journal of Urban Studies found that private security in Singapore is closely linked to the concept of consumer citizenship and defensive urbanism.[134] The study argues that the consumption of private security services is driven by a desire for safety and security in an increasingly complex and uncertain urban environment. A recent article published in the journal Industrial Relations argues that the private security sector in Singapore is characterised by low skills and a lack of institutional support.[135] The article suggests that the private security sector in Singapore needs reform to address these issues and improve the working conditions of private security officers.

The government of Singapore has introduced PSIA 2007 as the primary legislation that regulates the private security industry in Singapore. The Act has been amended to tackle the current issues faced by the private security industry in Singapore. The amendment of the Private Security Act passed in Parliament on 5 October 2021 took effect on 1 May 2022.[136] The amendment aims to enhance the protection for

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130 https://www.police.gov.sg/Who-We-Are/Organisation-Structure/Staff-Departments/Police-Licensing-and-Regulatory-Department;(retrieved on 3 June 2023)

131 https://ktree.com.sg/industry/private-security-industry/; (retrieved on 3 June 2023)

132 https://coursemology.sg/course-category/security-officer-courses/ (retrieved on 3 June 2023)

133 https://journals.scholarsportal.info/details?uri=%2F19361610%2Fv09i0001%2F41_aopsoisttwe.xml; (retrieved on 4 June 2023)

134 https://scholarbank.nus.edu.sg/handle/10635/49664; (retrieved on 4 June 2023)

135 https://www.llakes.ac.uk/event/institutional-logics-and-low-skills-utilisation-the-case-of-the-private-security-sector-in-singapore/; (retrieved on 7 June 2023)

136 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act-to-take-effect-from-1-may-

security officers and streamline the regulation for the regulation of private investigators, private investigation agencies, security officers, security agencies, and security service providers.[137] The Private Security Industry (Conduct) Regulations 2009 are subsidiary legislation that sets out the conduct requirements for licensed security officers. The regulations cover a wide range of topics, including the conduct of licensed security officers on duty, the use of force, and the handling of security equipment. The regulations also prohibit licensed security officers from intentionally interfering with, hindering, or obstructing any public officer or employee of a statutory board while they are exercising any power or performing any function or discharging any duty under any written law. However, this law is not specific and confined to the private security industry. Overall, the regulatory framework for the private security industry in Singapore is comprehensive and covers a wide range of areas, including licensing, conduct, and equipment. The regulations are designed to ensure that the private security industry operates in a professional and responsible manner and that the safety and security of the public are protected, and at the same time, the welfare of the security officers in Singapore is preserved.

The private security industry in Singapore has experienced significant growth in recent years, and there have been calls for greater regulation and oversight of the industry.[138] In response, the government has introduced new measures to improve the quality and professionalism of the industry, including mandatory training and certification for security officers.[139] As a result, there is growing interest in the role of private security in shaping urban environments and the relationship between private security and public safety. [140] For example, the laws in relation to private security services in Singapore have evolved to keep pace with the changing needs of the industry and the public. Regulatory frameworks are designed to ensure that the private security industry operates in a professional and responsible manner and that the safety and security of the public are protected.

2022/#:~:text=Amendments%20to%20the%20Private%20Security%20Industry%20Act%20to,will%20take%20effect%20from%201%20May%202022.%202.; (retrieved on 7 June 2023)

137 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act-to-take-effect-from-1-may-2022/; (retrieved on 8 June 2023)

138 https://sso.agc.gov.sg/SL/PSIA2007-S170-2009?DocDate=20181228; (retrieved on 8 June 2023)

139 https://www.mom.gov.sg/~/media/mom/documents/employment-practices/employment-guide-for-security-industry.pdf; (retrieved on 9 June 2023)

140 https://www.city-journal.org/article/public-safety-if-you-can-afford-it;(retrieved on 9 June 2023)

PSIA 2007 was enacted to provide for the regulation of private investigators, private investigation agencies, security officers, security agencies, and security service providers.[141] The Act established the PLRD to oversee the licensing and regulation of the private security industry in Singapore.[142] The Act has undergone tremendous changes in recent years to improve the regulation of the private security industry.[143,144] The amendments made to the Act have alleviated the private security industry in Singapore. For example, the amendment to Part 3, Division 2 of PSIA 2007 provides protection to the security officers from assault and harassment.[145] PSIA 2007 is the primary legislation that regulates the private security industry in Singapore. The Act has been amended several times since it was first enacted to keep pace with the changing needs of the industry. The Private Security Industry (Conduct) Regulations 2009 is subsidiary legislation that sets out the conduct requirements for licensed security officers.[146] Singapore's Ministry of Home Affairs (MHA) has introduced new measures to improve the quality and professionalism of the private security industry. For example, mandatory training and certification for security officers have been introduced to ensure that they are properly trained and equipped to carry out their duties.[147]

As the criminal and security threats facing the public and private sectors in Singapore have become increasingly pronounced and complex, the security industry has had to quickly position itself as a highly effective and responsive alternative.[148] The changes made to PSIA 2007 and its subsidiary legislation, as well as the introduction of new measures to improve the quality and professionalism of the industry, reflect the government's commitment to ensuring that the private security industry in Singapore operates in a professional and responsible manner and that the safety and security of the public are protected.[149] Accordingly, ITM, led by MHA, seeks to develop a vibrant, technologically advanced, and competitive security industry that delivers better security outcomes for Singapore and provides good jobs for Singaporeans. It requires a

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141 Preamble of the Private Security Act 2007
142 Section 4 Private Security Industry Act 2007
143 Private Security Industry Act 2007
144 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act/; (retrieved on 10 June 2023)
145 Act 29 of 2021 with effect from 21 May 2022
146 https://sso.agc.gov.sg/SL/PSIA2007-S170-2009?DocDate=20181228; (retrieved on 8 June 2023)
147 https://aprotraining.sg/overview/;(retrieved on 12 July 2023)
148 https://www.mha.gov.sg/what-we-do/security-itm; (retrieved on 12 July 12, 2023)
149 https://www.mha.gov.sg/what-we-do/security-itm;(retrieved on 12 July 12, 2023)

collective effort by industry associations, companies, unions, service buyers, security agencies, and government agencies.[150] MOHA takes a serious view of harassment and abuse of security officers. While there are existing laws that provide protection for all victims of harassment and abuse, such as the Protection from Harassment Act 2014 [151] and the Penal Code 1871[152], there are no enhanced protection provisions for security officers who are carrying out their duties. The scope of PSIA 2007 was therefore broadened to provide targeted enhanced protection for security officers performing security functions stipulated under PSIA 2007 and to send a clear, deterrent signal against abuse and harassment of security officers. The amendments to PSIA 2007 on 1 May 2022 result in enhanced penalties for offences committed by persons who: (a) intentionally cause harassment, alarm, or distress; (b) assault or use criminal force; and (c) voluntarily cause hurt to security officers.[153]

To conclude, private security in Singapore has a rich history and has evolved into a complex and diverse industry that plays a crucial role in maintaining public safety and security. While the industry faces a number of challenges, including low skills and a lack of institutional support, it continues to grow and adapt to meet the changing needs of Singapore's urban environment.[154] The private security industry in Singapore has become more professional, skilled, responsive, and integrated over the past decade.[155] For example, the government of Singapore has demonstrated how developments in relational sociology offer the promise of remedying the deficiencies in terms of low skills. In the current study, the case of the private security services sector in Singapore, which has suffered from low skills and low pay, was used to illustrate how this new approach, highlighting the institutional logics of the sector, can provide a more productive approach to policy in this area.[156]

Moreover 33% of Singapore's workforce is foreign, and they are vital to important industries including domestic services, healthcare, and construction.

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150 https://www.mha.gov.sg/what-we-do/security-itm; (retrieved on 12 July 2023)

151 An Act to protect persons against harassment and unlawful stalking and false statements of fact, and to provide for the establishment of the Protection from Harassment Court. Came to force on 15 Nov 2014

152 An Act to consolidate the law relating to criminal offences in Singapore

153 Section 17A, 17B and 17C Private Security Act 2007

154 https://missionkay.com/2025/03/24/the-future-of-security-in-singapore-evolving-from-traditional-security-guards-to-smart-systems/ (retrieved on 10 June 2025)

155 https://www.researchgate.net/publication/259762110_Attitudes_of_Private_Security_Officers_in_Singapore_Toward_Their_Work_Environment; retrieved on 12 July 2023

156 https://www.jstor.org/stable/26969797; (retrieved on 12 July 2023)

Inadequate legal protection, exploitative working conditions, low compensation, long hours, and subpar lodgings are just a few of the difficulties they endure despite their important efforts. A research conducted by Ranjit Singh Oberai[157], Balamurugan Balusamy and Suruchil Pandey highlights the need for stronger legal protections, enhanced enforcement of labour rights, and greater accountability from employers to ensure fair wages and decent working conditions. It also emphasizes the importance of promoting social integration, equality, and anti-discrimination initiatives to reduce isolation and improve the quality of life for migrant workers. A comprehensive approach, involving collaboration between government policies, employer practices, societal initiatives, and community engagement, is crucial in empowering foreign workers, improving their well-being, and fostering a more inclusive and equitable society in Singapore.

In Malaysia, the public security division of MOHA is empowered to oversee the private security services.[158] The current research attempted to appraise the systems as applied and implemented by PLRD of Singapore compared to the approaches practiced in Malaysia. Thereafter, to propose the best practices that should be adopted by Malaysian regulators to improve our private security services. Continuous concerted effort is essential for retaining talent in the private security services industry. As the criminal and security threats facing the public and private sectors become increasingly pronounced and complex, the security industry has had to quickly position itself as a highly effective and responsive alternative. Overall, the measures put in place to ensure the quality of private security services in Singapore reflect the government's commitment to ensuring that the private security industry operates in a professional and responsible manner and that the safety and security of the public are protected.

1.11 The Private Security Services in Indonesia

Security issues have always been the focus of the central government in Indonesia, and domestic stability was a top priority during the Soeharto era.[159] In the

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157 R. Singh Oberai, B. Balusamy and S. Pandey, (2024); "A Critical Study on Effectively Managing and Addressing the Diverse Needs and Complexities Encountered by Foreign Workers in the Republic of Singapore," 2024 International Conference on Intelligent & Innovative Practices in Engineering & Management (IIPEM), Singapore, Singapore, , pp. 1-6,

158 https://www.ekonomi.gov.my/en/department-profile/organisation/divisions-and-unit/security-and-public-order; (retrieved on 12 July 2023)

159 https://dkiapcss.edu/Publications/Ocasional%20Papers/OPIndonesia.htm; (retrieved on 26 May 2023)

1980s, the Indonesian government began to recognise the importance of Satpam in maintaining public safety and security. Satpam, or security guards, have been an important part of Indonesia's security landscape for many years. The history of Satpam in Indonesia can be traced back to its creation on 30 December 1980.[160] The local term 'satpam' is derived from 'satuan pengamanan,' which means 'security unit' in Indonesian. The formation of security guards in Indonesia began when the National Police Chief established a security unit in the 1970s. The unit was initially established to provide security for government buildings and other important facilities. The National Police Chief at the time, General Police (Ret.) Prof. Dr. Awaloedin Djamin, issued a decree concerning the pattern of security unit establishment, which led to the formation of security guards in Indonesia.[161] Accordingly, efforts were made to professionalise the industry and improve the quality of security services.[162] Satpam was often seen as a low-status job, and many were paid low wages and had poor working conditions n recent years, there has been a growing recognition of the importance of Satpam in maintaining public safety and security.[163] In recent years, there has been a growing recognition of the importance of Satpam in maintaining public safety and security.[164] As a result, efforts have been made to professionalise the industry and improve the quality of security services.

The history of Satpam in Indonesia reflects the changing needs of the industry and the public. The efforts to professionalise the industry and improve the quality of security services are important steps towards ensuring that the safety and security of the public are protected. Before the establishment of private security services regulated by the Republic of Indonesia State Police Regulations Number 4 of 2020 About Private Security (Peraturan Kepolisian Negara Republik Indonesia Nomor 4 Tahun 2020 Tentang Pengaman Swakarsa), there were no specific regulations or restrictions on who could establish private security service companies or perform installation of security

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160 https://nawakara.com/en/awaloedin-djamin-pendiri-Satpam-indonesia/; (retrieved on 25 May 2023)

161 https://lotengkemensos.wordpress.com/2020/06/14/history-of-indonesian-security-unit-Satpam/;(retrieved on 25 May 2023)

162 https://nawakara.com/en/awaloedin-djamin-pendiri-Satpam-indonesia/;(retrieved on 25 May 2023)

163 https://www.ilo.org/jakarta/info/public/pr/WCMS_531454/lang--en/index.htm;(retrieved on 27 May 2023)

164 https://www.expat.or.id/info/jaga.html; (retrieved on 27 May 2023)

systems. The situation was relatively unregulated and lacked standardised training and qualifications for security personnel.[165]

Satpam has been a common sight in Indonesia for many years. They are employed to provide security services for a wide range of businesses and organisations, including shopping malls, office buildings, and residential complexes. Satpam are required to comply with the laws and regulations set by the government. For example, Satpam are required to ensure the security of personal data in accordance with Regulation 20/2016.[166] Satpam are also required to comply with the Constitution of Indonesia,[167] which establishes the structure and powers of the government. The current regulations and standards for Satpam in Indonesia reflect the government's commitment to ensuring that the private security industry operates in a professional and responsible manner and that the safety and security of the public are protected. The legal basis regarding Satpam in Indonesia is regulated by the Regulation of the Chief of the Indonesian National Police Number 24 of 2007 concerning Security Management Systems for Organizations, Companies, and/or Government Agencies/Institutions.[168] The regulations and standards for Satpam in Indonesia are set by the government to ensure that the safety and security of the public are protected. Here are some of the current regulations and standards for Satpam in Indonesia.[169]

Over the years, the role of Satpam in Indonesia has evolved to meet the changing needs of the industry and the public. In the early years, Satpam in Indonesia were often poorly trained and equipped to carry out their duties. Many were hired based on their physical appearance rather than their qualifications or experience. More recently, security guards in Indonesia are formed through stringent stages,[170] which include recruitment, training, and refresher courses. In recent years, the Indonesian government has introduced new regulations to improve the quality of Satpam services. For example, the government of Indonesia has introduced a certification programme for Satpam to ensure that they are properly trained and equipped to carry out their duties.

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165 https://nawakara.com/en/awaloedin-djamin-pendiri-Satpam-indonesia/; (retrieved on 25 May 2023)

166 Regulation No. 20/2016 of Indonesia is related to personal data protection in electronic systems

167 Indonesia's Constitution of 1945, Reinstated in 1959, with Amendments through 2002

168 https://fjp-law.com/security-guard-Satpam-in-law-perspectives/; (retrieved on 28 May 2023)

169 https://fjp-law.com/security-guard-Satpam-in-law-perspectives/; (retrieved on 28 May 2023)

170 Article 4- Republic of Indonesia State Police Regulations Number 4 of 2020 About Private Security

In recent years, the Indonesian government has introduced new regulations to improve the quality of Satpam services. The government of Indonesia has introduced a certification programme for Satpam to ensure that they are properly trained and equipped to carry out their duties. The Republic's legislation to govern the private security known as the Republic of Indonesia State Police Regulations Number 4 of 2020 About Private Security has a clear provision as to the requirements, recruitment, and training of Satpam. The law is rather clear in crafting the career path chartered for the industry. Satpam may look forward to the advancement of their career. The legal framework in Indonesia stipulated the level of career path ranking a Satpam can attain [171] namel: (i) Gada Pratama, (ii) Gada Madya, and (iii) Gada Utama. [172] Nonetheless, according to the industry rules and regulations set by 'Perkap 24 of 2007,' all security personnel are required to go through a basic security training course, better known as 'Diklat Gada Pratama'[173] for a period of no less than 232 hours.[174] Satpam are required to undergo regular training and certification to ensure that they are up to date with the latest security techniques and technologies. This is prior to the use of technology has become increasingly important in the Satpam industry in Indonesia. Many businesses and organisations now use CCTV cameras, access control systems, and other security technologies to enhance the effectiveness of their security services.[175]

The Indonesian government has introduced new regulations to improve the quality of Satpam services. For example, the government has set minimum wage standards for Satpam to ensure that they are paid fairly for their work. The government has set minimum wage standards for Satpam to ensure that they are paid fairly for their work. The minimum wage requirement varies based on local government regulations, ranging from IDR1,798,979 in Central Java to IDR4,416,186 in DKI Jakarta,[176] The Indonesian Labour Law—Act 13 of 2003—also includes rulings concerning decent income, wage policy, the need for decent living, and workers' wage protection, which

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171 Article 10 - Republic of Indonesia State Police Regulations Number 4 of 2020 About Private Security Services

172 https://nawakara.com/en/serba-serbi-Satpam/; (retrieved on 27 May 2023)

173 Dilkat is an abbreviation for *Pendidikan dan Latihan* means education and trainings. Diklat Gada Pratama means the education and trainings for the first tier security guards.

174 https://paralegal.id/peraturan/peraturan-kepala-kepolisian-negara-nomor-24-tahun-2007/;(retrieved on 27 May 2023)

175 https://www.statista.com/outlook/281/120/security/indonesia; (retrieved on 26 May 2023)

176 https://www.papayaglobal.com/countrypedia/country/indonesia/; (retrieved on 30 May 2023)

includes setting a minimum wage.[177] Basic pay consists of the employees' minimum wages agreed to be paid for the hours worked per day, and it differs according to province, district, and sector.[178] In general, all employees in Indonesia, including Satpam, must participate in and make contributions to the National Social Security System (Sistem Jaminan Sosial Nasional or 'SJSN'), which is administered by the Social Security Administration Board (Badan Penyelenggara Jaminan Sosial or 'BPJS'). Employers and employees are required to make monthly contributions to these programmes as a percentage of the employee's regular monthly salary/wages.[179]

Despite the efforts to professionalise the industry and improve the quality of security services, there are still challenges facing the Satpam industry in Indonesia. One of the main challenges is the low wages paid to Satpam, which can make it difficult to attract and retain qualified personnel.[180] Another challenge is the lack of public awareness about the importance of Satpam in maintaining public safety and security. Many people still view Satpam as low-status jobs and do not appreciate the important role they play in keeping the public safe.[181] Nonetheless the evolution of Satpam in Indonesia reflects the changing needs of the industry and the public. The efforts to professionalise the industry and improve the quality of security services are important steps towards ensuring that the safety and security of the public are protected. However, there is still work to be done to address the challenges facing the industry and to raise public awareness about the importance of Satpam in maintaining public safety and security.[182]

1.12 Methodology

Qualitative research is a method of inquiry used to understand people's beliefs, experiences, attitudes, behaviour, and interactions by collecting and analysing non-numerical data such as text, video, or audio. This approach involves using various data collection methods, including observations, interviews, surveys, and secondary

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177 https://www.ilo.org/dyn/travail/docs/760/Indonesian+Labour+Law+-+Act+13+of+2003.pdf; (retrieved on 30 May 2023)

178 https://www.usemultiplier.com/indonesia/payroll; (retrieved on 30 May 2023)

179 https://www.mondaq.com/employee-benefits--compensation/1172332/indonesia-social-security-program-mandatory-contributions-in-2022(retrieved on 30 May 2023)

180 Supra see note 175

181 https://www.tribunnews.com/nasional/2017/01/15/bapak-Satpam-indonesia-tanpa-Satpam-republik-ini-tidak-aman?page=all; (retrieved on 27 May 2023)

182 https://fjp-law.com/security-guard-Satpam-in-law-perspectives/;(retrieved on 28 May 2023)

research. This methodology will shed light on the lived experiences of individuals. Qualitative research methodologies seek to capture information that often cannot be expressed numerically and often include some level of interpretation from researchers as they collect information via observation, coded survey, or interview responses.[183] Qualitative research methodology is suitable for social science research due to its focus on understanding individuals' social reality, including their attitudes, beliefs, and motivations. This type of research typically involves in-depth interviews, focus groups, or observations to collect rich and detailed data, making it well-suited for exploring complex phenomena and gaining insight into people's experiences and perspectives on a particular topic.[184]Additionally, qualitative research methods have been widely used in sociology, anthropology, psychology, communication studies, and other social science disciplines.[185]

Since the qualitative research methods are designed to reveal the behaviour and perception of a target audience with reference to a particular topic, they are particularly effective for understanding human behaviour and social interactions. Furthermore, qualitative research allows for in-depth probing and the collection of raw, unadulterated information, which is essential for gaining a deep understanding of social phenomena.[186] his communicative method also helps build trust between the researcher and the respondents, leading to more authentic and insightful data based on the respondent's personal experience and observation. Hence, qualitative research methodology is well-suited for social science research due to its ability to delve into the complexities of human behaviour, social interactions, and individuals' experiences and perspectives. It provides an extensive and refined understanding of social reality, making it an invaluable tool for the researcher in this research. According to Creswell, the qualitative method makes a lucid and comprehensive definition of case study strategy. Case studies are a qualitative design in which the researcher explores in depth a programme, event, activity, process, or one or more individuals. The case(s) are bound

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183 https://uvu.libguides.com/methods/qualitative (retrieved on 10 Nove 2023)

184 Brinkmann,Svend,Micheal Hvidd Jacobsen, and Soren Kristiansen (2014) Historical Overview of Qualitative Research in the Social Sciences, Oxford Academic

185 https://www.scribbr.com/methodology/qualitative-research/

186 https://www.scribbr.com/methodology/qualitative-research/#:~:text=Qualitative%20research%20involves%20collecting%20and%20analyzing%20non-numerical%20data,a%20problem%20or%20generate%20new%20ideas%20for%20research.

by time and activity, and researchers collect detailed information using a variety of data collection procedures over a sustained period of time.[187]

Accordingly, the current study applied a qualitative methodology. The research attempted to collect data from various governmental agencies involved in the private security services in Malaysia, which included (i) MOHA, particularly the public security division; (ii) PDRM, the Ministry of Human Resource (KESUMA) Department of Skills Development ('Jabatan Pembangunan Kemahiran'); (iii) the Ministry of Education TVET Unit; and (iv) Persatuan Industri Keselamatan Malaysia (PIKM). The study attempted to gather data and information from the stakeholders, which included industry players, academia, and end users.The study collected qualitative data to identify the best practices to craft a new legal framework for the private security services in Malaysia after a vigorous comparison with two other jurisdictions, namely Singapore and Indonesia, was made. Assessment with the guidelines for the best practices as introduced by the international bodies, such as UNODC, the Government of Switzerland, and the International Committee of the Red Cross (ICRC) for the private security services was used as a benchmark.

Qualitative data can provide an in-depth understanding and context. Qualitative data can offer new perspectives on the underlying reasons and mechanisms behind quantitative findings, which will improve awareness of complex relationships through qualitative data on experiences, perceptions, and contextual factors. The use of qualitative data could provide narratives and stories that help to communicate the significance and relevance of their findings to different stakeholders, including practitioners and policymakers.

The primary data for this research was generated from semi-structured interviews with various governmental departments that are directly involved in overseeing and governing the private security services in Malaysia. Rigorous development of a qualitative semi-structured interview guide contributes to the objectivity and trustworthiness of studies and makes the results more plausible. The study considered a five-step process to develop a semi-structured interview guide and

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[187] Creswell J. W. (2014). Research design: Qualitative, quantitative, and mixed method approaches (4th ed.). SAGE Publications.

justify the decisions made during it.[188] The Research Ethics Committee (REC) of Universiti Teknologi MARA approved a sample of the questions, which is attached as Appendix 1. For the purpose of this research, the study used one-on-one conversations where researchers asked individuals questions to gather in-depth information about their experiences, beliefs, and perspectives. The input gathered from various parties involved in the interview was useful for reliable findings.

The respondents were chosen based on a purposive sampling technique.[189] Purposive sampling is a non-probability sampling method, and it occurs when elements selected for the sample are chosen by the judgement of the researcher. Researchers often believe that they can obtain a representative sample by using sound judgement, which could result in saving time and money.[190] As the semi-structured interview was used to gather original data directly from the respondents' personal experience, the respondents had occupational roles that were relevant to the research objective. Since the research was based on the advancing of the legal framework in the private security services for innovative human capital, the research shall attempt to reach out and touch base with the officials from the relevant governmental agencies, particularly the Security Division of MOHA, PDRM, the Public Security and Order Division, the Attorney General's Chamber, and KESUMA, particularly the Department of Skills Development. A minimum of fifteen respondents were chosen through purposive sampling. The number of respondents in this research was based on the contention that between fifteen and twenty respondents in a qualitative study would generate and sustain a close relationship between the respondents and improve the frank exchange of information.[191] This contention, that a minimum of fifteen respondents is essential for conducting qualitative research, was supported by Bertaux,[192] Baker, and Edwards.[193]

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188 Kallio, Pietila, Johnson and Docent (2016), systematic methodological review: developing a framework for a qualitative semi-structured interview guide, The Journal of Advanced Nursing Vol 72, Issue 12 pages 2949-3217; https://doi.org/10.1111/jan.13031

189 https://research-methodology.net/sampling-in-primary-data-collection/purposive-sampling/ (retrieved on 20 July 2023)

190 Black, K. (2010) 'Business Statistics: Contemporary Decision Making' 6th edition, John Wiley & Sons

191 Crouch, M& McKenzie, H (2006) The Logic of Small Samples in Interview Based Qualitative Research Social Information 45(4) 483-499

192 Bertaux, D (1981) From the Life History Approach to the Transformation of Sociological Practice. Biography and Society: The Life History Approach in Social Sciences 29-45

193 Rosaline S Barbour, John Schostak (2011) Theory and Methods on Social Research 2nd Edition 2011 SAGE Publications Ltd London (UK)

The qualitative methodology is a flexible research approach that can be adapted to suit different research questions and contexts[194]. It allows the researcher to use the most appropriate methods for the research question, rather than being limited to one type of data collection or analysis. By triangulating different types of data, researchers can strengthen the credibility and reliability of their findings. The study was based on a pragmatic real situation, for which the qualitative methodology was appropriate since the input was gathered from firsthand informers. The study also utilised secondary data that had been previously collected by other scholars, as this method was much faster and easier to gather than primary data, ultimately saving researchers time and resources. Secondary data available and empirical studies in the existing literature were used to support the findings of the interviews and were conducted concurrently. The usage of secondary data could provide a larger amount of information than primary data, which allows researchers to have more sources.

Table 1.1
List of Respondents for this research

No	Role	No. Of Respondents	Grade and position	Year of experience
1	Persatuan Industrri Keselamatan Malaysia (PIKM)	4	2 office bearers 2 staff members	10
2	Ministry of Home Affairs MOHA (Public Order Division)	2	48 and above and at least holds the position as Deputy Director	10
3	Ministry of Education (TVET Unit)	2	48 and above and at least holds the position as Deputy Director	10
4	PDRM (Public Order Division)	1	48 and above and at least holds the position as Assistant Commissioner Police	10
5	Academia	1	48 and above and at least holds the position as Associate Professor	10

[194] Günter Mey, "Qualitative Methodology," in International Handbook of Psychology Learning and Teaching, ed. Joerg Zumbach, Daniel Bernstein and Susanne Narciss (Cham: Springer International Publishing, 2022), 453–478.

6	KESUMA (Department of Skills Development) and NIOSH	3	48 and above and at least holds the position as Deputy Director	10
7	Licenced Operator	4	General Manager/ Director	5
8	Union/Associations for security guards	3	President	5
9	End users	1	Exco Member of Malaysia Crime Prevention Foundation	5

1.13 Scope and Limitation of the Study

The focus of this research was on the private security service offered by most of the local industry players, particularly the unarmed static guards and the armed guards. The research did not explore the roles and functions of auxiliary police (*polis bantuan*). The auxiliary police are established in accordance with Part IX of the Police Act 1967 (Act 344) and are appointed by the Inspector-General of Police. They are full-time employees of the agencies or corporations they serve. The research also did not discuss the in-house security personnel who are hired as employees of a company; however, these personnel shall be considered employees of the company according to their employment contract. This group of security personnel is governed under the Employment Act 1955 (Act 265), the Contract Act 1950 (Act 136), and the Industrial Relations Act 1967 (Act 177). The topic of cybersecurity was not addressed in this study because it was perceived as a specialised area that needs more thorough research on its own.

The researcher encountered some issues in collecting comprehensive data, as the relevant data may be classified as classified and confidential. The data was collected by various government agencies with overlapping jurisdictions and was not accessible to the public. There was information that was not publicly available, such as the budget allocated for the private security services, due to unknown reasons, which may cause the researcher to be unable to make a comprehensive finding. Although the private security services are not a new industry in Malaysia, there is no precise definition or glossary adopted by the industry. Hence, the terminologies that are widely used and commonly adopted by the industry have not been properly defined by either the regulators or the industry itself. The researcher encountered difficulties collecting more

comprehensive and conclusive data available in Singapore and Indonesia due to financial and time limitations faced by the researcher.

Furthermore, no physical fieldwork was conducted in these two jurisdictions. The researcher depended on articles available in the public domain to complete the research. The researcher encountered a problem in getting articles on Satpam, as articles were written in Bahasa Indonesia, which was not easily available in English. Web translation might not be perfect to resolve this issue. Due to limitations of time and resources, the data was collected to data saturation,[195] which in qualitative research refers to the point in the research process where enough data has been collected to draw necessary conclusions, and any further data collection will not produce new or value-added insights. It was a criterion used to determine when to discontinue data collection and/or analysis. The snowball sampling effect was used in the data collection. This approach, also known as snowball sampling or chain-referral sampling, is a non-probability sampling method used in qualitative research when the target population is hard-to-reach, hidden, or difficult to locate.[196] It involves using existing study subjects to recruit additional respondents from their social networks or acquaintances. The number of publications authored or published in scholarly journals on the subject was relatively low due to scholars not being interested in this field of study. As a result, the researcher had to review and rely on articles published on reliable websites that are primarily written by industry experts.

The researcher is compelled to rely primarily on publications and materials uploaded on various websites as there are not many academic publications written by scholars on this particular topic.

1.14 Significance of the Study

This research can help identify the lacuna in the existing legal framework of the private security services in Malaysia. The findings of the research can be utilised by the stakeholders concerned for the attention and further actions by the relevant authoritative agencies governing the private security agencies in Malaysia. The recommendations

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195 Saturation in qualitative research is when, through the course of interviewing (or observation), the researcher notices the same themes coming out, repeatedly. As the researcher interview more and more respondents, the researcher stop finding new themes, ideas, opinions, or patterns. Essentially, saturation is when the researcher get diminishing return, despite talking to more and more people.

196 Simkus (2023) Snowball Sampling Method: Definition, Techniques & Examples; https://www.simplypsychology.org/snowball-sampling.html;(retrieved on 12 July 2023)

may improve the quality and effectiveness of private security services in the country. In addition, the recommendations can help policymakers and industry leaders understand the attitudes of private security workers towards their work environment, which can inform policies and practices to improve the quality and professionalism of the industry and, at the same time, improve the standard of living of the private security services employees in Malaysia.

The study anticipates that the findings of the research will consistently gain recognition and improve to maintain the highest standards in terms of producing skilled manpower to cater to Malaysia's growing security needs. Understanding the private security industry is important for developing effective policies and regulations to ensure that security officers are properly trained and equipped to carry out their duties and that the industry operates in a responsible and sustainable manner. The research is significant because it provides insights into the nature of the private security industry in Malaysia and its impact on society, as well as on policymakers and industry leaders. Stakeholders can use the findings to advise regulators and industry players, potentially improving the quality and professionalism of the industry while ensuring responsible and sustainable operations.

In conclusion, the findings and recommendations may place our private security services at par with other nations, consistent with the international standards and practices. A clear career path in the industry, should it be clearly provided for in the legal framework, might attract the young local talents to join the industry, which will reduce the dependency on the foreign workforce in this industry significantly. The clear career path might attract local talent to join the industry.

1.15 Thesis Outline

Chapter 1: Thesis Overview

Chapter 2: Literature Review

This chapter offers the perspectives of international agencies regarding private security services. The chapter will examine internationally recognised documents issued by various international bodies and agencies, aiming to evaluate the key recommendations presented within these documents for potential adoption by Malaysian regulators.

First is the United Nations Office on Drugs and Crime (UNODC). UNODC is a specialised agency of the United Nations that works to combat illicit drugs and international crime, provide technical assistance to member states in the areas of health, criminal justice, and public security, and strengthen the private sector's fight against corruption. It was established in 1997 through a merger between the United Nations Drug Control Programme (UNDCP) and the Centre for International Crime Prevention (CICP). [197] It recognises the importance of civilian private security services in contributing to crime prevention and community safety. The UNODC has published numerous resources related to the civilian private security services and their role in crime prevention and community safety. Civilian private security services, including manned guarding services (uniformed security guards) and other broad sectors, are officially accredited, regulated, and supervised by the state.[198] The UNODC has also issued resolutions and recommendations to strengthen government oversight of civilian private security services and their contribution to crime prevention and community safety.[199] The UNODC provides technical assistance projects worldwide and develops tools and resources to strengthen the private sector in its fight against corruption,[200] through a handbook on civilian private security services and a criminal justice assessment toolkit for public safety and police service.[201]

Second is the Sarajevo Code of Conduct for Private Security Companies. It is a set of basic principles of professional behaviour for private security providers, based on European and international best practices. It is recommended for use by any private security provider regardless of origin or location and is intended to complement national legislation. Adherents to the Code are expected to meet the basic conditions imposed by national law, and where national regulation is absent or lacking, they agree to work towards the adoption or improvement of national instruments or mechanisms. Pursuant to the principles of the Code of Conduct, PSCs agree not to act in a manner that would

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197 https://asp.icc-cpi.int/complementarity/united-nations-office-drugs-and-crime-unodc; (retrieved on 12 July 2023)

198 https://www.unodc.org/documents/justice-and-prison-reform/Civilian_Private_Security_Services_Ebook.pdf; (retrieved on 10 July 2023)

199 https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/2010-2019/2012/CCPCJ_Resolution-21-1.pdf; (retrieved on 11 July 2023)

200 https://www.unodc.org/unodc/en/corruption/private-sector.html;(retrieved on 11 July 2023)

201 https://www.unodc.org/unodc/en/justice-and-prison-reform/cpcj-tools-police.html; (retrieved on 11 July 2023)

violate the letter or spirit of international law or national laws of the country in which they operate.[202]

Third is the Montreux Document. The official title of this document is 'The Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies during Armed Conflict,' dated 17 September 2008. This comprehensive framework addresses the critical legal responsibilities and recommended practices for states engaging with private military and security companies in the context of armed conflict.[203] The Montreux Document is an international agreement between signatory countries that reaffirms the international legal obligations of states regarding the activities of private military and security companies (PMSCs). This document was ratified in Montreux, Switzerland, in September 2008. The main purpose of the Montreux Document is to promote respect for international humanitarian law (Geneva Conventions and Additional Protocols) and human rights.[204] It has listed some 70 recommendations for good state practices, such as verifying companies' track records, examining procedures used to vet staff, correcting prosecution when breaches of law occur, and ensuring compliance and personnel training with international humanitarian and human rights law.

Chapter 3: Malaysia's legal framework.

This chapter discusses the provisions of the legal framework governing the private security services in Malaysia, the National Security Policy, and the white paper on national security, and their significance to the private security services. The private security industry in Malaysia is regulated by MOHA pursuant to the Private Agencies Act 1971 and the circulars issued by MOHA, which need to be strictly complied with by the licensed PSCs. In 2022, MOHA introduced a Standard Operating Procedure (SOP) specifically for Private Maritime Security Companies in Malaysia, which local security companies are required to follow.[205] The SOP is in line with the International

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202 https://gsdrc.org/document-library/the-sarajevo-code-of-conduct-for-private-security-companies/ (retrieved on 11 July 2023)

203 https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html; (retrieved on 11 July 2023)

204 https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html; (retrieved on 9 July 2023)

205 https://www.mot.gov.my/en/maritime/standard-operating-procedure; (retrieved on 10 July 2023)

Maritime Organisation (IMO), a specialised agency of the United Nations responsible for regulating shipping.[206] This SOP is specifically applicable to security companies safeguarding the maritime industry. As of this date, since the implementation of the Private Agencies Act, besides the SOP for the maritime industry specifically, there is no SOP that has been introduced for the entire private security services in Malaysia. This study suggested that the private security services industry adopt a similar SOP in the maritime sector.

Chapter 4: Singapore's and Indonesia legal frameworks

This chapter will discuss the legal framework governing the private security industry in This chapter will discuss the legal framework governing the private security industry in Singapore and Indonesia as reference for the study since these two jurisdictions have recently amended their laws pertaining to the private security services in their countries. The main reasons why the researcher chose these two jurisdictions are due to the close proximity in terms of lifestyle culture of their peoples and shared history in the past.

The private security industry in Singapore is regulated by PSIA 2007.[207] The Act was revised in 2020 and came into operation on 31 December 202. The Act provides for the regulation of private investigators, private investigation agencies, security officers, security agencies, and security service providers, and for matters connected therewith. The Act is supplemented by the Private Security Industry (Conduct) Regulations 2009.[208], which provide guidelines on the conduct of licensed private investigators, licensed security officers, or licensed security service providers. ITM recommends four key strategies to enable security companies to move away from a headcount-based model to deliver integrated security solutions. The industry-led Security Consultants Accreditation Programme (SCAP) was launched by the Association of Certified Security Agencies (ACSA) and Security Association Singapore (SAS) in January 2020, in support of ITM efforts to grow a pool of security consultants.[209]

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206 https://www.imo.org/; (retrieved on 10 July 2023)
207 https://sso.agc.gov.sg/act/psia2007; (retrieved on 9 July 2023)
208 https://sso.agc.gov.sg/SL/PSIA2007-S170-2009?DocDate=20181228; retrieved on 10 July 2023
209 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act/; (retrieved on 10 July 2023)

In Indonesia, the legal framework for Satpam is regulated by the Police Chief Regulation No. 24/2007. It provides a more precise definition of Satpam and outlines the requirements and competencies that a Satpam must have. However, it is important to note that there may be other laws and regulations that apply to the private security industry in Indonesia as a whole, which will be further discussed.

Chapter 5: Insight views from various stakeholders concerned.

This chapter presents empirical evidence generated from an analysis of the experience of 25 respondents comprising senior officers from various governmental agencies such as the MOHA public security department, the PDRM public security and order department, the MOE TVET Unit, KESUMA, PIKM, the employee union/association, and consumer representatives.

Chapter 6: Findings and recommendations

This chapter will summarise the entire research and propose recommendations based on the findings made throughout the research for the consideration of the regulators and industry players.

CHAPTER 2
THE PRIVATE SECURITY SERVICES – INTERNATIONAL CONCEPTUAL, CONTEXTUAL AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter reviews international private security literature. The literature on private security services provided by PSCs will be reviewed. This chapter will discuss the international legal framework for PSCs as highlighted by relevant international bodies. In the second chapter, the complex legal system that regulates private security guards is examined internationally. Due to the recent growth of PSCs, it is important to understand legal and operating standards. This chapter will discuss the Montreux Document and the International Code of Conduct for Private Security Service Providers, which outline PSC and state obligations. This chapter discusses international organisations' best standards for Malaysian PSCs to adopt. The second chapter begins with an international contextual discussion of private security services. The discussion will cover the definition, international agencies' PSC experience, and the contextual framework's importance based on the literature. Global guidelines favour private military companies (PMCs) over PSCs. Thus, this chapter will focus on private security company principles rather than PMC standards.

Since Malaysia has no PMCs, this chapter will discuss the legal obstacles to applying international agency principles to Malaysian culture and needs. States must respect their legal duties when hiring PSCs during armed conflicts, and the Montreux Document emphasises how current international law applies to PSCs. It promotes good practices that ensure PSCs respect human rights and are accountable. The International Code of Conduct is a voluntary set of guidelines that promotes morality among PSCs and ensures they contribute to the security industry. This chapter will also look at the UN's 'Respect, Protect, Remedy' approach, which emphasises the significance of doing due diligence to prevent PSCs from violating human rights. The necessity for strong governance procedures becomes critical since private security operations frequently take place in unpredictable and complex contexts. This chapter seeks to offer an in-depth analysis of how international practices influence the legal provisions governing

private security guards by analysing these frameworks and their implications. In the end, it aims to highlight the balance that must be struck between operational efficacy and adherence to human rights standards in a variety of contexts. This chapter will proceed to analyse the challenges and impediments from a socio-economic perspective.

It is widely acknowledged that the size of the security industry has increased in virtually every country around the world, often eclipsing conventional police forces in personnel numbers and expenditures. Security providers differ from law enforcement officers in many ways, yet the nature of their crime reduction activities brings them into frequent contact with citizens, drawing to the forefront issues of training, professionalism, and accountability. Unlike police officers, whose training and licensing standards are well established, regulations for security providers are often minimalist or entirely absent.[210] Due to the industry's growth, both local and international regulatory organisations must be vigilant and provide the business with sufficient attention in order for it to meet consumer demands and aspirations.

2.2 Private Security Services in the International Arena

Although the idea of private security is frequently seen as an advancement that was relatively recent, private security has been around for ages in some form. The idea of private security predates the modern security guard by a great deal, whether it be due to the development of locks, the construction of historic forts and battlements, or the provision of other people-related services.[211] With an estimated 20 million private security guards working in both the public and private sectors worldwide, frontline private security is a booming industry. While safeguarding individuals and property is security officers' main responsibility, this is by no means the extent of their work. Their job often extends to a larger management of social life in the sites they are engaged to secure, even though many of their functions are quite similar to those of police patrol officers.[212] Within the global context, private security services are provided by two distinct types of firms, namely private military companies (PMCs) and private security companies (PSCs). PMCs provide military services associated with replacing or

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210 Nalla M, Prenzler T (2020) Regulating the Security Industry: Global Perspectives. United Kingdom Taylor & Francis.

211 George, B., Kimber, S. (2014). The History of Private Security and Its Impact on the Modern Security Sector. In: Gill, M. (eds) The Handbook of Security. Palgrave Macmillan, London.

212 Nalla, M. K., & Wakefield, A. (2022). The Security Officer: Overextended and Underappreciated. In The Handbook of Security (pp. 605-626). Cham: Springer International Publishing.

backing up an army or armed group, or enhancing effectiveness.[213] As a result, they frequently focus on offering military expertise to both legitimate domestic and foreign entities. This expertise includes combat operations, strategic planning, intelligence gathering, risk assessment, planning and force deployment consulting, operational and logistical support, training, weapon system maintenance, and technical skills.[214] Recently, the common misconception is the hat these services could only be found in the public area.[215]

PMCs are commonly referred to as modern mercenaries and are not allowed to operate in Malaysia. Therefore, this study only concentrated on PSCs and excluded PMCs. While PSCs are civilian-registered businesses with an emphasis on contract commercial services for local as well as global customers, with the objective of safeguarding people and property from unlawful actions.[216] In situations where the state is unable to fulfil its obligations, PSCs can provide better security for individuals. If used properly, PSCs can also serve as a supplement to official policies and measures.[217] Nevertheless, PSC's activities may aggravate the present safety landscape and get in the way of peacekeeping and good governance if they are not properly supervised and trained. Under these conditions, allowing PSCs to own and discharge firearms in the absence of appropriate security measures and tightly enforced laws would contribute to an even greater loss of stability.[218]

The businesses that offer security for persons and property under contract and profit make up the players in the private security sector. The industry, which is expanding quickly throughout the world, may significantly contribute to security if it is properly regulated and held fully accountable. On the other hand, in post-conflict or transitional nations, the actions of an unregulated or poorly supervised private security

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213 Faite, Alexander. 2004. 'Involvement of Private Contractors in Armed Conflict: Implications under International Humanitarian Law.' Defence Studies, Vol. 4, No. 2, Summer.

214 Goddard, S. 2001. The Private Military Company: A Legitimate International Entity within Modern Conflict. Thesis, Faculty of the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas.

215 Singer, Peter Warren. 2003. Corporate Warriors: The Rise of the Privatized Military Industry. Ithaca: Cornell University Press.

216 Goddard, S. 2001. The Private Military Company: A Legitimate International Entity within Modern Conflict. Thesis, Faculty of the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas.

217 Bearpark and Schulz (2007), 'The Private Security Challenge in Africa: Problems and Options for Regulation. Pretoria: Institute for Security Studies.

218 Parker, S. (2009). Handle with care: private security companies in Timor-Leste. Small Arms Survey, Geneva.

business may pose particular challenges to governance and impede the promotion of sustainable development, good governance, and peacekeeping. The significance of this sector is especially evident in the way that private actors have been taking on responsibilities that were previously the responsibility of the state over the past ten years.[219]

2.2.1 Private Security Services as a Self-Regulated Industry

Self-regulatory regimes are being implemented in all of the world's developed nations. Economics, which places more emphasis on individual behaviour than group behaviour, has generally overlooked business self-regulation as a potentially effective and efficient social control mechanism. Mainstream regulatory theory has also prematurely discounted industry self-regulation.[220] Thus, a company should become a self-regulatory industry to become more vigilant and efficient in carrying out its responsibilities.

The Sarajevo Code of Conduct (CoC) stipulates that businesses must support the implementation of an open and transparent licensing system, regardless of the size of the companies. Businesses must federate to self-regulate the licensing regime within the suitable norms.[221] According to a 2005 study conducted on behalf of the non-governmental group Saferworld (UK) and local civil society partners, there are currently some 200,000 private security guards employed in Southeastern and Eastern Europe. Overall, the private security industry provided a much-needed extra layer of security in addition to what state law enforcement already delivers, one that client organisations obviously value. The study's main finding was that national regulatory bodies and the most forward-thinking business leaders should work together to create and execute comprehensive yet practical regulations and voluntary guidelines to guarantee that the highest standards are upheld in the industry.[222] Therefore, it is vitally

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219 Richards, A., & Smith, H. (2007). Addressing the role of private security companies within security sector reform programmes. Journal of Security Sector Management,

220 Gunningham, N., & Rees, J. (1997). Industry self-regulation: an institutional perspective. Law & policy, 19(4), 363-414.

221 HOPPE, C., & QUIRICO, O. (2009). Codes of conduct for PMSCs: the state of self-regulation in the industry.

222 The Sarajevo Code of Conduct for Private Security Companies (2006); South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) https://www.seesac.org/f/docs/Private-Security-Companies/The-Sarajevo-Code-of-Conduct-for-Private-Security-Companies-EN.pdf

crucial that the private security industry be self-regulatory while also adhering to local and international regulations as deliberated below at all times since they would appreciate and understand better the needs and impediments faced by the industry.

2.3 The Sarajevo Code of Conduct and the Sarajevo Clients Guidelines

The Sarajevo Code of Conduct (CoC) is a set of fundamental guidelines for professionalism and service performance applicable to all employers and workers in the private security industry.[223] The Sarajevo Process produced the Sarajevo CoC as well as the Sarajevo Client Guidelines to improve the conduct and regulation of the private security business throughout Southeastern Europe. The CoC provides a set of fundamental guidelines for professional conduct and service delivery for the benefit of both employers and workers in the private security industry, irrespective of geography. The established fundamental principles encompass a broad spectrum of private security domains, such as hiring practices, career development, and partnerships with law enforcement. The Sarajevo CoC is important as it defines moral standards and guidelines for the private security sector. By regulating their actions, PSCs will be held accountable for upholding international humanitarian law and human rights. By insisting that companies abide by legal frameworks and respect human rights in their activities, the CoC encourages responsibility, transparency, and professionalism within the private security industry. This code of conduct acts as a roadmap for PSCs to maintain moral standards, build their reputation, and help safeguard people and the communities in which they work.[224]

The first set of instructions for clients acquiring private security services is provided by the 'sarajevo Client Guidelines for the Procurement of Private Security Companies.' This guideline is unique in Southeast Europe,[225] as it outlines the three-stage voluntary procurement method that client organisations have to adhere to when hiring PSCs. The Sarajevo Client Guidelines state that when hiring security contractors, clients should consider a number of other factors besides price, including internal

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223 https://www.business-humanrights.org/en/latest-news/pdf-the-sarajevo-code-of-conduct-for-private-security-companies/

224 2006 The Sarajevo Code of Conduct for Private Security Companies. The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC)

225 https://www.saferworld-global.org/resources/news-and-analysis/post/277-new-code-of-conduct-and-procurement-guidelines-for-the-private-security-sector-in-south-east-europe#:~:text=The%20%27Sarajevo%20Code%20of%20Conduct%20for%20Private%20Security,outlining%20basic%20standards%20of%20professionalism%20and%20service%20delivery.

governance standards, service quality, training levels, compliance with national laws, and voluntary codes of conduct. The Sarajevo CoC is merely a complementary text. It is important to understand that none of these texts is intended to take the place of national law in this particular area, whose effective implementation provides the most reliable guarantee of proper conduct. Instead, the Sarajevo CoC seeks to promote the development and application of formal regulation by bringing all relevant stakeholders together in an effort to advocate for higher standards. Based on this interpretation, Malaysia is not required to embrace the text in its entirety but rather to adopt the pertinent and fitting national norms as guiding principles in crafting local legal frameworks governing the private security industry in Malaysia.

According to the study conducted by the South Eastern and Eastern Europe Clearinghouse for Control of Small Arms and Light Weapons (SEESAC, an affiliate of the United Nations Development Programme (UNDP)), national regulatory bodies and the most forward-thinking business leaders should work together to design and execute thorough yet practical regulations and voluntary guidelines to guarantee that the highest standards are upheld in the industry.[226] For example, the International Code of Conduct for Security Service Providers and the Swiss Initiative have been applied by Western countries and like-minded entities.[227] International Code of Conduct for Private Security Service Providers, Swiss Confederation, 10 November 2010, made allegations of misconduct by PSC employees or inappropriate linkages between businesses and players like political parties or paramilitaries are all too common, despite the fact that an accountable and efficient private security industry can help to promote safety and security. These issues are especially noticeable in nations with inadequate democratic administration and the rule of law or with high rates of armed conflict. Therefore, in order to refute such allegations, it is imperative that the private security services implement the code of conduct that the international body has established, since the

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226 SEESAC Activity Report – (2006) The 'Sarajevo Process Code Of Conduct' For Private Security Companies (PSC). South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC)

227 Prem, B. (2021). The regulation of private military and security companies: Analyzing power in multi-stakeholder initiatives. Conte Richards, A., & Smith, H. (2007). Addressing the role of private security companies within security sector reform programmes. Journal of Security Sector Management, Cranfield University UKmporary Security Policy, 42(3), 345–370. https://doi.org/10.1080/13523260.2021.1897225

code of conduct promotes transparency, accountability, the general security environment, the enjoyment of human rights, and the rule of law. [228]

PSCs and service providers are crucial to maintaining the safety of state and non-state clients involved in commercial operations, diplomacy, relief, and rehabilitation projects. PSCs' actions in delivering these services may have both favourable and unfavourable effects on their clients, the local people in the service area, the general security situation, the exercise of human rights, and the rule of law. PSCs can contribute significantly to state security when they are well-regulated. On the other hand, in transitional or post-conflict governments, an unregulated or poorly governed industry may serve as a barrier to sustainable development, good governance, and peacebuilding. Even while security sector reform initiatives are frequently managed by donors and legislators in these states, the private security sector is far too frequently disregarded. [229]

2.3.1 The Salient Features of the Sarajevo CoC

In the framework of their national legislation and practice, governments should consider and uphold the fundamental principles outlined below, which have been developed to support Member States in their endeavours to guarantee and promote the appropriate role of law enforcement officials. Law enforcement officials should also be made aware of these principles. Malaysia ought to embrace these values. The principles of the CoC are rather comprehensive and noble.

2.3.2 National Policy and Regulation for Private Security Companies

A security system should protect social values, and private property is one of the most essential values in most market-democratic countries. In any state, private security plays a significant role in overall security. Dusko Vejnovic, Marjan Gjurovski, and Gojko Pavlovićin in their research, stress the point that the very profitable private security industry needs to elevate the current standard of education to a qualitatively

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228 S. Marco, Bouvier A and Quintinn A (2014) International Code of Conduct for Private Security Services Provider, ICRC

229 https://www.icoca.ch/sites/default/files/resources/ICoC_English.pdf]

higher level in order to comply with professional standards.[230] This results in an increase in the area of standardisation of position in private security businesses in recent decades, especially in their connections to the police and other security agencies.[231]

In the contemporary security industry, an essential component of staying ahead of the trends is the practical side of comprehending the circumstances and objectively observing and monitoring the performance and operation of the organisations responsible for private sector security services.[232] As the Sarajevo CoC does not bind Malaysian authorities and business entities, a national policy and relevant primary laws and regulations governing the private security industry and its interaction with public security providers should be created to guarantee the highest standards in both areas.[233]

2.4 The Montreux Document

On 17 September 2008, 17 states, including the United States, the United Kingdom, China, France, Iraq, Afghanistan, Sierra Leone, and South Africa, endorsed the Montreux Document, at the request of the International Committee of the Red Cross and the Federal Department of Foreign Affairs of Switzerland. The Swiss government and the International Committee of the Red Cross (ICRC) are the sponsors of the Montreux Initiative. The 'swiss Initiative' is a non-binding pact between states that summarises several best practices for adhering to relevant state obligations under international law that apply to the use of PMSCs during armed conflict. International organisations are able to express their support for the effort, even if only governments are able to formally join the document. In general, the document outlined best practices for states regarding the use of private military and security firms during armed conflict and reaffirmed legal obligations.[234]

A multi-stakeholder process resulted in the approval of the Swiss Initiative's recommendations and the adoption of the Private Security Providers' International

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230 Vejnović, D., Gjurovski, M., & Pavlović, G. Comparative Analysis of Legislation Governing Education for Private Security in the Western Balkans. University of Banja Luka

231 Gerginova, T. (2014). The need for private security institutions International Yearbook, 26.

232 Pustahija, A., & Ganic, E. (2014). Private Security as Part of the Global System of Protection and One of the Most Profitable Services Today. Crim. Just. Issues, 47.

233 Richards, A., & Smith, H. (2007). Addressing the role of private security companies within security sector reform programmes. Journal of Security Sector Management

234 Cockayne, J. (2008). Regulating private military and security companies: The content, negotiation, weaknesses and promise of the Montreux Document. Journal of Conflict & Security Law,

Code of Conduct (ICoC).[235] The Swiss government participated in a second endeavour to create international PMSC standards in response to business needs. Three geographic factors are covered in the document: the states where PMSCs are incorporated, the states where PMSCs operate, and the states where PMSCs subcontract with other PMSCs. Clarifying the obligations that contracting states, territory states, and home states already have has been one of its two declared goals. The other was to create best practices, regulatory choices, and other measures for the same at the national and international levels.[236] The current research focused on the latter.

The Private Security Providers' International Code of Conduct (ICoC). [237] The Swiss government took part in a second endeavour to create international PMSC standards in response to business needs. Three geographic factors are covered in the document: the states where PMSCs are incorporated, the states where PMSCs operate, and the states where PMSCs subcontract with other PMSCs. Clarifying the obligations that contracting states, territory states, and home states already have been one of its two declared goals. The other was to create best practices, regulatory choices, and other measures for the same at the national and international levels[238]. This research will focus on the latter.

The primary goal of both the ICoC and the Montreux Document is to improve PSCs adherence to relevant international human rights and humanitarian law regulations. Effective implementation is still difficult, though. One explanation for this could be that there are still unrealised potential synergies between the two processes. A study conducted by Nelleke van Amstel and Tilman Rodenhauser suggests that governments should incorporate membership in the ICoC Association into their recruiting or national authorisation procedures. The governance framework established by the ICoC Association and the principles of the ICoC can supplement, if not

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235 Moyakine, E. (2014). Book review: Private military and security companies in international law–A challenge for non-binding norms: The montreux document and the international code of conduct for private security service providers.

236 Warner, D. (2023). What the Wagner Mutiny Says About Attempts to Control Private Military and Security Companies. CounterPunch

237 Tougas, M. L. (2009). Some comments and observations on the Montreux Document. Yearbook of International Humanitarian Law

238 Warner, D. (2023). What the Wagner Mutiny Says About Attempts to Control Private Military and Security Companies. CounterPunch

completely replace, a state's efforts to regulate PSCs in line with the best practices outlined in the Montreux Document.[239]

Nonetheless, the research by Chidimma Dorathy Umego revealed that the Montreux Document has a number of drawbacks while being a positive first step in regulating PMSCs' overseas operations. Due to the enforcement mechanism's weakness stemming from its soft law approach, PMSCs' global operations are characterised by a high degree of criminality and little accountability. The main recommendation of this research is that state parties to the Montreux Document should incorporate the requirements and best practices/standards outlined in the document into their national laws. The states involved will readily execute the requirements of the document, suppressing and managing PMSC violations abroad. This will inevitably improve the penalties and enforcement mechanisms under the Document.[240] The absence of clearly defined tasks and responsibilities, inadequate recruitment, screening, and training procedures, and insufficient supervision of security providers leads to well-recorded violations of human rights and security imbalances, which have a detrimental effect on communities. Thus, it is imperative that government and corporate entities, whether serving as security agents directly or as clients of security agents, guarantee that security operations conform to IHRL and IHL as applicable, and any other relevant international legal provisions.[241]

2.5 United Nations (UN) and Unarmed Private Security Services

The UN has introduced the Guidelines on the Use of Unarmed Security Services from Private Security Services. The guidelines imposed by the United Nations Security Management System (UNSMS) can be used as a parameter before stakeholders engage with any private security services companies. The UN has a very clear set of rules that need to be conformed to prior to engaging any PSC. The UN requires that any company providing unarmed security services must check its staff carefully. The UPSS provider must certify in writing that every employee of the company to be hired under the

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239 Van Amstel, N., & Rodenhäuser, T. (2016). The Montreux Documents and the International Code of Conduct: Understanding the Relationship between International Initiatives to Regulate the Global Private Security Industry. Available at SSRN 2763932.

240 Umego, C. D. (2021). Examining the Regulatory Framework of Private Military and Security Companies under the Montreux Document. Journal of Commercial and Property Law, 8(5).

241 MacLeod, S. (2020). Private Security, Human Rights and COVID-19: Regulatory Challenges at the Margins. Human Rights and COVID-19: Regulatory Challenges at the Margins (October 21, 2020). CEPRI Working Paper Series, (5).

contract has completed the training stipulated in the contract and has shown the required level of related skill before starting to provide services to the relevant UNSMS organisation, as outlined in the Guidelines for Unarmed Security Services for PSCs. Also, UPSS providers must fulfil the contract and standard operating procedures, and their supplier must guarantee that its employees have the necessary training and expertise to carry out the services. Only qualified employees are hired to provide these services.

The UN imposes the use of force, non-lethal means, and SOP wherein any UPSS provider that wants to work with an organisation that is a part of the UNSMS must create and implement a Use of Force policy that adheres to the UNSMS Use of Force Policy's guidelines for the use of non-lethal force and that is compliant with the International Code of Conduct for Private Security Service Providers. In order to carry out the contract, the Contracting Officer must designate a Contracting Officer's Representative (COR) in writing. The COR is in charge of managing the UPSS provider on a daily basis. In any contacts with the UPSS provider regarding contract performance as specified in the scope of work and contract, the COR will speak on behalf of the Contracting Officer. When there is only one UNSMS organisation, that organisation is responsible for managing the UPSS provider's contract. The senior security specialist will be designated as the COR in the event of a shared UNSMS facility. The COR shall promptly report any performance problems or difficulties found, along with suggested corrective action, in a joint report to the Contracting Officer. The Security Management Team (SMT) members, managers, security experts, and DOs of UNSMS organisations who assume the responsibility and accountability for security management inside their organisations are to be trained pursuant to the policy.

2.5.1 United Nations on Drugs and Crime (UNODC)

UNODC, formerly known as the Office for Drug Control and Crime Prevention (ODCCP) was established in November 1997 with the goal of bolstering the UN's coordinated response to issues related to drug control, crime prevention, and international terrorism. The Office had a name change in October of 2002. UNODC facilitates meetings of the UN Commission on Narcotic Drugs (CND) and is the main UN body in charge of developing policy on issues related to the prevention of drug addiction worldwide. In addition, UNODC focuses on strengthening the rule of law to

support the implementation of UNTOC,[242] and break the cycle of organised crime. It also offers nations legal and technical support to strengthen capacities to look into and stop terrorist attacks, combating armed and urban crime in light of globalisation and the growing need for international approaches to combating organised crime. Furthermore, effective regulatory frameworks allow states, the private sector, and communities to benefit from private security services while mitigating against the risks they pose to safety, including the United Nations' Handbook on State Regulation concerning Civilian Private Security Services and their Contribution to Crime Prevention and Community Safety.[243]

2.5.2 UNODC's Role on Private Security Services

UNODC contributes to crime prevention and community safety and plays a pivotal role in scrutinising the role and oversight of civilian private security services (CPSS). In 2009, the Commission on Crime Prevention and Criminal Justice (CCPCJ), a functional commission of the United Nations Economic and Social Council, adopted resolution 18/2, Civilian private security services: their role, oversight, and contribution to crime prevention and community safety. This resolution notes the importance of effective oversight of CPSS by competent state authorities to ensure they are not compromised or misused by criminal elements.[244] The resolution created a temporary group of experts from different governments to look into how capable state authorities are at supervising CPSS and to study how CPSS helps with community safety and preventing crime. For the CCPCJ's consideration, UNODC was asked to provide a report on the resolution's implementation. To be ready for the expert group conference, UNODC arranged a planning meeting with specialists in Abu Dhabi in 2010. To explore the topics mentioned in resolution 18/2.[245] In 2011, UNODC called a meeting of the

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242 In its resolution 55/25 of 15 November 2000, the General Assembly adopted the United Nations Convention against Transnational Organized Crime (UNTOC) and two of its supplementary Protocols namely the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Air and Sea. particularly in conflict and post-conflict countries

243 https://www.unodc.org/documents/AnnualReport2014/Annual_Report_2014_WEB.pdf (retrieved on 17 May 2024)

244 https://www.unodc.org/documents/justice-and-prison-reform/Expert-group-meeting-Bangkok/IEGMCivilianPrivateSecurity/UNODC_CCPCJ_EG.5_2011_1_English.pdf (retrieved on 18 May 2024)

245 https://www.unodc.org/unodc/en/justice-and-prison-reform/expert-group-meetings2.html (retrieved on 18 May 2024)

intergovernmental expert group in Vienna to further deliberate on the topics mentioned in resolution 18/2. An Introductory Handbook on State Regulation Concerning Civilian Private Security Services and Their Contribution to Crime Prevention and Community Safety was published by UNODC. They look at the role that CPSS plays in community safety and crime prevention, as well as how they are regulated, how they are enforced and inspected, how they are trained, and how they relate to pertinent international standards and norms.[246]

2.5.3 OECD and the Private Security Services

The Organisation for Economic Co-operation and Development (OECD) is an international organisation that strives to create better policies for better lives. Originating in 1948 as the Organisation for European Economic Co-operation (OEEC), the OECD was created in 1961 to oversee the Marshall Plan for post-war European reconstruction and comprises 37 member nations.[247] It is a multidisciplinary organisation that offers a platform for governments to collaborate and exchange ideas on social and economic policies. Unlike several other international organisations, the OECD does not establish legally enforceable rules and regulations; instead, it promotes the negotiation of agreements and the development of legal codes for specific sectors. Its publications and data on a variety of economic, social, and environmental topics are what make it most well-known. Thus, the main objectives of the OECD are to use evidence-based policymaking and international cooperation to design policies that promote prosperity, equality, opportunity, and well-being for everyone.[248]

The perceptions of rising crime, terrorist threats, and increased movement of people, capital, and goods have led the OECD to recognise the security business as a significant and growing economic activity. Accordingly, OECD has noted that governments in many nations are contracting out security functions to PSCs. These

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246 https://www.unodc.org/documents/justice-and-prison-reform/Civilian_Private_Security_Services_Ebook.pdf (retrieved on 19 May 2024)

247 Malaysia is not currently a full member of the OECD, but has taken steps to participate in certain OECD initiatives, Malaysia notified the OECD in 2008 that it intended to use the OECD Mutual Acceptance of Data (MAD) approach for chemicals assessments on Good Laboratory Practice (GLP). Malaysia then accepted the OECD's invitation to join as a Provisional Member for two to three years in 2008. Although Malaysia is not a member of the OECD, the organisation does offer data and analysis on the country's policies and economy. For instance, Malaysia is included in economic surveys and country notes released by the OECD.

248 https://www.oecd.org/about/ (retrieved on 29 June 2024)

companies can be valuable if they possess the required training and qualifications. The OECD has, however, also emphasised the necessity of addressing worries regarding private involvement in the supply of security services. In general, the OECD has worked to comprehend and offer recommendations about the changing nature of private security services, striking a balance between security requirements, economic viability, and human rights issues.[249,250]

To adhere to the OECD's due diligence framework, private security services companies should conduct the crucial actions in accordance with the instructions provided by the organisation.[251] In order to make sure that the PSCs they hire are still upholding human rights, businesses should keep a close watch on their conduct. If a hired private security company is discovered to have violated human rights or engaged in other wrongdoing, the business should take the proper measures to address the situation, which may include ending the contract. On the other hand, prior to hiring PSCs, consumers should conduct extensive due diligence on the private security services company they intend to hire to make sure they uphold human rights. This involves evaluating the track record and competence of the security company.

As part of risk mitigation measures, OECD advises businesses to promote the formalisation of security arrangements between local communities, the government, and public or private security services. [252] Consumers who plan to hire private security

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249 https://www.security-ligue.org/fileadmin/user_upload/About_Downloads/Documents/White_Paper_May_2017.pdf (retrieved on 30 June 2024)

250 https://mneguidelines.oecd.org/OECD-guidance-and-voluntary-principles-on-security-and-human-rights.pdf (retrieved on 28 June 2024)

251 https://www.voluntaryprinciples.org/ (retrieved on 30 June 2024)
Key aspects of the Voluntary Principles (VPs):
Objective -They aim to minimize the risk of human rights abuses in communities near extraction sites by providing tangible steps for companies to follow.
Stakeholders -The VPs involve collaboration between governments, multinational extractive companies, and NGOs.
Scope They address interactions between companies and both private and public security forces, emphasizing the importance of security practices that respect human rights.
Implementation - The principles suggest that companies regularly engage with host governments and local communities on security issues, ensure security forces act in accordance with UN principles on the use of force, and establish mechanisms for reporting and investigating improper actions by security forces.
Voluntary Principles Initiative (VPI) -This tripartite, multi-stakeholder initiative supports the implementation of the VPs and includes governments, companies, and civil society organizations.
Significance -The VPs provide guidance to industry and common reference points for dialogue between industry, government, and civil society on aligning security and human rights. They also represent an international collaboration to move corporate citizenship from principle into practice.

252 https://mneguidelines.oecd.org/An-introduction-to-the-OECD-Due-Diligence-Guidance-for-upstream-actors.pdf (retrieved on 29 June 2024)

services are cautioned to comply with the OECD's five-step protocol for due diligence. In general, due diligence procedures employed by PSCs should align with the five steps outlined by the OECD: establishing management systems, recognising and evaluating risks, responding to those risks, confirming performance, and reporting.[253] In conclusion, OECD demands that PSCs uphold human rights, carry out thorough due diligence, and be continuously observed and held accountable by the businesses that use them.

2.5.4 OECD's Guidelines Compared with Other International Standards for Private Security Companies

The OECD's general Due Diligence Guidance for Responsible Business Conduct lays out a more comprehensive framework that businesses should implement throughout their operations, supply chains, and other business interactions, although other standards may concentrate narrowly on certain industries or challenges. This entails locating, stopping, and lessening negative effects on the environment, human rights, and other sectors.[254] The key principles of the OECD Due Diligence Guidance for Responsible Business Conduct are structured around a risk-based due diligence process that enterprises should follow to identify, prevent, mitigate, and account for how they address actual and potential adverse impacts related to their operations, supply chains, and business relationships. These principles include:

i) Embedding Responsible Business Conduct into Policies and Management Systems

ii) Enterprises should integrate due diligence into their policies and management systems to ensure responsible business conduct is a core part of their operations.

iii) Identifying and Assessing Actual and Potential Adverse Impacts,Companies must identify and assess risks of adverse impacts on workers, human rights, the environment, bribery, consumers, and corporate governance associated with their activities.

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253 https://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf (retrieved on 29 June 2024)

254 https://www.achilles.com/app/uploads/2024/05/AC1427-Six-Stages-of-Due-Diligence-white-paper-V4.pdf (retrieved on 6 June 2024)

iv) Ceasing, Preventing, and Mitigating Adverse Impacts: When adverse impacts are identified, enterprises should take appropriate actions to stop, prevent, or mitigate these impacts.

v) Tracking Implementation and Results: Businesses need to monitor and track the effectiveness of their due diligence measures and the outcomes of their efforts to address adverse impacts.

vi) Communicating How Impacts Are Addressed: Transparency is essential; enterprises should communicate externally about how they are addressing adverse impacts.

vii) Providing for or Co-operating in Remediation When Appropriate

When harm occurs, companies should provide for or co-operate in remediation to address the impacts.Consumers ought to foster the formalisation of security agreements between local governments, security forces, and the public or private sector, according to the OECD guidelines. This is one of the steps that the OECD advises doing to reduce risks that are found during the due diligence procedure.

Compared to other international standards, the OECD's guidance on due diligence for PSCs is distinct. One of the main components of the OECD's strategy is its emphasis on human rights. OECD guidance recommends that businesses that hire private or public security services commit to the Voluntary Principles on Security and Human Rights.[255] This involves exercising due diligence in the selection and hiring of private security, monitoring their behaviour, and responding appropriately to any misbehaviour. This encourages consistency between this established set of standards and the OECD guidance.

In conclusion, the OECD's guideline, unlike certain other international standards for private security services, places a stronger emphasis on human rights, promotes consistency with the Voluntary Principles, and outlines a more comprehensive due diligence process. This is in line with the OECD's larger responsibility to offer recommendations on ethical business conduct.

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255 (The initiative promotes and implements the Voluntary Principles on Security and Human Rights (VPs), a set of high-level recommendations that seek to manage risks associated with security and human rights in the extractive sector. Established in 1961 and based in Paris, the OECD is an international organisation of 36 member nations).

2.6 ISO and Private Security Services

Standards improve daily experiences and decisions by carefully combining awareness with quality. International standards guarantee the safety, dependability, and superior quality of the goods and services customers use on a daily basis. The International Organisation for Standardisation (ISO) is an independent, non-governmental organisation that creates and disseminates voluntary worldwide standards to guarantee effectiveness, safety, and quality. With members from 162 nations, it was established in 1946. Technical committees made up of professionals from member nations collaborate with ISO to create standards using a consensus-based procedure. The organisation assists companies in implementing ethical and sustainable practices, paving the way for a time when the products they buy will protect the environment in addition to performing perfectly.[256]

The General Assembly is responsible for making key decisions regarding the ISO's strategic direction, finances, and leadership. The chosen leaders, known as major officers and delegates from each of the member nations, make up the General Assembly. As the supreme governing body, it offers supervision and direction to the ISO Council and other committees.[257] The ISO's headquarters are in Geneva, Switzerland, and the organisation's operations are managed by a central secretariat.[258] Third-party certification bodies attest to the standards' compliance, whereas ISO creates them. It is carried out by certification to ISO standards.[259]

In general, well-known ISO standards address a variety of topics, including environmental management, information security, and quality control. A study reveals that the result implies that ISO certification would be making better use of resources and management systems; the implementation of this certified standard may lead to operational efficiencies. It gives the industry players the chance to reconsider their operating license and strengthen their credentials with stakeholders.[260] Another study conducted reveals that the findings demonstrated that most research indicated a

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256 Kumuda J (2018) International Organistaion for Standardization – When the world agrees, ISO

257 Sfreddo, L. S., Vieira, G. B. B., Vidor, G., & Santos, C. H. S. (2021). ISO 9001 based quality management systems and organisational performance: a systematic literature review. Total Quality Management & Business Excellence, 32(3-4), 389-409

258 https://www.iso.org/committee/54992.html (retrieved on 31 May 2024)

259 https://www.techtarget.com/searchdatacenter/definition/ISO (retrieved on 31 May 2024)

260 Camilleri, M. A. (2022). The rationale for ISO 14001 certification: A systematic review and a cost–benefit analysis. Corporate Social Responsibility and Environmental Management, 29(4), 1067-1083.

favourable relationship between one or more organisational performance factors and the implementation of ISO 9001. Operating and market performances have demonstrated a stronger correlation with ISO 9001 implementation among those measures of performance. An extensive record of their business management and operations is available to private security agencies certified by ISO. PSCs' explicit records will demonstrate their commitment to maintaining an internationally accepted quality management system and organisational performance.

2.6.1 ISO 18788: An International Standard

In response to the increasing number of instances of human rights abuses and mistreatment committed by employees of PSCs, the ISO 18788 standard has been implemented globally[261]. The International Organisation for Standardisation (ISO) created ISO 18788, a global standard that offers recommendations for managing private security operations. The norm places a strong emphasis on upholding human rights and refraining from actions that could endanger or infringe upon the rights of people or groups. Any organisation that offers security services is covered by it, including governmental bodies, non-profits, and PSCs.

This international standard applies to organisation that performs or contracts security activities, especially in situations where the rule of law is compromised or governance is questionable as a result of man-made or natural disasters. The organisation must adopt and put into practice the standards required to guarantee that human rights and fundamental freedoms are upheld in order to protect lives and property and that inappropriate, unlawful, and excessive acts are prevented. This must be done in close collaboration with lawful clients and government agencies. This intentional standard requires to establishing and putting into practice the rules required to guarantee that fundamental freedoms and human rights are upheld in order to protect people and property, and that inappropriate, unlawful, and excessive behaviour is prevented. That is to say, companies that conduct security operations control how they use weapons, equipment, tactics, and procedures in order to meet their operational and risk management goals. Assuring the safety and security of their clients while upholding

[261] Gutiérrez Rodríguez, W. (2022) Aspects of the implementation of the ISO 18788 standard in the private security sector in Colombia Aspectos de la implementación de la norma ISO 18788 en el sector de la seguridad privada en Colombia. Universidad Militar Nueva Granada

national and international laws, fundamental freedoms, and human rights is the goal of this international standard, which strives to enhance and demonstrate consistent and predictable security operations.

The ISO 18788 standard offers a management system framework for private security operations by outlining the guidelines and standards for creating, putting into practice, running, overseeing, evaluating, preserving, and enhancing the management of safety operations.[262] The purpose of ISO 18788 is to guarantee that security operations are carried out in a way that respects human rights, complies with legal and regulatory requirements, and serves the demands of customers and stakeholders in an ethical, responsible, and effective manner.[263] ISO 18788's principal elements includes understanding the internal and external elements that have an impact on the security operations of the organisation is the context of the organisation.

For the efficient management of business and risk, the ISO 18788 offers a framework for conducting security activities. It gives great weight to identifying the many stakeholders, such as workers, clients, local communities, and subcontractors. In addition to providing guidelines and requirements for a security operation management system, ISO 18788 certification attests to the system's capacity to continuously provide services that satisfy client needs and adhere to legal and human rights obligations.[264] It includes principal elements, such as understanding the internal and external elements that have an impact on the security operations of the organisation in the context of the organisation. Secondly, leadership and commitment are shown by showing that upper management is dedicated to running the security operations efficiently. Identifying the scope of security activities and creating a management strategy that incorporates risk-based strategies is known as planning. Thirdly, provide support by encouraging the security operations management system by providing the required tools, know-how, alertness, and communication. Fourthly, the operation is managed by security operations in a way that upholds the law, respects human rights, and is morally and responsibly done. Fifthly, the performance evaluation, which shall be carried out to guarantee the efficacy of security activities, monitoring, measuring, analysing, and assessing them, is necessary. Finally, the enhancement, which shall be performed on

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262 https://www.iso.org/obp/ui/en (retrieved on 6 June 2024)
263 https://www.mssglobal.com/iso-18788-explained (retrieved on 29 May 2024)
264 https://isoindia.org/faqs.php?knowledge=what-are-the-important-elements-of-iso-18788-security-operations-management-system%3F (retrieved on 31 May 2024)

the basis of performance assessment, will continuously enhance the security operations management system[265]. All security lifecycle stages are covered by the essential elements. The essential elements encompass the complete lifecycle of security operations management, starting with contextual awareness and ending with system planning, implementation, evaluation, and improvement. The guideline places a strong emphasis on how crucial it is that security operations adhere to the law and protect human rig.[266]

The ISO 18788 standard acknowledges that it is imperative to protect assets, both tangible and intangible, as a crucial task for the viability, profitability, and sustainability of any type of organisation. Based on the legal requirements and guiding principles of the Private Security Operations Management System, which ensures the quality of services, credibility, and trust while safeguarding the organisation's and the client's reputation. This allows for increased sector competitiveness and service optimisation through the integration of organisational context, leadership, planning, support, operation, performance evaluation, and improvement. Based on the voluntary principles and human rights established by the UN, the Montreux papers, the ICoCA, and other legal duties and best practices, the said standard offers the components required for its comprehension and implementation.[267]

2.6.2 ISO 18788 and UN's Principles of the Framework in the Management System for Private Security Operations

ISO 18788 guarantees adherence to human rights standards by putting in place a framework that upholds legal and regulatory requirements while also respecting human rights. The foundation of the standard is the principles of accountability, transparency, respect for human rights, and compliance with current legal requirements. It offers recommendations on how businesses should conduct security operations to reduce harm and uphold the rights of those engaged. By including the framework's

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265 ISO India, "What Are the Important Elements of ISO 18788 Security Operations Management System?" ISO India FAQ, available at https://isoindia.org/faqs.php?knowledge=what-are-the-important-elements-of-iso-18788-security-operations-management-system%3F (accessed 31 May 2024)

266 (2024) What is ISO 18788 ? isarsoft https://www.isarsoft.com/knowledge-hub/iso-18788

267 Urrego Chitiva, J. O. (2022), Un Benefits of the application of the ISO 18788:2015 private security operations management system (SGOSP) in the seguridad Securbel Ltda Company. Universidad Militar Nueva Granada.

principles into the management system for private security operations, ISO 18788 conforms to the 2011 United Nations 'Protect, Respect, and Remedy' Framework.[268] This alignment makes sure that companies hiring or doing security operations follow important guidelines. The framework places a strong emphasis on safeguarding human rights and avoiding injury to individuals. In order to ensure that security operations are carried out in a way that respects the rights of all parties involved, ISO 18788 mandates organisations to put safeguards in place to prevent harm and defend human rights.[269] The framework places a strong emphasis on upholding the law and human rights. Organisations must adhere to ISO 18788's requirements on the protection of all people's rights, including those of those engaged in security operations. The framework places a strong emphasis on the necessity of providing adequate redress for any human rights breaches. Organisations must create policies under ISO 18788 for handling complaints about human rights abuses and making sure the impacted parties have access to appropriate remedies.

Through its alignment with the United Nations 'Protect, Respect and Remedy'Framework 2011, ISO 18788 guarantees the conduct of private security operations in a manner that upholds human rights and the rule of law. This framework facilitates the efficient and responsible management of security operations by organisations.[270]

2.6.3 ISO 18788 Certification- Is It Worthwhile?

Private security firms are under growing pressure from stakeholders and clients to conduct business with the utmost professionalism and ethics. An organisation's dedication to quality, accountability, and satisfying stakeholder expectations is demonstrated by its ISO 18788 accreditation. An organisation's standing in the security sector can significantly improve with ISO 18788 certification. Organisations must adhere to relevant laws and regulations and uphold human rights as a means of

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268 https://media.business-humanrights.org/media/documents/files/reports-and-materials/Ruggie-protect-respect-remedy-framework.pdf (retrieved on 6 June 2024)

269 https://www.ohchr.org/sites/default/files/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf (retrieved on 6 June 2024)

270 Ruggie, J., & Des Nations, P. (2011). Guiding principles on business and human rights: Implementing the UN 'Protect, Respect and Remedy' Framework. Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises.

demonstrating their commitment to moral behaviour and the protection of human rights, as mandated by ISO 18788. Obtaining certification demonstrates a resolute dedication to conscientious and expert security operations. Accredited certification bodies conduct thorough audits as part of the certification process. A company's reputation is safeguarded, and its security management system is validated by a reliable third party when ISO 18788 is practiced.

Currently, only five PSCs in Malaysia hold ISO 18788 certification, SRT Security Services Sdn. Bhd. is the first in the Malaysian security industry to be awarded the SIRIM ISO 18788 Private Security Operations Certification. Prozas Security (M) Sdn. Bhd. is certified by SIRIM QAS International for ISO 18788:2015 Management System for Private Security Operations since April 2021. SECOM Malaysia holds ISO 18788:2015 certification among other ISO certifications. Satria Perkasa is certified for ISO 18788:2015 Security Operations Management Systems.

Dynamic Guardforce Sdn. Bhd. is certified with ISO 18788 alongside ISO 9001 and ISO 45001. The industry players are hesitant to obtain ISO 18788 certification for a number of reasons, including its apparent complexity, lack of leadership support, insufficient resources, poor planning, and concerns about continuous compliance and inspection. Overcoming these obstacles requires commitment, training, open communication, and viewing certification as a strategic, ongoing improvement tool rather than a one-time accomplishment. Increasing the number of companies with ISO 18788 certification elevates standards in the private security sector, fostering professionalism and responsibility. By doing this, certified organisations are better regarded as industry leaders in responsible and competent security operations. Government organisations in certain nations use ISO 18788 certification as a criterion for evaluation when awarding security contracts. Securing certification can give an organisation a competitive edge and improve its standing among prospective customers. In conclusion, the ISO 18788 accreditation serves as a potent means for PSCs to exhibit their dedication to professionalism, morality, and respect for human rights. This improves status with clients, stakeholders, and the security industry at large while also fostering credibility and safeguarding reputation.[271]

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[271] Moreno R (2022) ISO 18788 certification and its benefits for Private Security Companies. INSI.

2.6.4 ISO and Malaysia as a Member

Under the Standards of Malaysia Act 1996 (Act 549), the Department of Standards Malaysia (DSM), as the National Standards Body (NSB) of Malaysia, is required by law to serve as the national accreditation body (Part V, Act 549). The goal of DSM is to enable Malaysian goods and services to compete on a global scale by offering reliable standardisation and accreditation services. Accordingly, Malaysia, through DSM, has maintained its membership in ISO since 1969. DSM represents Malaysia in ISO technical committees, where it actively participates.[272]

Nonetheless, prior studies have identified the main barriers to the successful adoption of ISO, namely an inadequate number of skilled workers, poor training, resistance from employees, and a lack of dedication from senior management leaders. This situation has clear consequences for managers who concentrate on factors that can enhance the effectiveness of ISO implementation, such as choosing the best strategies, allocating sufficient funding, and improving the company's performance.[273]

2.7 The Belt and Road Initiative: Impact to the Private Security Services in Malaysia

According to Bloomberg's calculations based on International Monetary Fund forecasts, China will be the largest contributor to global growth over the next five years, accounting for a larger percentage than all of the Group of Seven (G7) countries combined.[274] From now until 2029, China will make up around 21% of all new economic activity worldwide. This stands in contrast to the G7's 20% and the US's almost 12%.[275] Given this, a study needs to discuss the impact that China's rapid economic growth has had on the private security guard sector.

Launched by the Chinese government in 2013, the Belt and Road Initiative (BRI), sometimes referred to as the One Belt One Road plan or the New Silk Road, is

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272 https://www.jsm.gov.my/about-us/corporate-info/international-and-regional-membership (retrieved on 31 May 2024)

273 Nurcahyo, R., & Habiburrahman, M. (2021). Relationship between ISO 9001: 2015 and operational and business performance of manufacturing industries in a developing country (Indonesia). Heliyon, 7(1).

274 The G7 (Group of Seven) consists of Canada, France, Germany, Italy, Japan, United Kingdom and United States. The G7 is an informal intergovernmental forum of advanced democracies that coordinates on economic, political, security, and global issues

275 https://www.bloomberg.com/news/articles/2024-04-18/china-outweighs-g-7-as-leading-driver-of-global-economic-growth?embedded-checkout=true

a major worldwide infrastructure development scheme. The objective of this effort is to enhance connectivity and economic co-operation among regions by investing in infrastructure projects across over 150 countries, intending to enhance connectivity and foster deeper regional co-operation throughout Asia, Africa, Europe, and beyond.[276] Due to the large scale of the Belt and Road Initiative, its security needs may be greater than those of the Chinese military and those of partner states' security and law enforcement agencies.[277]

The success of the Belt and Road Initiative relies on the capabilities of the global private security industry. But while private security services can enhance the security of Chinese overseas investments, ranging from site, property, and personal protection to surveillance, cash transportation, and associated technologies, they also pose significant risks. High levels of competition within the private security industry provide disincentives for companies and individuals to invest in expensive training. This results in low-quality services and poor working conditions that increase the likelihood of malpractice and risks to both the businesses they protect and the public they serve.[278] Furthermore, those unable to afford private security services are not only excluded from its benefits but also, as a consequence, face greater insecurity.[279]

Chinese PSCs are growing internationally, particularly in support of the BRI, although they presently do not have the scale, capability, or experience of significant international security companies. Chinese businesses that operate out of China are beginning to favour Chinese PSCs. [280] China's government has long advocated for Chinese PSCs to expand overseas. In 2016, the Chinese government made it clear that security firms with the necessary qualifications should aggressively monitor the growing demand for overseas interest protection and expedite the growth of overseas security services. The 2018 Security Management Guideline for Overseas Chinese-Funded Companies, Institutions, and Personnel was the Chinese government's attempt to formalise the increasing attempts to coordinate international security. While hiring

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276 https: worldbank.org/en/trade/three-opportunities-and-three-risks-belt-and-road-initiative (retrieved on 30 April 2024)

277 (Arduino, A (2015) 'security Privatisation with Chinese Characteristics: The Role of Chinese Private Security Corporations in Protecting Chinese Outbound Investments and Citizens', RSIS Policy Report, Singapore

278 Van Steden, R and Sarre, R (2010) 'The Tragic Quality of Contract Guards: A Discussion of the Reach and Theory of Private Security in the World Today', Journal of Criminal Justice Research

279 Bayley, DH and Shearing, C (1996) 'The Future of Policing', Law and Society.

280 Arduino A (2023) Chinese Private Security Companies: Neither Blackwater nor the Wagner Group, National Security For Insiders By Insiders

Chinese security firms abroad is recommended for Chinese corporations operating abroad, the Belt and Road co-operation agreements also include stipulations requiring the host nations to assume security responsibilities for large-scale Chinese investments in their territories.[281]

Recent discussions in Beijing indicate an assertive global posture and a broader role for PSCs in influencing world politics and defending interests abroad. The dynamic significance of this changing component within China's global participation is emphasised.[282] The requirement that only Chinese PSCs be recruited for projects they take on is not always imposed by Chinese investors. Although Chinese private security organisations are increasingly protecting Chinese interests overseas, there is no concrete evidence that Chinese investors want Chinese security companies to be hired exclusively. These investors may still work with different security organisations depending on the particulars of the project or other variables, but they frequently favour Chinese private security businesses because of things like communication ease, shared culture, and competitive price. A number of considerations, including familiarity, affordability, and the capacity to offer customised security solutions for Chinese ventures abroad, play a role in the choice to work with Chinese PSCs.[283] Chinese businesses that operate abroad frequently choose to work with Chinese PSCs over foreign corporations or regional security providers.[284]

China has been Malaysia's top trading partner for the past 14 years.[285,286] The overall value of bilateral commerce between Malaysia and China hit a new high of USD 203.6 billion in 2022.[287] Given that China's investment in Malaysia is significant, Chinese companies operating in Malaysia need the services of a private guard to control their assets and also their expatriates working in Malaysia. Very strict conditions will

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281 Yau, N., & Van Der Kley, D. (2020). The growth, adaptation and limitations of Chinese private security companies in Central Asia. The Oxus Society for Central Asian Affairs.

282 Chizzoni E. (2024) Understanding The Chines Private Security Contracting Industry, The Security Distillery

283 https://www.channelnewsasia.com/asia/china-builds-private-security-protect-overseas-interests-hostile-unstable-regions-4009986 (retrieved on 18 May 2024)

284 https://thesecuritydistillery.org/all-articles/understanding-the-chinese-private-security-contracting-industry (retrieved on 18 May 2024)

285 https://www.mfa.gov.cn/eng/wjb_663304/zwjg_665342/zwbd_665378/202401/t20240103_11216256.html (retrieved on 30 April 2024)

286 https://www.pmo.gov.my/2023/03/china-is-an-important-trade-partner-for-malaysia-anwar/ (retrieved on 30 April 2024)

287 https://www.mida.gov.my/mida-news/malaysia-china-bilateral-trade-hit-record-us203-6b-in-2022-says-chinese-ambassador/ (retrieved on 30 April 2024)

probably be imposed before appointing any private security company from Malaysia to look after their properties and their officers. It poses the question of whether Malaysian security companies can satisfy the demands made by Chinese investors in Malaysia in respect of the standard of private security services.

2.8 The Future of Private Security Services

Employment in the investigation and security services industry is expected to expand by 6.5 per cent, faster than the average growth of 3.7 per cent for all workers across all industries between 2019 and 2029, according to the Bureau of Labour Statistics (BLS).[288] About 84 per cent of sector employment is expected to be in investigation, guard, and armoured car services, and these jobs are expected to rise by 5.2 per cent. The security systems services industry, which employs about 16 per cent of the workforce, is expected to increase at a rate of 13.6 per cent, faster than both the bigger sector component and the overall employment rate by more than 3 1/2 times. [289] Nonetheless, the effectiveness of the private security services remains unanswered. There is conflicting research regarding the efficiency of police-private security teams and private security efforts in reducing disorder and preventing crime. Expensive and complex partnerships have occasionally failed to demonstrate a reduction in crime. In some situations, it is challenging to pinpoint the specific elements influencing declines in crime. The management of these projects is crucial to their success, including maintaining open lines of communication between the involved parties, upholding the initiative's integrity, effectively supervising police and private security personnel, and establishing evaluation methods.[290]

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288 The Bureau of Labour Statistics (BLS) is a unit of the United States Department of Labour. It is the principal fact-finding agency for the U.S. government in the broad field of labour economics and statistics and serves as a principal agency of the U.S. Federal Statistical System. The BLS collects, processes, analyses, and disseminates essential statistical data to the American public, the U.S. Congress, other Federal agencies, State and local governments, business, and labour representatives.

289 Ilic-Godfrey, S. (2021). Artificial intelligence: taking on a bigger role in our future security. Beyond Numbers, 10, 9.

290 Montgomery, R., & Griffiths, T. (2015). The use of private security services for policing. Public Safety Canada, R041.

2.9 IR 4.0 and the Private Security Services

Industrial Revolution 4.0, or IR 4.0, refers to the manufacturing and industry revolution. 4IR focuses on transformative actions on automation, data exchanges, cloud, cyber-physical systems, robots, Big Data, artificial intelligence, the Internet of Things (IoT), and semi-autonomous industrial techniques to achieve smart industry and manufacturing goals by fusing human intelligence, new technologies, and innovation. [291] The instrument and technology developments brought forth by 4IR play a major part in raising the standard of living in society and enabling people to lead better, more fulfilled lives with more free time.[292] While debates are still on IR 4.0 in Malaysia, the world has evolved to IR 6.0.[293]

With the ability to link almost any environmental equipment to the Internet and exchange its data, the IoT is a revolution in technology that will improve the quality of life through new services and applications. Through the use of inexpensive sensors, the IoT makes many of the things and technologies around us addressable, recognisable, and locatable. Many parts of security services, including access control and surveillance technology, already make use of the IoT. Nonetheless, there is potential for a significant increase in the effectiveness of security services by merging these two systems.

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291 Industry 4.0: The Fourth Industrial Revolution – Guide to Industries 4.0.(2016). [Online]. Available https://www.i-sco-op.eu/industry-4-0

292 Pereira, A. G., Lima, T. M., & Santos, F. C. (2020). Industry 4.0 and Society 5.0: opportunities and threats. International Journal of Recent Technology and Engineering, 8(5), 3305-3308.

293 Industry 6.0, also known as the sixth industrial revolution, is a future-oriented concept that builds upon the foundations of Industry 5.0 by integrating advanced technologies such as quantum computing, nanotechnology, augmented reality (AR), virtual reality (VR), artificial intelligence (AI), Internet of Things (IoT), big data, and blockchain to transform manufacturing, production, and business ecosystems at a highly interconnected and intelligent level.
Key Characteristics of Industry 6.0
Humanized Robots and Sentimental AI: Industry 6.0 envisions robots and AI systems that are more human-like, capable of understanding and responding to human emotions and social contexts, enhancing collaboration between humans and machines.
Augmented and Virtual Reality: AR/VR/Mixed Reality (MR) technologies will be extensively used to create immersive environments for design, manufacturing, training, and maintenance.
Quantum Computing: This technology will significantly boost computational power, enabling more efficient AI models and solving complex problems beyond current capabilities.
Hyper-Connected Ecosystems: Industry 6.0 aims for hyper-association of businesses with dynamic supply chains, seamless data flow, and transparent communication across global networks.
Digital Twins and Cloud Processing: Virtual replicas of physical assets and processes will be used for real-time monitoring, simulation, and optimization, supported by cloud computing infrastructure.
Sustainability and Antifragility: A strong focus on sustainability, resilience, and antifragility is central, aiming to create systems that not only withstand shocks but improve through them, while respecting planetary boundaries.
Security and Privacy: Enhanced cybersecurity measures, including blockchain for secure data sharing, will protect the integrity and confidentiality of information in interconnected environments.

Accordingly, efforts have been made to achieve precisely that. The integration of these two systems could significantly enhance their reliability, as fully mobile video surveillance services in the future can be offered by security firms. For example, drone technology is a potential to consider while offering clients flexible services, as it is expected to play a significant part in the implementation of such services as it evolves.[294]

Despite all of the advantages, there are several drawbacks to the IoT, particularly with regard to security and privacy. Security is increasingly important for IoT systems because of their extensive network, which allows connected items and intelligent devices to Since they are working with customer personal data, which must always be protected, the private security service providers using this equipment need to exercise caution and alertness, which they may have secured while performing their duties at the designated premises. To prevent any violations of the personal data protection regulations, security guards have to undergo comprehensive training on the regulatory responsibilities related to this.

Taking care of these problems and guaranteeing privacy and security for IoT services and goods needs to be a top focus. Consumers must have faith that IoT devices and associated services are safe. Additionally, in order to prevent the IoT system and its parts from posing an intolerable risk of harm or bodily damage, as well as to enable effective security and safety, social behaviour and the ethical usage of IoT technology must be taken into consideration. [295] Thus, security guards tasked with overseeing the IoT need to be very skilled in handling this cutting-edge, technologically advanced equipment in order to prevent any unwanted situations that could cause harm to anyone's physical, mental, emotional, or reputational health.

2.10 The Future of Private Security Services

A number of crucial factors predict that private security services will continue to grow and evolve globally in the future. One crucial factor is that as more people enter the middle class and can afford security solutions, there will likely be an increased

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294 Dobre, V. (2017). Internet of Things: Challenges and Opportunities for Private Security Perspective.

295 Atlam, H. F., & Wills, G. B. (2020). IoT security, privacy, safety and ethics. Digital twin technologies and smart cities, 123-149

demand for security services in both mature and developing markets.[296,297] Another trend is the increasing privatisation and outsourcing of public security services to private companies as governments look to cut costs and promote competition. [298] Urbanisation that results from the migration of rural labour to cities leads to advancements in technology and increases in productivity. The growing urbanisation and population growth are driving up the cost of production facilities, offices, and other workplaces, which have different security requirements. Urban density promotes innovation and knowledge sharing, which in turn creates a positive feedback loop between productivity and city size that starts long-term economic expansion.[299] The necessity of safeguarding critical infrastructure, including factories, airports, data centres, and public transit, is also becoming more widely recognised.[300] Utilising technologies like cloud, AI, biometrics, IoT, hosted and managed services, and biometrics in conjunction with traditional guarding services has grown significantly in the security business. Along with improving service offerings, data analysis is opening up new business prospects.

Technological developments in a few crucial areas will have a major impact on the future of private security services globally. The application of AI-powered video surveillance is revolutionising the capacities for threat identification and response. AI systems can differentiate between individuals, cars, and questionable activity, alerting security staff in real time.[301] However, an important factor in the broad acceptance of any breakthrough is frequently security. Although the IoT has improved many facets of life and boosted company efficiency over the years, its widespread use and intricate global network structure have prevented a methodical revolution in its enormous application and transformation. Concerns about security and privacy are mostly held

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296 Kochhar, R. (2020). A global middle class is more promise than reality. In The middle class in world society (pp. 15-48). Routledge India

297 Muggah, R., & Tobón, K. A. (2022). Citizen security in Latin America: facts and Infographics. Igarape Institute

298 Potter, R. A. (2022). Macro Outsourcing: Evaluating Government Reliance on the Private Sector. The Journal of Politics, 84(2), 960-974

299 Brunt, L., & García-Peñalosa, C. (2022). Urbanisation and the onset of modern economic growth. The Economic Journal, 132(642), 512-545.

300 https://www.securitas.com/en/about-us/global-market-trends/ (retrieved on 30 June 2024)

301 Catarina Fontes, Ellen Hohma, Caitlin C. Corrigan, Christoph Lütge, (2022) Vol 71. AI-powered public surveillance systems: why we (might) need them and how we want them, Technology in Society,

responsible for these errors.[302] More pre-emptive and focused security measures are made possible by this. PSCs can now foresee possible security threats and optimise resource allocation by using past data and patterns. Automation powered by AI enables more efficient threat management and faster reaction times, and AI-driven analytics provide deeper insights into security data to improve visibility in a variety of complex and varied situations.[303] This is a significant innovation move from reactive to proactive security techniques.

In order to combat all forms of dangers in the digital age, it is imperative that cybersecurity and physical security measures be combined. Overall security is improved by integrating surveillance, threat monitoring, and access control into both the physical and digital worlds.[304] With improved remote monitoring, patrolling, and emergency response capabilities, the use of drones and autonomous security robots is growing. For PSCs, these technologies can increase coverage and effectiveness. However, the greater reliance on technology also brings up issues with data security, privacy, misuse potential, and strong governance. [305, 306] Structures and careful consideration of human rights issues are necessary to guarantee that PSCs use these technologies in an ethical and responsible manner.

In conclusion, the future of private security services globally will be shaped by the strategic incorporation of advanced technologies in order to enhance threat identification, response, and resource optimisation, all while managing the related risks and ethics. For example, to counteract the dangers of IoT, governments worldwide have developed legislation and standards. The report underlines the necessity of international IoT regulations and the education of the general public about the privacy, ethical, and security risks posed by modern IoT devices.[307]

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302 Abiodun, O.I., Abiodun, E.O., Alawida, M. et al. A Review on the Security of the Internet of Things: Challenges and Solutions. Wireless Pers Commun 119, 2603–2637 (2021). https://doi.org/10.1007/s11277-021-08348-9

303 Bradley T (2024) Evolving Security Operations With AI. Forbes Daily

304 Fausto, A., Gaggero, G. B., Patrone, F., Girdinio, P., & Marchese, M. (2021). Toward the integration of cyber and physical security monitoring systems for critical infrastructures. Sensors, 21(21), 6970.

305 Tyagi, A. K., Nair, M. M., Niladhuri, S., & Abraham, A. (2020). Security, privacy research issues in various computing platforms: A survey and the road ahead. Journal of Information Assurance & Security, 15(1).

306 Kjaer, A. M. (2023). Governance. John Wiley & Sons

307 Karale, A. (2021). The challenges of IoT addressing security, ethics, privacy, and laws. Internet of Things, 15, 100420

2.11 Robot Security Guards - A Reality in the Future

Patrol services provided by security guards are increasingly being automated. A growing number of security cameras and robots have inbuilt AI software that allows them to 'patrol' or scan routes, understand their environment, recognise hazards of unauthorised entrance from humans or vehicles, and sound alarms. To connect with cameras and enable some onsite security tasks to be completed remotely, security companies are also using smartphone apps more and more. The utilisation of the so-called 'lone-worker security officers' concept is one instance of this technology. Technology tracks the movement of cops and sends real-time videos and photographs to their smartphones through chips the size of a poker chip implanted around their station. This capability allows the officers to physically move throughout the area they are watchful of. Fewer guards are required to patrol a specific area when additional cameras are installed on the property, since technology enables them to identify and handle an event in real time from a different location by using the baseline report that was previously established.[308]

Robots are increasingly being deployed as security agents, helping law enforcement in spaces such as streets, parks, or shopping malls, with them becoming more common in many developed countries.[309] However, the widespread use of patrol robots is hampered by their intricate systems and expensive development costs.[310] A study demonstrates how security robots can address some of the security guards' shortcomings. One potential benefit is that security robots can operate around-the-clock, improve punctuality, reduce and even capture acts of bribery, and lower the risk to human safety. Security robots are a safer option when doing risky duties in hazardous environments. They also exhibit more reliability in terms of surveillance, although they delegate task execution to human security guards.

The research to invent robotic guards commenced many years ago in the USA with the Boston Dynamics Dog.[311] The goal of a robotics study was to create

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308 Ilic-Godfrey, S. (2021). Artificial intelligence: taking on a bigger role in our future security. Beyond Numbers, 10, 9.

309 Marcu, G., Lin, I., Williams, B., Robert Jr, L. P., & Schaub, F. (2023). 'Would I Feel More Secure with a Robot?': Understanding Perceptions of Security Robots in Public Spaces. Proceedings of the ACM on Human-Computer Interaction

310 Lan, C. W., & Chang, C. Y. (2020). Development of a low cost and path-free autonomous patrol system based on stereo vision system and checking flags. Applied Sciences, 10(3), 974.

311 https://bostondynamics.com/products/spot/ retrieved on 2 May 2024

instruments or machines that could replace humans in labour-intensive tasks or take on difficult jobs that humans cannot complete. The method for designing sophisticated robots was to study the mechanical architecture and locomotion systems of natural animals. The study focused on the legged dynamic locomotion of mammal-sized and similar robots to demonstrate the wide range of platforms and paradigms utilised in the study of walking, running, and hopping robots. The paper provided a quick overview of the history of this field of study before presenting a broad picture of the dynamic locomotion of legged robots. Then, balancing problems for running or walking robots were explored. The goal of agile running was to provide control strategies and algorithms that enable a robot to run on uneven, slick, shifting, or unpredictable terrain and quickly execute required direction and stride length changes[312] Boston Dynamics is developing a different class of uncomfortable territory robots that mimic the mobility, autonomy, and speed of living things. These robots operate in environments that are too cold, wet, messy, hilly, uneven, and rugged for conventional vehicles. Little Dog is a quadruped robot with 12 actuators and a 36-dimensional state space; movement planning is particularly challenging because the assignment of bounces involves differential constraints due to under actuation and engine limitations. With the changes that were provided, the planning of the computation effectively produced designs for a very disagreeable terrain. Short instructions were shown on how to operate an actual robot in an open-circuit manner.[313]

In addition, the residents of Switzerland have had the opportunity to observe a patrol robot created by Ascento, a robotics start-up from ETH Zurich, which has the potential to replace human security guards in the near future. So far, the device has proven to be a reliable guard for Securitas AG, a Swiss security company.[314] Singapore has commenced the use of robots. The operational efficiency and capacity of Singapore's frontline police are enhanced by the deployment of robotics, enabling them to perform their duties more effectively. Few security robots have been deployed in Singapore as of this date, and police robots are to be deployed across Singapore in the

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312 Bhatti, J., Plummer, A. R., Iravani, P., & Ding, B. (2015, August). A survey of dynamic robot legged locomotion. In 2015 International Conference on Fluid Power and Mechatronics (FPM) (pp. 770-775). IEEE.

313 Tripathy, S., & Gaur, S. (2023). Rough terrain quadruped robot-BigDog. Materials Today: Proceedings, 81, 481-485.

314 https://interestingengineering.com/innovation/this-two-wheeled-robot-is-switzerlands-latest-security-guard (retrieved on 2 May 2024)

very near future.[315] The Multi-purpose All Terrain Autonomous Robot (Matar) 2.0 and 3.0 are among the security robots that have been placed in Singapore.[316]

2.11.1 Artificial Intelligence (AI) and Private Security Services

Artificial Intelligence (AI) could significantly impact national security.[317] I is becoming more widely used, offering a chance to address numerous environmental and socioeconomic problems.[318] Many nations have embraced AI in the midst of the 4IR in order to attain the best possible national security for their institutions, citizens, and economy. In fact, many nations now consider AI to be a top concern for defence due to its rapidly increasing sophisticated behaviours. From online security to counterterrorism, AI has the potential to help a range of national and international security projects. Furthermore, it could fundamentally alter how government agencies interact, function, and ultimately get along with one another as well as with the outside world.[319]

AI is being used by private security services to improve productivity, efficacy, and decision-making. Several private security applications exist, including real-time video footage that AI algorithms can automatically analyse to recognise and classify objects, people, and behaviours of interest. The system allows for proactive threat detection and notifies security staff in a timely manner. Enhancing access control measures, monitoring high-security locations, and identifying individuals of interest are all made possible by AI-powered face recognition technology. This technology uses facial traits to identify and authenticate individuals. Security teams are able to anticipate future security threats or vulnerabilities and take proactive measures to avert events by using AI algorithms to analyse massive volumes of data and find patterns, trends, and

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315 https://www.straitstimes.com/singapore/police-robots-to-be-deployed-across-singapore-two-currently-patrolling-changi-airport-terminal-4 (retrieved on 2 May 2024

316 https://www.mha.gov.sg/home-team-news/story/detail/matar-wheeled-presence-on-the-ground/# (retrieved on 2 May 2024), O-R3 , and Xavier https://www.theguardian.com/world/2021/oct/06/dystopian-world-singapore-patrol-robots-stoke-fears-of-surveillance-state (retrieved on 2 May 2024)

317 Sayler, K. M. (2020). Artificial intelligence and national security. Congressional Research Service, 45178

318 Oseni, A., Moustafa, N., Janicke, H., Liu, P., Tari, Z., & Vasilakos, A. (2021). Security and privacy for artificial intelligence: Opportunities and challenges. arXiv preprint arXiv:2102.04661.

319 Yu, S., & Carroll, F. (2022). Implications of AI in national security: understanding the security issues and ethical challenges. In Artificial intelligence in cyber security: Impact and implications: Security challenges, technical and ethical issues, forensic investigative challenges (pp. 157-175). Cham: Springer International Publishing.

anomalies. AI-driven systems examine diverse data sources to detect possible dangers or security hazards, offering preliminary indicators of possible security events or developing hazards.

Robots and drones used in private security services are equipped with AI, which allows them to monitor activity, patrol specific regions, and send security staff real-time video feeds. By examining user behaviour, system logs, network traffic, and criminal activity, AI systems are able to identify and respond to cybersecurity threats and fraudulent actions. Chatbots and virtual assistants powered by AI are used to help with regular tasks, give advice, and respond to frequently asked questions in a timely and correct manner. The efficiency, accuracy, and decision-making powers of these AI breakthroughs are revolutionising the private security sector.[320] Given the speed at which technology is developing, security guards need to be highly skilled and knowledgeable in order to handle AI.

The use of AI in private security services is expanding at the international level, and nations like China[321] and the United States make significant investments in AI security technology.[322] Governments are encouraging AI's incorporation into a variety of industries because they see how it may improve security measures. Development in AI and machine learning will have a significant impact on private security in the future. The market is changing due to the integration of smart security equipment, autonomous systems, and AI-powered surveillance systems. AI has the potential to significantly increase the efficacy and efficiency of security measures, but it also poses issues that need to be addressed through responsible deployment and a regulatory framework.[323]

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320 Caroline (2023) Unlocking the Power of AI in Private Security: Enhancing Efficiency and Effectiveness. Stalwartgroup https://www.stalwartgroup.com/unlocking-the-power-of-ai-in-private-security-enhancing-efficiency-and-effectiveness/ (retrieved on 5 May 2024)

321 Kai Shen, Xiaoxiao Tong Ting Zhang F (2022) The next frontier for AI in China could add $600 billion to its economy. Mckinsey

322 Gorman C (2022) Recent Developments in AI and National Security: What You Need to Know. Lawfaremedia

323 Ryan L (2024) AI and the Future for Private Security Guards: Embracing the Technological Shift, WCUniforms

2.11.2 The Future of Private Security Guards and Its Impact on Technological Development

Security guards and law enforcement officials are comparable in that both types of jobs require close interaction with the public, which raises concerns about responsibility and professionalism. Since the incident of 9/11,[324] there has been an increased focus on security guards and their role in safety and security; however, it is unclear how much this has changed the criteria for security guards in terms of training and licensing,[325] as security guard licensing and training requirements are not as thoroughly defined as those for police officers, and in certain situations, security guards are exempt from laws.

It seems that, generally, the private security sector faces a number of difficulties. These difficulties encompass both manual and technical challenges, which pose a growing threat to the industry's expansion. Private security must be selective and efficient in its choices because it does not depend on government assistance.[326] The industry must step up its attempts to portray itself as a group of professionals made up of highly qualified and skilled individuals acting with the utmost integrity if it is to retain or even gain the trust of the public and law enforcement. Furthermore, the industry anticipates increased oversight and stronger implementation of legislation from the regulatory bodies.[327] Therefore, individuals in the industry require specialised training and research.

Private security will increasingly help administer justice in communities and institutions. The efficiency of the private system is expected to be much higher than that of the public system. Unlike the public system, out-of-touch academics and politicians do not mandate private security. Accordingly, a special committee needs to be created to standardise its operating procedures and conditions across the country.[328]

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324 https://www.history.com/articles/9-11-attacks (retrieved on 5 May 2024)

325 Nalla, M. K., & Crichlow, V. J. (2017). Have the standards for private security guards become more stringent in the post 9/11 era? An assessment of security guard regulations in the US from 1982 to 2010. Security Journal, 30, 523-537.

326 Nemeth, C. P. (2022). Private security: An introduction to principles and practice. CRC Press.

327 Sarre, R., & Prenzler, T. (2011). Private security and public interest: Exploring private security trends and directions for reform in the new era of plural policing. Sydney: Australian Security Industry Association Limited.

328 Jadhav, P. (2021). Challenges Before Private Security Industry In India: Some Observations. Mahratta Multi-Disciplinary Journal, 1.

2.11.3 Self-Regulations for Private Security Services

Numerous Western countries have passed national licensing legislation for marine security companies operating in foreign waters, demonstrating that, theoretically, global regulation is achievable.[329] The biggest military and security services sectors in the world, the United States and the United Kingdom, have been staunch opponents of a global licensing system for PSCs. Rather, both nations have pushed for global self-regulation as an appropriate means of raising industry standards. Both countries have also supported the PSC's transformation.

The Management System Standard for Private Security Operations is a standard that has been introduced into the new ISO 18788.[330] ts implications for the security industry's standard-setting and self-regulation are rather significant. Primarily, the results indicate that considerable barriers exist when it comes to leveraging consumer power to promote or uphold industry norms. Many of these barriers are structural, based on differences in interest, knowledge, or resources, so they are challenging to fix. Furthermore, these structural issues affect not just the US but also other European nations and international bodies like the UN, which are also public users of PSC services in international military engagements.

The notion that simple education or encouragement can persuade public clients to use their influence overlooks these issues and drives noncompliant businesses out of the market through voluntary commitments and PSC industry certification, thereby helping to raise standards but ignoring the complexity of the factors influencing consumer behaviour. Despite being inventive, even public contracting organisations weigh the potential benefits of higher professional standards against competing interests and the expense of choice, voice, and exit. These findings imply that an international public licensing system for PSCs is unlikely to be sufficiently replaced by industry self-regulation in the global security sector.[331]

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329 Liss, Carolin, '(Re)establishing control? Flag state regulation of antipiracy PMSCs', Ocean Development & International Law, 46:2 (2015), pp. 84–97

330 https://www.en-standard.eu/bs-iso-18788-2015-a1-2024-management-system-for-private-security-operations-requirements-with-guidance-for-use/

331 Krahmann, E. (2016). Choice, voice, and exit: Consumer power and the self-regulation of the private security industry. European Journal of International Security, 1(1), 27-48.

Malaysia should encourage the private security industry to become a self-regulating industry. As with professional bodies[332] recognised by law that regulate their profession in accordance with statutory provisions, to achieve this objective the legislation must be updated to ensure that the body is granted powers are acts within the bounds of the law.

[332] Malaysian Bar is authorized to self-governed its members pursuant to the Legal Profession Act 1976 (Act 166)

CHAPTER 3
PRIVATE SECURITY SERVICES IN MALAYSIA

3.1 Introduction

Malaysian youths are not interested in entering this field since it lacks a clear career pathway and professional advancement for them to pursue. Long, boring working hours and social stigma aggravated the circumstances, causing the industry to import labour from other nations to meet market demand. While the developed nations have advanced to use robots and cutting-edge technology in their private security sector, Malaysia is still floundering in the old notch, depending on the labour force.

Chapter Three contains a comprehensive examination of the Malaysian private security services market, which has changed dramatically in response to shifting social demands and security threats. The growing number of PSCs in Malaysia is indicative of a wider worldwide phenomenon wherein individuals and organisations are progressively looking for specialised security solutions to protect their belongings and guarantee safety in various environments. With an emphasis on the functions of important government agencies like the MOHA and PDRM, this chapter will examine the legal framework that controls private security services in Malaysia. The chapter also focuses on the flaws of current legislation, which lacks explicit rules pertaining to the security of security guards, who are the backbone of this sector. The Private Agency Act of 1971 and the circulars issued by MOHA are key pieces of legislation that govern the security sector by setting guidelines for operations, licensing, and employee behaviour. The current legislation has never been reviewed since it came into force in 1971.[333] Hence, it is essential to appreciate these regulations in order to understand how private security companies function within the legal boundaries established by the Malaysian government.

This research will explore the routine activity theories since this theory is one of the main theories of "environmental criminology". The theory states that a crime occurs when the following 3 elements come together in any given space and time :

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[333] The Private Agencies Act 1971 was gazetted on April 29, 1971. This followed the date of royal assent, which was granted on April 24, 19714.

1. An accessible target;
2. The absence of capable guardians that could intervene; and
3. The presence of a motivated offender.

A capable guardian has a "human element" that is usually a person who by their mere presence would deter potential offenders from perpetrating a crime.[334] The private security guard would be able to play this crucial role to deter the potential offender from committing the crime.

As discussed by B.W Reyns, crime requires a motivated offender, suitable target, and absent capable guardian (or handler/place manager) converging in time and space amid daily routines. It shifts emphasis from societal causes to opportunity reduction, such as improving guardianship in high-risk nodes. B.W Reyns connects it to broader pattern theory for holistic prevention strategies.[335] Henceforth, the presence of security guards may reduce the risk of a crime to be committed by a motivated offender.

"Crime Pattern Theory", developed by Paul and Patricia Brantingham[336], explains why crimes cluster in specific locations rather than occurring randomly. It posits that crime results from the intersection of offenders' and victims' routine activity spaces within the built environment. This framework integrates elements of Routine Activities and Rational Choice Theories to predict and prevent crime hotspots.

Activity spaces consist of nodes (key locations like homes, workplaces, or shops where people gather, paths such as routes traveled between nodes and edges (boundaries or transitions between areas, often high-risk). Offenders' awareness spaces—familiar perimeters formed by these elements—shape where opportunities arise, such as crime generators which is busy public areas or attractors or known hotspots.[337]

In analyzing Malaysia's Private Agencies Act gaps, the theory justifies comparing licensing and training standards with Singapore and Indonesia, as weak regulations fail to disrupt offender paths at vulnerable nodes like commercial edges.

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334 Cohewn, L, Felson, M (1979) Social Change and crime rate trends : A routine activity approach. American Sociological Review, 44, 588-608

335 B. W. Reyns (2024) Crime Pattern Theory, Rational Choice Theory, and Routine Activities Theory; Routledge

336 Paul J. Brantingham and Patricia L. Brantingham, Patterns in Crime (New York: Macmillan, 1984).

337 van Sleeuwen, S.E.M., Ruiter, S. & Steenbeek, W. (2021); Right place, right time? Making crime pattern theory time-specific. Crime Sci 10, 2

Enhanced guardianship via certified guards reduces suitable targets, aligning with 2025 amendments for digital oversight.

While the "Rational Choice Theory" in criminology posits that offenders act as boundedly rational decision-makers who weigh perceived benefits such as financial gain, thrill) against costs which include risk of arrest, punishment before committing crimes. Unlike classical models assuming perfect rationality, it emphasizes situational factors and limited information shaping choices for specific offenses. This framework complements Crime Pattern Theory by explaining offender decisions at high-risk nodes.[338]

Offenders pursue self-interest through hedonistic calculus, selecting crimes where rewards exceed effort, risks, and moral costs such as a burglar skips alarmed homes. Bounded rationality accounts for impulsivity or peer influence, making it applicable to private security contexts like lax Malaysian licensing enabling opportunistic theft.

Weak training standards under Malaysia's Private Agencies Act lower perceived risks for offenders at routine activity intersections, as untrained guards fail as capable guardians. Comparing with Singapore's certified personnel raises costs via better deterrence, justifying reforms in licensing and oversight.

In short, this chapter will discuss an overview of private security services in Malaysia, highlighting their significance, challenges, and regulatory framework. Additionally, it analyses the impact of private security services on crime prevention and the economy. Nonetheless, the current study focused on the static unarmed guards and did not examine the cybersecurity issue, which is considered to be a specialised field that needs a separate study.

The coexistence of crime and human fear of it in urban areas in relation to efforts to avoid it has been frequently seen in developed nations.[339] For example, efforts to improve the standard of living in neighbourhoods with security guards led to a drop in crime rates, high levels of satisfaction with the residents' association's work, and

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338 Steinmetz, K. F., & Pratt, T. C. (2024). Revisiting the tautology problem in rational choice theory: What it is and how to move forward theoretically and empirically. European Journal of Criminology, 21(4), 513-532.

339 Lim, S. B., Yong, C. K., Malek, J. A., Jali, M. F. M., Awang, A. H., & Tahir, Z. (2020). Effectiveness of fear and crime prevention strategy for sustainability of safe city. Sustainability, 12(24), 10593.

widespread satisfaction as consumers prepared to pay for the services provided to safeguard their assets and lives.[340]

The market for private security services is expected to grow at a compound annual growth rate (CAGR) of 13.56 per cent from 2023 to 2031, reaching USD94.0 million. Consistent with worldwide patterns, Malaysia's private security industry has experienced substantial growth. This growth is driven by a number of factors, including urbanisation, rising crime rates Another important factor is the number of businesses or stores that require security services. Security services are typically used by the majority of commercial establishments, including malls, office buildings, hotels, resorts, schools, and hospitals. Thus, private security services play a crucial role in maintaining public safety and protecting assets in Malaysia.

Additionally, the growth of foreign businesses has led to an increase in the demand for security services. In 2022, Malaysia saw a net inflow of RM74.6 billion in foreign direct investment (FDI), up from RM50.4 billion in 2021. The National Statistics Department revealed that the nation's FDI position at the end of 2022 was RM879.1 billion, an increase from RM782 billion in 2021.[341] Malaysia was the most popular foreign travel destination in 2023, with as many as 26 million visitors between 1 January 2023 to 15 November 2023, reported by the Immigration Department.[342] As foreign visitors require a sense of security prior to their stay, the presence of private security guards at hotels and resorts is essential in providing the visitor with that sense of security. According to a study conducted by Salleh, Idris Shukor, and Othman, safety and security are the most important variables for the pull motivation factor.[343] Thus, more visitors are drawn to well-secured commercial buildings and tourism destinations.

The results of the study by Fauziah Che Leh found that there are several issues related to safety and well-being that influenced the international tourists in the Kuala Lumpur city centre tourist sites. The study suggests that the implemented safe city

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340 Hanif, N. R., Azriyati, W. N., Peter, A. T., & Greg, L. (2012). Gated and guarded communities in Malaysia: The new roles of the state and civil society. In 6th Annual Conference International Academic Association on Planning, Law and Property Rights.

341 https://www.dosm.gov.my/portal-main/landingv2 (retrieved on 16 June 2024).

342 https://motac.gov.my/perkhidmatan/data-terbuka (retrieved 0n 17 June 2024)

343 Salleh, N. H. M., Idris, S. H., Shukor, M. S., & Othman, R. (2013). Motivating the arrival of foreign tourists by region to Malaysia Rangsangan motivasi ketibaan pelancong asing mengikut kawasan ke Malaysia. Sains Humanika.

programme be reviewed, enforced, and implemented more effectively.[344] In addition to the police, private security guards can play a crucial role in improving security features in the tourist attraction area, as this will attract more tourists and make them feel safe. The private security services can play the role of supplementing the burden and the issue of an inadequate workforce faced by the police force.[345] This will enable PDRM to concentrate more on serious criminal cases that could endanger national security.

Accordingly, focus should be on how the private security sector can help public police close the gap or vacuum in their efforts to enforce the law. Any civilisation that even considers the prospect of commercial policing completely replacing public police runs a grave risk. This calls into question the core principles of a democratic, civil society that affirms its commitment to maintaining law and order.[346] Fears concerning the detrimental image of the private sector industry, including incompetence, gross misconduct, employees with criminal records, and involvement in civil unrest, have also normally been linked to and discussed around the development of this industry. Unfortunately, research on this topic is quite limited.

3.2 Private Security Services in Malaysia: An Overview

Private security services in Malaysia encompass a wide range of activities, including manned guarding, alarm systems, surveillance, and risk assessment.[347] These services are primarily provided by licensed PSCs, which supposedly employ trained personnel to ensure the safety and security of individuals, organisations, and properties. The private security industry in Malaysia has witnessed significant growth in recent years, reflecting the increasing demand for enhanced security measures. [348]

In 2007, the Gated and Guarded Community Planning Guidelines in Malaysia and the Gated and Guarded Community Scheme (GACOS) were launched. The concept

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344 Leh, F. C. (2016). Urban tourism and security issues: A case study of Kuala Lumpur international tourists (*Pelancongan bandar dan isu keselamatan: Kajian kes pelancong antarabangsa Kuala Lumpur*.) Geografia

345 https://www.utusan.com.my/berita/2020/09/pdrm-tak-cukup-anggota-kekosongan-perjawatan-tidak-diisi/

346 Minnaar, A. N. T. H. O. N. Y. (2004). Crime prevention, partnership policing and the growth of private security: The South African experience. Policing in Central and Eastern Europe: Dilemmas of Contemporary Criminal Justice. published by the Faculty of Criminal Justice, University of Maribor, Slovenia

347 https://aegissecurity.com.my/safeguarding-your-assets-navigating-private-security-services-in-malaysia/ (retrieved on 18 June 2024)

348 https://www.astuteanalytica.com/industry-report/malaysia-physical-security-market (retrieved on 20 June 2024)

used is to instill a sense of security and safety in its residents against any possibility of crime. The majority of residents typically choose to live in GACOS concept housing because of safety concerns, the desire for a sense of peace, and the low number of criminal cases in residential areas resulting from community flow control.[349] Guarded community implementation is a strategy for addressing the issue of crime.[350] For the purpose of facilitating this control process, a security hut and a 24-hour security guard are required. Specific visitor protocols are set up to differentiate guests from intruders. Establishing a control system with current records of public entry and exit into the school premises, including those provided to parents and guardians to allow pupils to leave while in class, is mandatory for schools. If something happens, the school or police can find the culprit more easily because this action is thought to control the movement of unknown people in the school area.[351]

3.3 Significance and Challenges Encountered by the Industry

Private security services play a vital role in complementing the efforts of the police force in Malaysia. PSCs provide an additional layer of protection to deter criminal activities and respond swiftly to emergencies, especially in areas where public security presence may be limited, such as residential areas, commercial establishments, transportation hubs, and public events. However, continuous training, increased professionalism, and addressing issues related to corruption and unethical practices can address the industry's numerous challenges. Continuous professional development, specifically, is significant to ensure the security guards are kept abreast of the development of evolving regulations, socioeconomics, and the use of equipment in their daily routine. Emphasis should be placed on providing pertinent and efficient training,

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349 Yaacob, M., & Wen, T. P. (2021) Effects of Gated and Governed Community Development (GACOS) from Social Aspects: Occupant and Non-Occupant Perspectives Kesan Pembangunan Komuniti Berpagar dan Berpengawal (GACOS) dari Aspek Sosial: Perspektif Penghuni dan Bukan Penghuni. Research in Management of Technology and Business

350 Azman, M. A. A., Zainol, H., Ali, N. E. H., & Rashid, K. (2018). Determining Factors of Community Safety to Combating Crime in Neighborhood Residential. International Journal of Academic Research in Business and Social Sciences

351 Amin, S. M., Ghani, S. A., & Ab Latif, A. (2005). Concept and implementation of safe schools. Education Seminar Conference 2005 Konsep dan pelaksanaan sekolah selamat. Persidangan Seminar Pendidikan 2005.

locating authorised training facilities, having a well-developed standard training curriculum, and enhancing the terms and conditions of unemployment.[352]

Prevailing Laws Governing the Private Security Guards

MOHA states that the application for a private agency, as outlined in Section 3 of the Private Agency Act 1971, regarding License 2(a) or License 2(b), is subject to terms set by MOHA.[353] Under the Private Agency Act 1971, license 2(a) for the business of a private agency means the business or activities that are carried on by a person for the purpose of providing personal guard and protection for the safety of somebody else or the safety of property or other people's business. Meanwhile, License 2(b) is gathering and giving information about behaviour, activities, or other people's business. As of December 2023, a total of 1118 licenses 2(a) have been issued by MOHA to PSCs license holders.[354] Out of 1118 licensees, only 930 were registered with PIKM.[355] In addition to the licenses granted by MOHA, only PIKM-registered members are allowed to operate. The license holder is not allowed to operate their business, even if they have a MOHA license, until they have joined PIKM, formerly known as Persatuan Perkhidmatan Kawalan Keselamatan Malaysia (PPKKM). This requirement is outlined in the MOHA circular, Paragraph 12.1 of Private Agency Circular Number 4 of 2010, stating that a license may be suspended, terminated, or withdrawn under section 4 of the Private Agencies Act of 1971 if the holder does not comply with the conditions of being a registered member of PIKM.[356]

3.4 Regulatory Requirements for Recruitment of Security Guards

The private security industry in Malaysia is regulated by the Private Agency Act 1971 (Act 27), which mandates licensing and registration of PSCs. The act also outlines the qualifications and training requirements for security personnel under MOHA. Public security division is responsible for monitoring and enforcing compliance with industry standards and regulations.

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352 Odhong, E. A., Were, S. D., & Jonyo, F. D. (2018). Influence of training on employee performance in the private security industry in Kenya with a focus on private security guards in Nairobi County.
353 https://esims.moha.gov.my/opendata (retrieved on 21 June 2024)
354 https://esims.moha.gov.my/syarikat/ (retrieved on 25 June 2024)
355 https://www.pikm.my/ (retrieved on26 June 2024)
356 para 13.1 Pekeliling Agensi Persendirian Bil 4 tahun 2010

The private security industry in Malaysia is regulated by the Private Agency Act 1971 (Act 27), which mandates licensing and registration of PSCs.[357] The act also outlines the qualifications and training requirements for security personnel under MOHA. The public security division is responsible for monitoring and enforcing compliance with industry standards and regulations. The rules for hiring security guards are found in Paragraph 2 of Private Agency Circular Number 4 of 2010, which states that all applicants for security guard positions must meet the specified requirements[358] and clear security filtering[359] as imposed by MOHA. However, the circular does not mention the minimum academic requirement to become a security guard.

As of the time this study was conducted, the only foreigners authorised to work as security guards in Malaysia are Nepalese who were once members of the country's armed forces and have received MOHA approval.[360] Owing to the need for private security services and the severe labour shortage in the sector, MOHA plans to expand the number of other nations where foreign security guards are to be hired in order to meet demand.[361]

3.4.1 Private Agency Act 1971 (Act 27):

The private security industry in Malaysia is regulated by the Private Agency Act 1971 (Act 27), which mandates licensing and registration of PSCs. The act outlines the qualifications and training requirements for security personnel to control PSCs.[362] Section 17 authorises the minister to assign to any official all or any of his responsibilities and authority under the Act. As a result, MOHA's Chief Secretary has been given the authority to execute the Act's mandate. Circulars and guidelines governing the industry have been issued by the Chief Secretary. The security guards

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357 Section 17 (1) Act 27 empowers the Minister to delegate its authority to any person while Section 18 gives the power for the Minister to issue rules

358 The rules for hiring security guards are found in Paragraph 2 of Private Agency Circular Number 4 of 2010

359 para 2.2 Private Agency Circular Number 4 of 2010

360 para 2.14 Private Agency Circular Number 4 of 2010

361 https://www.thestar.com.my/news/nation/2021/11/26/raising-the-security-bar#:~:text=KUALA%20LUMPUR%3A%20The%20Home%20Ministry%E2%80%99s%20proposal%20to%20add,be%20hired%20as%20foreign%20security%20guards%20in%20Malaysia. (retrieved on 22 June 2024)

362 Preamble Private Agencies Act 1971 - Act 27.

employed by the licensed companies and the companies themselves must abide by the circulars and standards.

PSCs only have to answer to shareholders and clients. Legislation is required to hold PSCs and their individual members accountable for their actions. In light of the possible harm that corruption could cause in the very sensitive subject of security, regulation is also necessary. Regulation may also make it more likely that workers in PSCs will not be complicit in crimes[363] and protect the general public.[364] Accordingly, a proper regulatory framework for the industry must be draughted by the government to guarantee that only competent and capable service providers remain in the market to serve the public. It is obvious that rules serve as entry barriers, with strict laws burdening new businesses more than established ones. Regulations are the most appropriate course of action since they provide the means to guarantee the provision of high-quality private security services.[365]

The government is responsible for establishing an exhaustive legal framework that governs private security services since it falls under the authority of the government. Governments must regulate private security guards, but the scope of this requirement will vary based on the guards' authority and actions.[366] Ultimately, the aim of good regulation is to identify the most efficient method to use these services, not to punish legitimate companies that provide services that are vital.[367] In order to improve its effective practice, it suggests institutional, legal, and administrative reforms as well as enhanced capabilities for coordinating the activities, ranging from business entities and trade associations to governmental authorities. [368]

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363 Born, H., Caparini, M., Cole, E., & Scherrer, V. (2007). Regulating private security in Europe: Status and prospects. Geneva Centre for the Democratic C ontrol of Armed Forces (DCAF

364 De Waard, J. (1999). The private security industry in international perspective. European journal on criminal policy and research

365 Scheerlinck, G., Buts, C., Reniers, G., & Cools, M. (2017). Law in action in the private security industry: The impact of regulation on competition. Eur. Competition & Reg.

366 Kontos, A. P. (2004). Private security guards: privatized force and state responsibility under international human rights law. Non-St. Actors & Int'l L.

367 Messner, J. J. (2008). Working towards effective legislative and regulatory solutions for private security industry in Africa. Elimination of Mercenarism in Africa: A Need for a New Continental Approach Pretoria

368 Sambu, E. (2023) Regulating Private Security Industry: Experience from South Africa, Kenya and Tanzania. Asian Journal of Social Science and Management Technology Vol 5 Issue 6

3.4.1.1 1The Private Agencies (Amendment Bill) 2025

MOHA recently tabled The Private Agencies (amendment) Bill 2025, which were passed on September 9, 2025, purportedly to amend Act 27, which has never been repealed or updated since it was initially gazetted in 1972. The Bill aims to change the rules governing the granting and renewal of licenses to individuals doing private agency business. Section 2A, the new clause, stipulates that a licence under the Act is valid until December 31 of the same year or the next year. Section 5, which requires that the list of licensed private agencies be published in the government gazette every March, will be deleted under the bill. Section 4 of the Bill proposes amending Section 9 of the Act, giving the Inspector General Police the authority to approve a private agency's application to hire any individual to serve as security guard with his agency.

The Bill appears to have neglected the important issue of security guards' well-being and a more defined career path for them, which would encourage local talent to join the industry and eventually lessen the industry's reliance on foreign labour. Unfortunately, the Bill is viewed as a shortsighted and incomplete amendment as it has not addressed the issue to encourage the industry to switch and use of high-tech equipment as a means of modernising the sector in line with the development the nation.

3.4.2 Private Security Services in Malaysia and Movement Control Order (MCO) During and Post-Pandemic COVID 19

Private security services in Malaysia encompass a wide range of activities, including manned guarding, alarm systems, surveillance, and risk assessment. These services are primarily provided by licensed PSCs pursuant to the Private Agencies Act 1972 (Act 27), which employ trained personnel to ensure the safety and security of individuals, organisations, and properties. The private security industry in Malaysia has witnessed significant growth in recent years, reflecting the increasing demand for enhanced security measures. For example, the Malaysian government forbade the general populace from moving during the Movement Control Order (MCO) as an effort to stop the COVID-19 outbreak from spreading. However, the government permits the operation of certain vital sectors, including the security industry. Besides the police force, PSCs were crucial in order to protect the safety of assets during the MCO. Businesses hired PSCs as soon as the nation’s lockdown measures went into force to

protect their customers and property from theft and vandalism. Security personnel were allowed to work, according to the SOPs and rules, following the required security screenings, whether they be private or internal.[369] The positive impact of PSCs is evident during MCO through the 50 per cent decline in Malaysia's crime index rate during the pandemic, emphasising the importance of security guards.[370] After the government revoked the MCO, there was an increase in the crime index rate. More police reports related to burglaries, robberies, and other crimes were made.[371] Criminals were seen using the MCO ban on leaving the house as an opportunity to pick up where they left off with past illegal activity. This is driving up the demand for PSCs.

3.5 Effects on Economic Growth and Crime Prevention

Private security services contribute significantly to crime prevention in Malaysia.[372] Their presence acts as a deterrent to potential criminals and reduces the likelihood of criminal activities. Moreover, private security personnel often collaborate with law enforcement agencies by sharing information and assisting in investigations. This collaboration enhances the overall effectiveness of crime prevention efforts. Additionally, the private security industry contributes to the economy by providing employment opportunities and generating revenue through service contracts and equipment sales.

3.6 Future Prospects and Potential Improvements

Private security services play a crucial role in maintaining public safety and protecting assets in Malaysia. The crime rate in Malaysia has decreased recently, but the need for enhanced security measures remains. The security segment in Malaysia grew by 16.30 per cent from 2022 to 2027.[373]

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369 https://covid-19.moh.gov.my/faqsop/sop-perintah-kawalan-pergerakan-pkp/SOP_PKP_KDN_SOP_KAWALAN_KESELAMATAN_SWASTA_PKP.pdf (retrieved on 26 March 2024)

370 Suhaila Ibrahim1 , Ishak Haji Abd Rahman2* (2021) Vol 6;Covid-19 Pandemic: Impact On Crime Index Rate In Malaysia; International Journal Of Law, Government And Communication

371 https://www.usim.edu.my/ms/berita/in-our-words-ms/peningkatan-jenayah-pasca-covid-19-masyarakat-jangan-cuai/ (retrieved on 26 March 2024)

372 Abidin, N. Z., Lyndon, N., & Rahim, M. H. A. (2016). The Impact of an Innovation Project On Residential Area Crime Prevention: Analysis from the Local Community's Viewpoint (Impak Projek Inovasi Pencegahan Jenayah Kawasan Perumahan: Analisa Daripada Pandangan Komuniti Lokal). E-Bangi Journal,

373 https://www.statista.com/outlook/dmo/smart-home/security/malaysia (retrieved on 21 August 2023)

Urbanisation increases demand for private security services. In addition, the lack of confidence in the police's ability to manage crime indicates the promising future prospects of private security.[374] and its importance in crime prevention.[375] To ensure sustainable growth, the industry should focus on enhancing professionalism, improving training programmes, and adopting advanced technologies such as AI and data analytics. Furthermore, stronger collaboration between PSCs, law enforcement agencies, and relevant stakeholders can foster a more integrated and efficient security ecosystem.

In Malaysia, a security guard makes an average of RM1,811 a month, as of 3 March 2024.[376] It is clear that the majority of security guards in Malaysia live below the poverty line. In order to raise the pay of the security guards which eventually will pull this group out of poverty, a more comprehensive strategy to improving the profession must be implemented right away. Finding a solution to the problems that have beset the industry for so long would require co-operation from all stakeholders concerned, including legislators and the industry players.

3.7 Private Agencies Act 1971 - An Archaic Law[377]

The Private Agencies Act 1971 (Act 27) was enacted to control the license holders, which would eventually promote the security guards' well-being. Having access to justice allows people to approach the legal system to demand that their rights be protected, regardless of their economic, social, political, migratory, racial, or ethnic background, gender identity, or sexual orientation. Access must be impartial and inclusive in order to be truly meaningful. Individuals who have the right to seek justice can protect themselves from violations of their rights.[378] However, the Act has never been revised or amended since it was first introduced in 1971.[379] It is critical to update

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374 Steenkamp, D. G., & Potgieter, P. J. (2004). Private security and crime prevention: A factor analytic approach. Acta Criminologica: African Journal of Criminology & Victimology,

375 https://malaysia.indeed.com/career/security-guard/salaries (retrieved on 22 March 2024)

376 https://dewanekonomi.jendeladbp.my/2023/07/28/6505/ (retrieved on 23 March 2024)

377 In legal terms, archaic law refers to legal principles, statutes or practices that are outdated or no longer in use. These laws often reflect societal norms and values from earlier historical period that may no longer align with contemporary legal and ethical standard. The word archaic derives from the Greek word archaios, meaning 'old', - https://legalknowledgebase.com/what-does-archaic-mean-in-law (retrieved on 14 Jan 2026)

378 Valesca Lima & Miriam Gomez (2021), Access to Justice: Promoting the Legal System as a Human Right, Encyclopaedia of the UN Sustainable Development Goals book series (ENUNSDG)

379 the law came into force after it was gazetted on 29 April 1971,

the Act to ensure that justice is justly administered. The Act was enacted in 1971 and has been in force since then. Its relevance and modern applicability are often debated especially in light of the evolution of the legal and regulatory landscape in Malaysia. [380]

3.8 Legal Reforms and Impact to the Economy

The creation of robust frameworks is a crucial component of the plan for advancing economic development in this nation.[381] Strong frameworks are important for promoting economic progress, driving countries to improve their legal reforms to boost their economic growth. [382] While rich countries often take institutional frameworks, particularly legal ones, for granted, developing nations typically lack them or find them insufficient.[383] Studies have shown that the link between the rule of law and economic development has motivated efforts to institutionalise the rule of law in developing countries. [384] Accordingly, efforts aimed at promoting legal reforms in developing nations have been dedicated to putting the rule of law into action.[385]

Numerous economic studies have examined the connection between the development of legal institutions and economic growth in both developed and developing nations. [386] Over the last ten years, the rule of law has grown in importance in economics, specifically noting that it 'has become the motherhood and apple pie of development economics'.[387] Thus, the encouragement of economic prosperity is not the only moral objective of the rule of law. These objectives have intrinsic worth and serve as stand-alone defences of the rule of law. However, when the push to support the rule of law is mainly justified by its link to economic development, it is important to

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380 https://www.bharian.com.my/berita/nasional/2025/02/1356017/pikm-gesa-kdn-telitu-semula-akta-agensi-persendirian-1971 (retrieved on 14 Jan 2026)

381 Philip Keefer & Stephen Knack, (1997) Why Don't Poor Countries Catch Up? A Cross-National Test of an Institutional Explanation, ECON. INQUIRY.

382 Ronald J. Daniels & Michael Triblock, (2004) The Political Economy of Rule of Law Reform in Developing Countries, Michigan Journal of International Law.

383 Hernando De Soto, (1997) The Other Path: The Invisible Revolution In The Third World; The World Bank, World Development Report 1997.

384 Robert J. Barro, Rule of Law, (2000), Democracy and Economic Performance, in 2000 , INDEX OF ECONOMIC FREEDOM

385 Ronald J. Daniels & Michael Trebilcock, (2004) The Political Economy of Rule of Law Reform in Developing Countries, Michigan Journal of International Law.

386 Frank Cross,(2002) Law and Economic Growth,Texas. Law. Review.

387 Briefing (2008) the Economic and the Rule of Law: Order in the Jungle, The Economist

examine how true this connection is and to see if the benefits of these efforts are greater than the costs, which include missed opportunities for investing in other social needs.[388]

As a developing country, Malaysia needs a robust legal framework to sustain its economic expansion. However, there is no attempt to implement any change by Malaysia's private security service stakeholders. Industry players and regulating bodies appear to be in a complacent mindset and do not advocate for any reform to address the present need and strong growth within the industry.

3.9 Private Security Services and Their Impact on Crime Prevention and the Economy

Private security services contribute to crime prevention in Malaysia. Their presence acts as a deterrent to potential criminals, reducing the likelihood of criminal activities. [389] Private security personnel often collaborate with law enforcement agencies, sharing information and assisting in investigations. This collaboration enhances the overall effectiveness of crime prevention efforts.[390]

Additionally, the private security industry contributes to the economy by providing employment opportunities and generating revenue through service contracts and equipment sales. [391] The 7th Prime Minister of Malaysia, Tun Dr. Mahathir Mohamad, emphasised that the private security services sector made significant direct and indirect contributions to the nation's economy. Malaysia's security sector generated USD56.9 million in revenue in 2024, a substantial increase from prior estimates. With an estimated compound annual growth rate (CAGR) of 14.02 per cent from 2024 to 2028, this growth trajectory is predicted to continue. The market volume is therefore anticipated to reach USD96.2 million by 2028. The private security services market in Malaysia is expected to grow in the future.[392]

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388 Chukwumerije, Okezie. (2009). Rhetoric versus reality: the link between the rule of law and economic development. Emory International Law Review,you

389 https://medium.com/@digbijoybanerjee47/enhancing-safety-the-role-of-private-security-in-crime-prevention-6a22c8ad9f7b (retrieved on 16 August 2023)

390 Gumedze, S. (2015). Promoting partnerships for crime prevention between state and private security providers in Southern Africa, Private Security Industry Regulatory Authority (PSIRA), Pretoria, ZA.

391 (https://www.malaymail.com/news/malaysia/2019/03/20/dr-m-private-security-services-industry-plays-important-role-in-countrys-ec/1734788) (retrieved on 21 August 2023)

392 https://www.linkedin.com/pulse/private-security-services-market-research-report/?published=t (retrieved on 21 August 2023)

In addition, this sector is potentially producing security advances that could be sold both domestically and internationally by introducing advanced security technologies to the nation.[393] In terms of adoption, it's anticipated that by 2028, there will be roughly 1.5 million active households in the security sector. This is a good trend, suggesting that Malaysian households are becoming more interested in security solutions. One important statistic to gauge acceptance is household penetration. Household penetration reached 9.1 per cent in 2024, indicating that just a small portion of houses have security solutions installed. Based on the average revenue per installed smart home, the current estimate for Malaysia is roughly USD 75.45, representing the money produced by each installed smart home security system.[394] By 2028, though, the market is anticipated to increase dramatically and achieve a penetration rate of 16.0 per cent. This demonstrates that, with government backing, the private security industry in Malaysia has enormous potential.

3.9.1 Trainings for Security Guards

Para 2.3 of Private Agency Circular Number 4 of 2010 by MOHA provides that security guards are required to undergo the training specified therein.[395] The Certified Security Guards (CSG) Training Programme is a strategic collaboration between MOHA, PDRM, and PIKM to further improve the quality of local security guard services in the country. This training programme is a part of the National Blue Ocean Strategy (NBOS) initiated by the Malaysian government. The purpose of the training is to equip security personnel with knowledge of Malaysian customs and cultures, as well as to train them in customer relations skills, fire prevention and control, patrolling and observation skills, and other basic security skills necessary for their duties.[396]

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393 https://www.statista.com/outlook/dmo/smart-home/security/malaysia#:~:text=The%20Security%20market%20in%20Malaysia%20is%20anticipated%20to,volume%20is%20projected%20to%20reach%20US%2496.2m%20by%202028.

394 https://msiea.apsa-malaysia.com.my/2019/03/20/private-security-services-industry-plays-important-role-in-countrys-economy-pm/

395 1. induction or company internal trainings for a period of seven days after being recruited;
2. basic training level 1 as determined by MOHA within the period of 3 months after have passed the security filtration. This basic training needs to be attended only once during the service period in the security industry.

396 https://www.moha.gov.my/index.php/en/lesen-definition/104-maklumat-perkhidmatan/lesen-lesen-definition/2326-certified-security-guards-training-program (retrieved on 14 Feb 2024)

In general, PSCs are required to meet the CSG training quota set by MOHA as one of the conditions before being considered for the application for renewal of the license of the private agency of the security company every year.[397] PSCs are required to send security guards to attend training held centrally at 14 police training centres throughout Malaysia. The CSG training programme runs for six days, covering 22 training modules. To date, a total of 95,383 local security guards has been trained under the CSG training programme. Not all security guards are required to complete training because license holders will have their licenses renewed as long as they meet the MOHA-established training quota.

3.9.2 Training Programme for Security Guards

The most prevalent active labour market interventions worldwide are training programmes. Training programmes aim to address employability hurdles that impede people's integration into the labour market, whether they are geared to upgrade the abilities of adult workers or to develop the skills of young job searchers. The CSG training tends to adopt the general trend of moving from classroom-based instruction to comprehensive programmes that incorporate workplace and classroom instruction along with additional services. Furthermore, this change has proven beneficial. When compared to classroom-based training alone, comprehensive training programmes typically improve the likelihood that trainees will experience favourable labour market outcomes.[398]

There are issues with the training programme for security guards. First, the MOHA circular makes it apparent that not all security personnel are required to complete the CSG training. Businesses can apply for license renewal as long as they meet the MOHA quota. For 2024, companies with 101 or more security guards must meet a minimum quota of 70 per cent of the total, while companies with fewer than 100 security guards must have at least 70 security guards complete the training.[399] In addition, the six days of training cover a variety of topics in a brief amount of time.[400] It has not been demonstrated that the training is effective in producing the calibre of

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397 https://www.moha.gov.my/index.php/en/program-latihan (retrieved on 14 Feb 2024

398 Fares, J., & Puerto, O. S. (2009). Towards comprehensive training. The world bank

399 MOHA circular dated 13 December 2023 (KDN.K.S.700-3/1/18 Jld 2(7) (retrieved on 20 February 2024)

400 https://www.pikm.my/images/Takrif-Program-Latihan-Certifed-Security-Guard-CSG.pdf

security guards that the public expects. It appears that the training's relevance and quality need to be reviewed and updated to match the demands and situations of today.

Table 3.1
Takrif-Program-Latihan-Certifed-Security-Guard-CSG

No.	Programme	Trainer	Duration
1	Effective Communication	PDRM	2 hours
2	Fundamental Human Rights / Rights to Defend	PDRM	2 hours
3	Police Report and Court Information	PDRM	2 hours
4	Seizure and Body Examination	PDRM	2 hours
5	Practical for Capture and Body Examination	PDRM	2 hours
6	Stress Management / Sexual Harassment	PDRM	2 hours
7	First Person at the Incident Place	PDRM	2 hours
8	Traffic Control / BIT / Patrol Restrictions	PDRM	2 hours
9	Current Drug Threat / Legislative Actions	PDRM	2 hours
10	Introduction of Firearms and Licence Conditions	PDRM	2 hours
11	Introduction to PDRM Communication Tools	PDRM	2 hours
12	Marching Training	PDRM	9 hours
13	Introduction to Security Industry	PIKM	2 hours
14	Emergency Aid	PIKM	2 hours
15	Motivation and Loyalty to Employer	PIKM	2 hours
16	Introduction and Prevention of Fire	PIKM	2 hours
17	Task Instructions and Code of Ethics	PIKM	2 hours
18	Introduction / Role of CIT Members	PIKM	2 hours
19	Mosque Activities / Uniform Inspection	PIKM	2 hours

3.9.3 The Legal Authority Granted to Guards

Studies have shown that crime rates decrease in direct proportion to the frequency of police and public participation in crime prevention patrols. There will be less crime and better safety in the community with more police and citizen joint patrols.[401] Security guards have less authority than Malaysian police, but they can still

[401] Lau, P. H., & Ali, K. (2019). Citizen participation in crime prevention: a study in Kuching, Sarawak, Malaysia. Journal of Criminological Research, Policy and Practice, 5(2), 144-160.

perform some tasks while on duty. Security guards are granted the authority specified by prevailing laws to assist them in conducting their jobs more efficiently.

A regulation from MOHA made it clear that while PSCs are permitted to verify and record identity, they are not permitted to keep any personal identifying documents. Any person wishing to enter the area where security guards are stationed may be required to present identification to confirm and record their identity and personal details. However, security guards are not permitted to keep the driver's license, passport, or NRIC. Following the verification process, the documents must be returned right away. The document is only being requested in order to document the visitor's basic details. This is confined to dwelling premises such as apartments, condominiums, and gated housing areas. The rationale is to avoid unwanted incidents such as identity theft and document forgery.[402]

Only registered officers, soldiers on duty, and police and customs officers are authorised to obtain and keep identity documents, unless the security guards have received formal authorisation from the Director General of the National Register for that purpose.[403] It is crucial to keep in mind that the Personal Data Protection Act 2010 (Act 709) applies to any personal data of an individual that is captured by a security guard. The PDPA stipulates that users must be safeguarded against any abuse of the processing or storage of personal data of individuals in the public and private sectors for commercial transactions in Malaysia. Hence, it is legal for security personnel to prevent unauthorised individuals from accessing the private property under their supervision.

Unfortunately, despite MOHA's explicit direction, there have been reports of security officers still requesting identity cards from guests. Security guards are subject to the Criminal Procedure Code (Act 593) and the Penal Code (Act 574) and are treated as regular citizens. If force is required, it will determine if the guards are able to strike someone. Section 97 of the Penal Code permits the protection of persons and property, provided that no more damage is done than is required to neutralise the threat.[404] Therefore, a guard may strike a suspect to halt them but is prohibited from beating the suspect further after that. Section 27 of the Criminal Procedure Code permits security personnel to make a 'citizen's arrest' and detain trespassers who enter private property

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402 Surat Pekeliling Agensi Persendirian Bil. 2 Tahun 2007.
403 Rule 7 of the National Registration Regulation 1990
404 Section 99(4) Penal Code Act 547

they are guarding. Immediately upon the arrest, turn that person over to the police. Security guards have the same rights to arrest offenders who commit 'seizable offences' as regular citizens. The question that arises is to what extent the security guards are fully aware of the limits for their actions when making citizens' arrests.

3.10 RELA – An Alternative to Foreign Security Guards

The People's Volunteer Corps (Jabatan Sukarelawan Malaysia), abbreviated as RELA, is a paramilitary civil volunteer corps established by the Malaysian government pursuant to the Malaysia Volunteers Corps Act 2012 (Act 752). The Malaysian government aim to recruit volunteers who possess the knowledge, skills, and efficiency necessary to uphold the country's security and peace, as well as the welfare of its citizens.[405] RELA has the authority to raid suspected streets or places, such as factories, restaurants, or hotels, and may interrogate or detain people who do not have travelling documents, such as passports or work permits, on them during a raid with the relevant authorities.[406] Their membership is limited to locals.[407] They are also the ideal temporary fill-in for the private security agencies' shortage of manpower.

RELA members are required to undergo more rigorous training compared to the private security guards. The training period is from 3 to 14 days and depends on the type of course. This training allows a member to make an effective contribution to achieving the team's objectives. In addition, the neuroscience courses are enhanced to raise awareness among people to help the government in preserving and maintaining peace. The courses provided for RELA members are more comprehensive and extensive,[408] making them better equipped and trained. Furthermore, RELA members can be hired as private security guards by PSCs, given that RELA members are chosen more carefully and have received extensive training.[409] However, they must not wear their uniforms during their duties as private security guards.[410]

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405 https://www.rela.gov.my/?page_id=2027 retrieved o 5 April 2024

406 Section 5 Malaysia Volunteers Corps 2012 =Act 752

407 https://www.moha.gov.my/index.php/en/faq/132-soalan-lazim/325-ikatan-relawan-rakyat (retrieved on 23 Feb 2023)

408 Jabatan Sukarelawan Malaysia (RELA), "Training Programmes," Official RELA Website, which lists courses such as the Excellent Family Course and programmes conducted in collaboration with agencies including Biro Tata Negara, National Anti-Drug Agency (AADK), Royal Malaysia Police (PDRM) and the Information Department, available at https://www.rela.gov.my

409 https://kprmbachang.blogspot.com/p/latihan.html?m=1 (retrieved on 23 Feb 2023)

410 https://www.rela.org (retrieved on 23 Feb 2023)

3.11 Optional Retired Army Personnel – Should Be Absorbed As Private Security Guard

Improved talent has the potential to transform business, and organisations need to prioritise talent management. When a company uses talent management techniques well, employee engagement rises, which boosts overall organisational performance. Greater productivity is correlated with higher employee engagement.[411] As of March 2024, there are a total of 111,701 optional retired members of the Malaysian military.[412] Given their experience serving in the public security sector, it would be beneficial for former soldiers who elect optional retirement to be hired to work as security guards.

Members of the Malaysian military can choose to retire voluntarily within the age range of approximately 40 years old, as the optional retirement age for permanent commissioned officers with the rank of captain and below is 40 years.[413] This is based on the median age of joining the military at age 20, since the applicant is aged 18 years or older and not exceeding 25 years on the Last Date of Recruitment Series.[414] The mandatory pension is set after 21 years of service in the armed forces; thus, individuals will likely retire at the age of 40. At 40 years old, one is still capable of being productive and making a positive impact on the nation based on their previous work experience. Nonetheless, according to research, the majority of people over 40 are not very well-suited for jobs outside of their line of work. A lack of appropriate training related to age is one of the main factors. This is particularly valid for personal development and training programmes in various functional domains. The findings indicate that, over 5 years, 16 to 20 per cent of junior and intermediate over-40s did not participate in any kind of training course in their respective fields.[415] A study has shown that the men aged 40 to 49 is the most productive.[416]

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411 Hongal, Pushpa and Kinange, Uttamkumar, (2020) A Study on Talent Management and its Impact on Organization Performance - An Empirical Review. International Journal of Engineering and Management Research, Volume-10, Issue-1, February 2020,

412 https://www.jhev.gov.my/statistik-dan-data-terbuka.html (retrieved on 2 September 2023)

413 https://www.jhev.gov.my/anggota-yang-sedang-berkhidmat/persediaan-persaraan?view=article&id=11&catid=14 (retrieved on 2 September 2023)

414 https://army.mil.my/index.php/ms/kerjaya/iklan-pengambilan/panduanpermohonan (retrieved on 2 September 2023)

415 Castelló-Climent, A. (2019). The age structure of human capital and economic growth. Oxford Bulletin of Economics and Statistics, 81(2), 394-411.

416 Skirbekk, V. (2004). Age and individual productivity: A literature survey. Vienna yearbook of population research, 133-153.

It would be detrimental to the country that does not fully utilise the available labour force with experience in the security sector, since the number of military personnel who retire from service at the age of 40 is relatively high. Given the significant labour shortage in the security sector and the government's consideration of hiring foreign workers to meet market demand, all parties involved need to take more decisive action to ensure that the existing personnel are utilised. Talent will be attracted by competitive pay and benefits packages.[417] As a result, more attractive job opportunities in this industry need to be developed in order to attract these ex-soldiers, whose backgrounds better suit their experiences from their exposure in the military, to serve in the private security service. This can be done instantaneously without having to get them to undergo the required training as part of the requirements. An alluring package must be offered to entice retired military personnel to work as security guards. Remuneration and other financial benefits have historically been seen as characteristics that distinguish an employment relationship. To remain competitive and draw in knowledge workers, companies must determine whether knowledge workers are drawn to various kinds and amounts of monetary compensation.[418]

3.12 Malaysia Royal Police (Polis DiRaja Malaysia (PDRM) and private security services

PDRM is assisted by a support group consisting of Supplementary Police, Police Volunteers, Police Aid, Police Cadets, and public servants in carrying out the trust and duties of the people and ensuring the security and well-being of the country.[419] Nonetheless, because of the limitations faced by the PDRM, the public chose to hire private security services to protect their lives and assets. The demand for private security services in Malaysia is high and expected to increase in the future.[420] The security services industry in Malaysia is estimated to be worth RM5 billion.[421] Although there is no specific information on the effectiveness of private security

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417 Benuyenah, V. (2024). Compensation and Benefits. In Human Resource Management: Rationalising Managerial Decisions (pp. 81-89). Emerald Publishing Limited

418 Hung, A. (2014). Understanding talent attraction: Perceived attractiveness of financial reward elements, Uni. Of Cape Town.

419 https://www.rmp.gov.my/infor-korporate/polis-diraja-malaysia (retrieved on 3 September 2023)

420 https://feedingtrends.com/the-relevance-of-a-private-security-guard-in-malaysia (retrieved on 21 August 2023)

421 https://www.moha.gov.my/images/maklumat_bahagian/ipsom/jurnal/volume5/3_v5.pdf (retrieved on 21 August 2023)

services in Malaysia, the decreasing crime rate in recent years can be attributed to the efficiency of the police forces and the improvement of the private security system. Private security guard services are becoming essential for many people and companies due to the country's rising crime rate and security risks.

3.13 High Turnover for Security Guards in Malaysia

In Malaysia, there are approximately 161,307 local security guards and 13,349 Nepalese security guards,[422] in 1,126 registered security companies.[423] The turnover rate in this industry is extremely high, with some companies experiencing a turnover rate of 200 per cent to 300 per cent. [424] According to a study on employee retention in the service industry in Malaysia, the voluntary turnover attrition rate starts at 6.5 per cent in the first half of the year across industries.[425] The national annual turnover rate for security guards is estimated to be between 100 per cent and 300 per cent, according to the Service Employees International Union, the nation's largest private security officers' union. That means that most guards leave their jobs within a year, and sometimes within four months. Some of the top reasons for turnover are due to no opportunities for advancement, lack of feedback/recognition/reward, lack of leadership/Ineffective supervision, not enough rest hours, lack of training, lack of job security, lack of benefits, lack of respect, low pay, and poor recruiting[426].

The private security services market in Malaysia is projected to grow in the coming years. The revenue in the security segment in Malaysia reached USD41.99 million in 2022, with an annual growth rate of 16.30 per cent from 2022 to 2027. The private security market in Malaysia is projected to reach a valuation of USD 115.0476 million in 2032, with a compound annual growth rate of 3.7per cent from 2022 to 2032. [427] The private security services market is expected to grow globally, and

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422 https;//www.moha.gov.my › index (retrieved on 3 September 2023)
423 https://esims.moha.gov.my/opendata/ (retrieved on 18 July 2023)
424 http://guardsystemsinc.com/how-to-effectively-reduce-security-officer-turnover/ (retrieved on 18 July 2023)
425 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9307907/ (retrieved on 18 July 2023)
426 Belfry Software, "Security Guard Turnover: Industry Rates and How to Reduce It," Belfry Software Blog, (accessed 14 February 2026).
427 https://www.statista.com/forecasts/645478/revenue-in-the-smart-home-segment-security-in-malaysia . (retrieved on 20 July 2023)

Malaysia is one of the countries that will benefit from this growth.[428] A high security guard turnover rate could be detrimental to the growth. To achieve the desired growth, every relevant stakeholder must participate and take more pragmatic measures to lower the staff turnover rate by identifying the primary causes of the high turnover and developing solutions to the problem.

3.14 Public Perception Towards Foreign Security Guards

Malaysia is one of the most sought-after locations for foreign workers to find employment, particularly for those with minimal or no experience, due to modernisation and a labour shortage in the job sector. Malaysia, like other nations, is dependent on foreign labour. In order to carry out pre-planned economic goals, the government has implemented a few laws regarding the hiring of foreign labour in specific areas. However, the nation and its citizens have been concerned about their continuous entry, particularly in light of the threat to the nation's security.[429]

The government of Malaysia permits only the Nepalese ex-army to serve as security guards in Malaysia.[430] Since the demand for private security guards keeps increasing, the government is contemplating opening up the sector to other nationalities to meet the demand.[431] This idea has sparked grave concern among the public. Malaysians are not keen to join this sector due to various reasons, as the selection of a career is also influenced by mass media, family history, socioeconomic status, parental influence, religious principles, and material fulfilment.[432] A study conducted by Mohd Saifoul Zamzuri Noor, Norehan Abdullah, Ummu Atiyah Ahmad Zakuan, and Hussin Abdulah[433] shows that 97.3 per cent of respondents were aware of the existence of

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428 https://www.digitaljournal.com/pr/private-security-services-market-growth-statistics-2023-2029-global-size-and-share-analysis-by-top-manufacturers-industry-segments. (retrieved on 20 July 2023)

429 Ajis, M. N. E., Keling, M. F., Othman, Z., & Shuib, M. S. (2014). The dilemma of managing foreign workers in Malaysia: opportunities and challenges. Global Journal of Human Social-Science: Political Science, 14(4), 43-53.

430 (para 2 Surat Pekeliling Agensi Persendirian Bil 2 tahun 2006).

431 https://www.sinarharian.com.my/article/203806/Berita/Nasional/KDN-runding-ambil-pekerja-asing-selain-Nepal-jadi-pengawal-keselamatan (retreievd on 29 April 2024).

432 Che Yaacob, A., & Ramli, A. H. (2004). Teori pemilihan kerjaya dan faktor-faktor yang mempengaruhi pemilihan kerjaya/Dr. Ahmad Che Yaacob and Abdul Halim Ramli. Jurnal Akademik UiTM Cawangan Johor.

433 Mohd Saifoul Zamzuri Noor, Norehan Abdullah, Ummu Atiyah Ahmad Zakuan, Hussin Abdulah (2018) Community perception of the security issue of foreign security guards in the service sector at NCER: A case study of the State of Kedah (Persepsi masyarakat terhadap isu keselamatan pengawal keselamatan asing dalam sektor perkhidmatan di NCER: Kajian kes Negeri Kedah); repo.uum.edu.my/24669/

foreign security guards in this country, and 52.7 per cent of respondents have dealt with foreign security guards. A total of 86 per cent felt uncomfortable or unsafe with the presence of foreign security guards in this country, with 57.6 per cent of respondents thinking that the community also felt insecure with the presence of foreign security guards. At the same time, 63.6 per cent of respondents felt that the environment became less safe with the presence of foreign security guards. The results of the study revealed that the country needs to use the local workforce, such as RELA members, as security guards. This is because they are local people who definitely understand the socio-culture of Malaysian society when dealing with them.[434]

Employing foreign nationals for security guard positions can have detrimental effects on a nation in a number of areas, particularly social, economic, and security. Employing foreign labour may pose a threat since they might not be familiar with local laws, customs, or security procedures. Public safety and security may be jeopardised if inexperienced guards fail to react effectively in urgent situations.[435,436] Additional training is frequently required when hiring foreign security staff to make sure they satisfy local standards and are aware of the unique security requirements of the location. Security companies may see an increase in operating expenses as a result.[437] The influx of foreign security guards may cause local workers to lose out on job chances, which would raise the unemployment rate for domestic applicants in the security industry. This circumstance may increase locals' animosity towards foreign labourers.

In addition, the employment of foreign workers may exacerbate economic gaps within the workforce by forcing businesses to pay foreign guards less than their local colleagues, which could lead to wage suppression in the security sector.[438] Hiring foreign workers may incite xenophobic sentiments and social unrest among the

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434 ibid

435 Kassim, A., & Zin, R. H. M. (2011). Policy on Irregular Migrants in Malaysia: An Analysis of its Implementation and Effectiveness (PIDS Discussion Paper Series No. 2011-34). ECONSTOR.

436 Mohamad Fauzi Md Isa, Nik Azmi Nik Omar, Arbaiyah Jusop, Rodziana Mohamed Razali, Hendun Abd Rahman Shah, Intan Nadia. Ghulam Khan, Nisar Mohammad Ahmad, Muhammad Safwan. Ibrahim, Sahubar Ibrahim Ismail Gani, Norailis Ab Wahab (2021) Journal of Public Security and Safety Edisi Khas 2021

437 Berlina, A., & Cavicchia, R. (2023). Employers' perspectives on hiring immigrants: Experiences from the Nordic countries. Nordic Council of Ministers.

438 Ji, G., Cheng, X., Kannaiah, D., & Shabbir, M. S. (2022). Does the global migration matter? The impact of top ten cities migration on native nationals income and employment levels. International Migration, 60(6), 111-128.

locals.[439] Concerns about job security and cultural differences may lead to a negative view of foreign workers and may incite discrimination or unrest. Cultural differences might provide challenges for foreign guards when it comes to managing security incidents or engaging with the general public. Misunderstandings may result from differences in cultural norms[440] on authority and dispute resolution or from language barriers. Considering the high percentage of Malaysians who are not comfortable with the presence of foreigners to serve as security guards in Malaysia, the parties concerned must think of measures to reduce and subsequently eliminate the use of foreign labour as security guards in Malaysia. A detailed study needs to be carried out immediately to achieve this goal.

3.15 Malaysia and Corruption Perception Index (CPI)

The Transparency International's Corruption Perceptions Index (CPI) ranks countries and territories around the world by their perceived levels of public sector corruption, with a score of 0 indicating highly corrupt and 100 indicating very clean.[441] From a score of 53 in 2019, Malaysia's score has fallen 6 points over the past 3 years. In 2022, Malaysia scored 47 out of 100 in corruption, which was a 6-point drop over the past three years.[442] It was one point lower than the previous year.[443] Out of 180 countries in the Index, Malaysia came in at number 61 in terms of score. The Asia Pacific region's average score was 45, the lowest score was 17, and the highest score was 87. According to Transparency International, political fundraising, public procurement, and the application of anti-corruption laws are Malaysia's main areas of corruption concern. Malaysia's perceived levels of corruption decreased in 2022, as indicated by the country's declining CPI score. The World Economic Forum (WEF) report claims that out of the nine polls that make up the CPI score, Malaysia's score declined dramatically from 54 to 47 in the WEF executive opinion poll for 2022.[444]

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439 Merriam dictionary defines xenophobia as fear and hatred of strangers or foreigners or of anything that is strange or foreign

440 Aririguzoh, S. (2022). Communication competencies, culture and SDGs: effective processes to cross-cultural communication. Humanities and Social Sciences Communications, 9(1), 1-11.

441 https://www.transparency.org/en/cpi/20215 (retrieved on 7 August 2023)

442 https://www.transparency.org/en/countries/Malaysia (retrieved on 7 August 2023)

443 https://www.statista.com/statistics/945441/malaysia-corruptions-perceptions-index/ (retrieved on 7 August 2023)

444 https://www.transparency.org.my/pages/news-and-events/press-releases/corruption-perception-index-malaysia-continues-to-deteriorate (retrieved on 7 August 2023)

This survey plays a role in shaping the overall CPI score for the country. Despite a slight increase in ranking to 61st out of 108 countries compared to the previous year, Malaysia's score continued to fall, reaching its worst performance in a decade. The decline in score puts Malaysia below countries like Namibia and Rwanda in terms of perceived corruption levels.

This drop indicates that Malaysia is heading in the wrong direction with regard to fighting corruption and supporting human rights and democracy in the public sector.[445] This downward trend is statistically significant and raises concerns about the direction the country is moving in terms of corruption perception.[446] The unethical actions of the political and economic elite have damaged significant portions of government revenue, enriching a select few while impoverishing the majority. The economic and social environment of developing nations has suffered significant harm, largely because of corruption. Consequently, this has caused a drop in average life expectancy and eroded the quality of life by undermining investments in public services and social welfare.[447] Unless the current array of anti-corruption methods and approaches is completely rethought, it may not be feasible to significantly reduce, let alone eradicate, corruption in the developing world.[448]

In conclusion, Malaysia's drop in its CPI score in 2022 was attributed to a continuous decline, the results of WEF Forum survey, its ranking and comparison, as well as the 1MDB scandal. It is important for Malaysia to address these issues and take measures to improve transparency, accountability, and the effectiveness of anti-corruption efforts before considering the idea of recruiting other nationalities to serve as security guards in Malaysia.

Violations of Human Rights have a severe impact on the Corruption Perception Index - Corruption enables both human rights abuses and democratic decline, and these factors can lead to higher levels of corruption, setting off a vicious cycle.[449] Corruption decreases public trust in justice and weakens the capacity of judicial systems to

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445 https://www.transparency.org.my/pages/news-and-events/press-releases/corruption-perception-index-malaysia-continues-to-deteriorate (retrieved on 7 August 2023)

446 https://www.transparency.org.my/pages/news-and-events/press-releases/corruption-perception-index-malaysia-continues-to-deteriorate (retrieved on 7 August 2023)

447 Julius Otusanya, O. (2011). Corruption as an obstacle to development in developing countries: a review of literature. Journal of Money Laundering Control, 14(4), 387-422.

448 Luca J. Uberti (2015) Can Institutional Reforms Reduce Corruption? Economic Theory and Patron–Client Politics in Developing Countries. International Institute of Studies https://doi.org/10.1111/dech.12222

449 https://www.transparency.org/en/news/cpi-2021-corruption-human-rights-democracy

guarantee the protection of human rights. It affects the tasks and duties of judges, prosecutors, lawyers, and other legal professionals and undermines the population's trust in the judiciary.[450] There is a correlation between good governance, human rights, and corruption control. Thus, countries that have established effective control of corruption demonstrate respect for human rights.

For example, the violation of human rights impacts CPI. In Malaysia, the ill-treatment of security guards from Nepal reported by Human Rights Watch has worsened Malaysia's position in the CPI. An internal audit conducted by IKEA International revealed that certain Nepalese migrants paid up to USD1,000 to secure a job with IKEA Malaysia. IKEA Malaysia then cancelled the PSC's contract due to a clear instance of corrupt conduct.[451] Upholding human rights is crucial in the fight against corruption.[452] Transparency International's analysis of the CPI results shows that countries that violate civil liberties generally score lower on the CPI.[453]

The violation of human rights has an impact on CPI. Countries that violate civil liberties and fail to protect human rights tend to score lower on the CPI, indicating higher perceived levels of corruption. In order to strengthen Malaysia's standing under the CPI, the issue brought up by Human Rights Watch regarding the mistreatment of Nepalese security guards needs to be rectified.

3.16 Weak Enforcement of the Laws by the Authoritative Bodies May Lead To Corrupt Practice

Weak law enforcement by powerful entities can encourage corrupt behaviour and can result in corruption. Meanwhile, vague laws that do not provide clear guidelines or restrictions on the actions of law enforcement officials can create opportunities for corruption. Without proper regulations, there may be loopholes that can be exploited for personal gain,[454] and the public's lack of confidence and trust in the legal system can lead to feelings of injustice and annoyance.[455]

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450 https://www.unodc.org/dohadeclaration/en/news/2018/04/corruption--human-rights--and-judicial-independence.html (retrieved on 3 April 2023)

451 https://www.ft.com/content/24fccf4d-6ae6-4cd0-bc0a-19221489f836 (retrieved on 3 April 2023)

452 https://www.transparency.org/en/cpi/2021 (retrieved on 3 April 2023)

453 https://frompoverty.oxfam.org.uk/the-links-between-corruption-and-human-rights-top-new-report-from-transparency-international/

454 Hubert Williams (Core factors of police corruption across the world) https://www.unodc.org/documents/treaties/publications/core_factors.pdf

455 Corruption And Its Impact on Law Enforcement Work Oris I.Jaen Fernandezhttps://unafei.or.jp/publications/pdf/RS_No92/No92_24PA_Fernandez.pdf

A culture of impunity may develop in law enforcement if there are no appropriate penalties or repercussions for misbehaviour or corruption. This absence of accountability may give people the confidence to commit corrupt acts without worrying about being discovered or dealt with. Inadequate budget, staff, and training can make it more difficult for law enforcement organisations to do their jobs well. Officers may become more vulnerable to corruption in this setting since they may feel pressured to look for other sources of assistance.[456] Selective enforcement of the law, in which particular people or groups are given special treatment or are shielded from prosecution, can be the outcome of weak law enforcement. This has the potential to encourage corruption and erode the idea of equal justice under the law.[457]

Corruption can be avoided by strengthening legal frameworks, enacting diligent legislation, and providing law enforcement agents with sufficient restrictions and guidance.[458] For the purpose of encouraging accountability and discouraging corrupt behaviour, law enforcement agencies should set up procedures for oversight, transparency, and repercussions for misbehaviour or corruption.[459] Establishing a zero-tolerance approach to corruption, providing ethical training, and encouraging leadership can all contribute to the prevention and repression of corrupt practices in law enforcement,[460] as well as, adopting the resolution passed by the United Nations Convention Against Corruption.[461] It is possible to improve law enforcement, rebuild public confidence, and lessen the incidence of corruption in positions of authority by addressing these problems.

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456 https://leb.fbi.gov/articles/featured-articles/police-corruption-an-analytical-look-into-police-ethics

457 https://www.worldwildlife.org/pages/tnrc-introductory-overview-understanding-effects-of-corruption-on-law-enforcement-and-environmental-crime

458 https://www.unodc.org/documents/treaties/publications/core_factors.pdf

459 https://www.transparency.org/en/our-priorities/judiciary-and-law-enforcement

460 https://leb.fbi.gov/articles/featured-articles/police-corruption-an-analytical-look-into-police-ethics

461 General Assembly resolution 58/4 of 31 October 2003 –
United Nations Convention Against Corruption - Chapter II Preventive measures
Article 5. Preventive anti-corruption policies and practices:
1. Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

3.17 Unemployment in Malaysia – To Join the Industry

It is reported that as of January 2023, approximately 588,700 people were unemployed nationwide. Malaysia hit an unemployment rate of 3.5 per cent. Out of the number, Sabah held the highest number of unemployed people, with 169,800 jobless people (29%) in Malaysia. In 2023, the unemployment rate in Sabah was 7.7 per cent in the first quarter of this year, more than double the 3.5 per cent for the whole country.[462] Given the significant need for labour in the security guard profession and Malaysia's relatively high unemployment rate, Malaysia can integrate the unemployed people into the security industry through its attractive job package and clear career development within the industry.

3.18 Security Guards and TVET

Technical and Vocational Education and Training (TVET) is recognised as a critical pathway in the 12th Malaysia Plan. However, TVET in Malaysia lacks the aura of elegance. It is perceived as a destitute choice for leftover students. The 3D mantra (Difficult, Dirty, Dangerous) lingers in the As a result, there is a labour shortage of around 77,000, with the manufacturing industry needing 77 per cent more trained workers, construction needing 11 per cent more, and other general services needing 9 per cent more. The Malaysian government intends to enhance the country's TVET programmes in order to promote more cooperation between industry respondents and providers of vocational training programmes. The Malaysian Board of Technologies (MBOT), a statutory body within the Malaysian Ministry of Science, Technology, and Innovation (MOSTI), is one of the institutions that promotes TVET.[463] They collaborate with enterprises, associations, and academic institutions to address the increasing need for skilled labour in the industry. Thus, suitable actions and initiatives can be incorporated into the TVET framework that the government is creating.

TVET integration into security guard training in Malaysia is a critical step in the professionalisation of the industry. There are training facilities [464] that concentrate

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462 https://www.msn.com/en-my/money/personalfinance/more-than-half-a-million-malaysians-are-unemployed/ar-AA1fI6Vw?ocid=hpmsn&cvid=107679c06acf4e93a25fa619a06829aa&ei=14 (retrieved on 25 August 2023)

463 https://www.trade.gov/market-intelligence/malaysia-education-partners-and-vocational-training

464 Akademi Pertahanan & Perlindungan Awam, is a government training centre that focuses on developing skills in safety and security. While Security Plus Academy, a private learning institution

on enhancing security and safety-related skills. It provides a range of certified programs that seek to produce well-rounded security professionals by combining theoretical knowledge with real-world experience. The objective is to furnish security personnel with the requisite tools to function efficiently within their legal constraints by offering all-encompassing training that blends pragmatic abilities within the legal framework. The curriculum is created in accordance with current industry standards, guaranteeing that trainees will possess the necessary skills to fulfil the needs of today's security issues. This covers both hard and soft skills, such as the capacity for communication and problem-solving. Such structured programmes provided by these recognised institutions, an emphasis on practical skills pertinent to industry demands, and official acknowledgement through certification procedures characterise the integration of TVET into security guard training in Malaysia. The goal of this strategy is to raise the bar for the security industry. Initiatives such as these will be essential in meeting present demands as well as those of the future as Malaysia's security industry develops.

However, instead of working as regular security guards out in the field executing tasks that should be done by a security guard, graduates of the institutions work in the security management and administration of a business or department. To guarantee that all levels of safety are covered in the TVET training, from management to field security guards, a more thorough strategy needs to be implemented and adopted by all stakeholders.

3.19 Security Guards and Mental Health Issues

Security guards are essential to the upkeep of safety and order in various settings in Malaysia, including homes and businesses. A system of laws and regulations controls their powers and functions, ensuring that they stay within clearly defined legal bounds. Therefore, it is crucial to clearly define the legal framework that governs security guards in Malaysia, including their duties, authority, and the regulations that guide their behaviour.

The scenarios, settings, and behaviours that a security guard may encounter are diverse. Members of the public expect security guards to be in good physical and mental condition to perform their jobs effectively. Their mental and behavioural health also

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offers a range of courses that cover defence law, emergency response procedures, and other essential skills necessary for modern security practices

has to be treated carefully because of their demanding jobs and significant obligations. Research conducted by Affizal Ahmad and Nurul Hazzrina Mazlan[465] indicated that the security guards' mental health problems fell into four categories: substance abuse, antisocial personality disorder, borderline personality disorder, and depression. The study also shows that the security personnel displayed animosity, rage, and physical and verbal aggression. The prevalence of mental health issues differed significantly between security personnel who were male and female. The study also demonstrated a significant correlation between aggression and mental health issues. In summary, it was shown that security guards are more likely to exhibit violent behaviours and mental health issues. These results imply that there is some degree of risk for security guards who also have mental health issues.[466]

One of the examples to bolster the conclusions drawn by Affizal and Nurul Hazzrina is the case of a security guard who was accused of gruesomely killing a female employee at a Kuala Lumpur secondary school under section 302 of the Penal Code.[467] Another horrible incident saw a security guard shoot a bank officer dead at close range and steal the money after the officer had accessed the bank vault.[468] However, there is no requirement under Act 27 or any MOHA circular that a psychological test be performed prior to employment as a security guard.[469] Compared with Indonesian law, a clause expressly states that the psychological exam is one of the requirements that any candidate for SATPAM must fulfil.[470] Meanwhile, in Singapore, security officers are asked to submit to psychological testing as part of the recruiting and assessment process. Also, police psychology-based psychological examination instruments are available from the Singapore Police Force's Police Psychological Services Department.[471] Furthermore, psychological tests, such as cognitive performance tests and personality evaluations, are available for the selection and evaluation of workers in

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465 Affizal Ahmad, Nurul Hazrina Mazlan, (2013) Identifying types of Mental Health Problems and Aggression among Security Guards: Are they Totally Safe? Psychology and Behavioral Sciences. Vol. 2, No. 3.

466 ibid

467 https://www.thestar.com.my/news/nation/2022/03/24/security-guard-charged-with-murder-at-cheras-school (retrieved on 14 Dec 2023)

468 https://www.astroawani.com/berita-malaysia/shotgun-used-ambank-shooting-found-drain-25359 (retrieved on 14 Dec 2023)

469 Para 2 Pekeliling Agensi Persendirian Bil 4 Tahun 2010).

470 Article 6, Regulation No. 4 of 2020, State Police Regulations of the Republic of Indonesia

471 https://www.police.gov.sg/Who-We-Are/Organisation-Structure/Specialist-Staff-Departments/Police-Psychological-Services-Department. (retrieved 0n 15 Dec 2023)

safety and security-related industries.[472] In addition, steps are being taken to identify early indicators of mental stress that security officers experience while performing their duties.[473] These points point to the possible significance of psychological assessment in Singapore's security industry.

Stress and traumatic childhood events have been found to increase the incidence of mental health issues in security guards. But mental health issues are risk factors for violent crimes and, consequently, for violence in the workplace among security guards.[474] A study conducted by Alexander Herrman and Jürgen Glaser shows that among the most significant warning signs of mental health conditions were long work hours, concerns about violence, social standing, and solitary employment. Furthermore, the frequency of mental health problems was found to be higher in cases of irregular working hours and workplace stresses such as physical workload and quality deficiencies.[475]

As mental health concerns are a persistent problem, before and after recruitment assessments need to be done to guarantee that the security guards hired are in the best possible mental health position. It is imperative that this criterion be made mandatory and explicitly included in the framework.

3.20 Private Security Services and the HANRUH Concept

The majority of the nations in Southeast Asia, Asia, and Europe employ the Comprehensive Defence model of defence. Malaysia has concentrated on developing its defence policy[476] as a result of the security threats that existed both during and after the Cold War since 1957 and is expanding in line with the evolution of contemporary threats. Essential policies set by the Malaysian government to strengthen national defence and sovereignty are the National Defence Policy (NDP) and the Defence White

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472 https://www.schuhfried.com/en/safety (retrieved on 5 Dec 2023)

473 (https://www.asiaone.com/health/certis-cisco-takes-extra-steps-spot-stres.)

474 Affizal Ahmad* , Nurul Hazrina Mazlan (2012); The Kind of Mental Health Problems and it Association with Aggressiveness: A Study on Security Guards International Journal of Psychology and Behavioral Sciences DOI: 10.5923/j.ijpbs.20120206.07

475 Herrmann, A., & Glaser, J. (2021). Work characteristics and psychosomatic health complaints of private security personnel. Zeitschrift Für Arbeits-Und Organisationspsychologie A&O.

476 Ministry of Defence (Kementerian Pertahanan Malaysia). (2010) National Defence Policies (Dasar Pertahanan Negara). Percetakan Haji Jantan Sdn. Bhd.

Paper (DWP).[477] The NDP emphasised that the defence of the country requires commitment from the nation's security forces and society. A comprehensive defence concept known as Comprehensive Defence (Pertahanan Menyeluruh or HANRUH) incorporates comprehensive and integrated defence through the defence concepts in NDP and DWP, which was authorised by the National Security Council (Majlis Keselamatan Negara or MKN) [478]

The concept of HANRUH expresses solid civil-military relations (SCMRs) efforts to unite Malaysians in defence of the nation's sovereignty. Malaysia is one of the nations with encouragingly solid civil-military relations (SCMRs). Every national defence policy and measure under the SCMR is viewed as being extremely supportive of Malaysia's multiracial society. Based on the study conducted by Mohd Kamarul Amree Mohd Sarkam and Mohamad Zaidi Abdul Rahman, SCMR plays a significant role in maintaining national security and stability and can have a positive impact on public participation in the defence system, particularly when the HANRUH idea is put into practice.[479] Nonetheless, the lack of advertising and promotion around HANRUH has made the concept less well-known, which raises the question of whether the extent of SCMR in Malaysia is still in place without involving the public in its execution.

Given that certain Malaysians have a strong sense of nationhood and patriotism and are willing to make sacrifices to safeguard the country's sovereignty, the efforts to increase public preparedness in the national defence system through HANRUH should be reinforced through a number of measures.[480] The accomplishment of civic preparation in HANRUH requires a number of decisive actions, including continual efforts, national unity, sacrifice, and support from a broad spectrum of parties, all of whom should possess a strong sense of patriotism. Malaysia would collapse and be vulnerable to multiple attacks from the enemy, who takes advantage of these

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477 Zainal, Jeneral Tan Sri Abdul Aziz (Former Commander of the Malaysian Armed Forces Malaysia), (2008), Official Text of the Special Message of the Commander of the Armed Forces in conjunction with the Malaysian Armed Forces Diamond Jubilee. Majalah Perajurit, Kuala Lumpur.

478 Hishammuddin Tun Hussein (2015) presented by at the Malaysian Armed Forces Defence College (MAFDC) on 20 April 2015.The Journal of Defence and Security

479 Mohd Kamarul Amree Mohd Sarkam, & Mohamad Zaidi Abdul Rahman. (2022). An Analysis Of The Integrity Approach Of Civil-Military Relations (SCMR) Through Comprehensive Defense Policy (HANRUH) In Ensuring Peace In Malaysia Analisis Pendekatan Keutuhan Hubungan Awam-Tentera (SCMR) Melalui Dasar Pertahanan Menyeluruh (HANRUH) Dalam Menjamin Keamanan Di Malaysia. Zulfaqar Journal of Defence Management, Social Science & Humanities,

480 Mohd Kamarul Amree Mohd Sarkam, Noor Azmi Mohd Zainol, Zahimi Zainol Abidin & M. Zaidi A. Rahman (2023)Civil Preparedness in Malaysia's Total Defence (HANRUH) Policy: A Critical Evaluation; Journal of Social Science and Humanities

vulnerabilities all the time, if the initiative were not implemented, developed, and changed.

However, the significance of private security services is overlooked in the HANRUH concept. HANRUH ought to attend to the nation's more general defensive needs as well as its pressing security concerns. It must be suitable for both peaceful and conflict circumstances, as well as a comprehensive, cohesive, flexible plan that could be regularly updated and reviewed. Yik Koon believes that the concept of Total Defence, mooted in 1986 by the Ministry of Defence, should be revisited as a total strategy or comprehensive security strategy for the defence and security of the country in his study on HANRUH.[481] The involvement of the private security industry is instrumental in assisting the authorities in maintaining public order. Thus, the Ministry of Defence should review the overall security strategy for the defence and security of the nation to increase its role.

Given this, it would be more appropriate to refer to Malaysia's defence pillars as security pillars.[482] The government should consider making PSCs an essential aspect of the NDP very seriously. Research conducted by Muhammad Faisol Keling, Ahmad Shah Pakeer Mohamed, and Md Shukri Suhib suggested that Malaysia's NDP adopt a more comprehensive approach to defence, as the nature of threats is constantly evolving and poses a threat not only to traditional but also non-traditional aspects of society. Considering these flaws and issues, it may be said that Malaysia's NDP is still weak.[483]

3.21 Security Guards and the Laws

The focus of this research was on the local Malaysian security guards. The discussion focused on the provisions of laws in Malaysia that benefit local security guards and the industry at large. The discussion includes serious concerns about the working conditions and legal rights of local security guards in Malaysia. This subchapter will focus on a few salient pieces of legislation applicable directly to the local security guards.

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481 Teh, Y. K. (2015). The Royal Malaysia Police has got its strategy wrong: Laws alone do not bring down crime rates. International Journal of Police Science & Management, 17(1), 9-16.

482 Hassan, Ahmad Ghazali Abu; (2019) Reinterpreting Hanruh: Achieving Total Defence Through Education; The Journal of Defence and Security

483 Mohamad Faisol Keling, Ahmad Shah Pakeer Mohamed, Md Shukri Suhib (2016). Malaysia's National Defence Policy: Is it Strong? (Dasar Pertahanan Negara Malaysia: Adakah ianya Kukuh?)' Mimbar Pendidikan

3.21.1 The Federal Constitution

In Malaysia, the Federal Constitution provides that all citizens have the right to assemble peacefully and without arms, and all citizens have the right to form associations. Article 10(1) of the Malaysian Federal Constitution provides that every citizen has the right to freedom of speech and expression. All citizens also have the right to assemble peaceably and without arms and to form associations. Collective action or coordinated action taken by trade unions in order to accomplish objectives and enhance working conditions. Effective collective action could generate incentives for workers' interests, particularly in terms of their social and economic well-being. Those goals can be achieved through a legitimate association.

Currently, a few security guard associations have been formed in Malaysia in accordance with the Societies Act 1966 (Act 832). These include the Malaysian United Security Guard (MUSGA), also known as Persatuan Pengawal Keselamatan Bersatu Malaysia, Persatuan Pekerja Industri Kawalan Keselamatan Malaysia (PiSkA), and Persatuan Pegawai Keselamatan Agensi Persendirian Malaysia (PRISS). The Trade Union Act 1959 (Act 262) allowed for the establishment of a trade union called Kesatuan Kebangsaan Pekerja-Pekerja Pengawal Keselamatan Malaysia (KESPA). Changes in the economy and the structure of employment today have led to changes in the collective action of workers. This situation causes the trade union to be at the level of 'labour quiescence. Based on the analysis, the current study affirmed that the workers would have better welfare if they united and moved collectively.[484]

3.21.2 Security Guards' Associations and the Union

Workers deserve a pleasant environment. An employee association or trade union is a platform for workers who work together to improve the conditions in terms of economic, social, and human rights at the workplace. Trade unions play a crucial role in safeguarding workers against harassment and discrimination in industries. In addition, the unions maintain their long-held, traditionally grounded beliefs. Therefore, it prioritises the interests of its members over those of the society in which it functions.

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[484] Nassiah Gaong, Mahadirin Ahmad, & Kee Y. Sabariah Kee Mohd Yussof. (2022). Tindakan Kolektif Dan Kesatuan Sekerja: Analisis Kajian Lepas: Collective Action And Trade Unions: An Analysis On Previous Research. Jurnal Kinabalu

Otherwise, it might not live up to their expectations, which could lead to a loss of membership.[485]

In order to build a healthy work environment, which will in turn promote productive employees, the union needs to cultivate positive relationships with the management of the companies. A study by Deery, Iverson, and Erwin shows that greater levels of work attendance are linked to a favourable union-management relationship. Furthermore, the results align with the existence of effective and productive labour unions within the workplace.[486]

To demonstrate its unity in advocating for its rightful cause of incorporation, the union must maintain a significant membership base. Trade unions must review both their internal policies and procedures and their organising tactics. Trade unions ought to go beyond their traditional responsibilities and take part in initiatives that are vital to their members and businesses.[487] The most significant finding was conducted by Josephine Moeti-Lysson and Henry Ongori. The study showed that the union's operations consider economic factors such as modifications to governmental policies.

3.21.3 Associations vs Trade Union

The International Federation of Professional and Technical Engineers defines associations as organisations of people with a common interest or purpose. People form associations for a number of reasons, such as retirement issues, professional certification, and even employee welfare or work issues. A union is a type of association, though with one major difference: members of a union have the legal right to engage in collective bargaining with an employer, and the employer is legally obligated to bargain with the union.[488] In the current study, a trade union is an organisation that represents

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485 Josephine Moeti-Lysson and Henry Ongori (2011) Effectiveness Of Trade Unions In Promoting Employee Relations In Organisations'. Global Journal of Arts and Management

486 S., Iverson, R., & Erwin, P. (1999). Industrial relations climate, attendance behaviour and the role of trade unions. British Journal of Industrial Relations

487 Rose, R. C., Kumar, N., & Ramasamy, N. (2011). Trade unions in Malaysia: Perspectives of employers & employees of unionized companies. Indian Journal of Industrial Relations

488 Founded in 1918, International Federation of Professional and Technical Engineers (IFPTE) represents more than 80,000 women and men in professional, technical, administrative and associated occupations in the United States and Canada. IFPTE is a diverse union representing workers in a variety of fields, including local and federal government, the armed forces, aeronautics and aerospace, and computer industries.

the people who work in a particular industry. The union protects workers' rights and discusses their pay and working conditions with employers.

3.21.4 Societies Act 1966 (Act 832)

A society is defined as any club, partnership or association consisting of seven (7) persons or more, regardless of its type or purpose, whether temporary or permanent but does not include bodies that need to be registered under any written law such as companies, co-operatives, trade unions, parent and teacher associations, sports bodies and others.[489]

All societies in Malaysia registered under the Societies Act 1966 are governed by the Malaysian Societies Registration Department (*Jabatan Pendaftaran Pertubuhan Malaysia*), a Department under MOHA that handles Non-Governmental Organizations and political parties. Unlike a labour union, workers association or society only has legal authority and serves as a forum for individuals with similar interests to come together and work towards objectives outlined in the organisation's bylaws or constitution.

3.21.5 Trade Union Act 1959 (Act 262)

Trade unions in Malaysia are governed under the Trade Union Act 1959 (Act 262). A union is defined in Malaysia by the Trade Unions Act 1959 as an association of formal employees or employers in the same or similar trade, occupation, or industry. A union allows its employee members to exercise two fundamental labour rights: the right to express work-related grievances without fear of retribution and the right to bargain collectively for better working conditions. On October 5, 2022, the House of Representatives (Dewan Rakyat) approved an amendment to the Trade Union Act 1959 (Act 262) to allow the diversity of trade unions in any establishment, trade, occupation, or industry, as well as increase membership in trade unions. The amendment also aims to motivate workers to become members of trade unions, guaranteeing their representation and protection through enhanced rights and benefits. It creates healthy competition between trade unions, with the hope that the unions will strive to be in the

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489 Section 2, Societies Act 1966 (Act 832),

best position in terms of administration, organising social activities, education, or welfare.

The registered trade unions are governed by the Department of Trade Union Affairs (Jabatan Hal Ehwal Kesatuan Sekerja, or JHEKSs) of the Ministry of Human Resources. The department supervises, directs, and generally controls all matters relating to trade unions in Malaysia. It is the body that considers applications for the registration of trade unions established by employees and employers. One of the union's obvious benefits is that members can be represented by a union officer in any legal proceeding. Section 27(1) of the Industrial Relations Act, 1967 (Act 177), provides that in any proceedings before the Court, a party may, where the party is a trade union, be represented by an officer or employee of the trade union. Where the party is a workman in proceedings under Section 20(3) of the Act, appears himself personally, or where he is a member of a trade union of workmen, is represented by an officer or employee of the trade union.

A new union must first obtain employer recognition and the Human Resources Minister's and Trade Union Director-General's approval to demonstrate its suitability to represent employees before it can engage in negotiations with an employer. The union may request government assistance if employers refuse to recognise it.[490] However, the procedure to establish a union is challenging. It is because it calls for arranging a ballot in confidence, submitting a complaint to the Trade Union Director-General, and obtaining ministerial clearance. A study conducted by Siti Suraya Abd Razak has recommended that the Malaysian government revoke employer recognition, create an independent administrative trade union board, enact legislation defining managerial, executive, confidential, and security positions, and ratify Convention No. 87, which deals with freedom of association and protection of the right to form a union.[491]

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490 https://jpp.mohr.gov.my/files/pdf/panduan/utama/Trade%20Union%20Recognition%20Claim%20Process.pdf (retrieved on 11 Jan 2023)

491 Abd Razak, S. S. (2020). TRADE UNION RECOGNITION IN MALAYSIA: LEGAL ISSUES. UUM Journal of Legal Studies,

3.21.6 Functions and the Roles of Trade Unions

There are several main functions and roles of trade unions in Malaysia as recognised by JHEKS, including:

i) act as local pressure groups. They need to be seen as capable of influencing any decision made by the employer that involves the interests and welfare of employees.

ii) play a role in ensuring wage positions and financial benefits obtained by employees are always optimised.

iii) regulate the system of corporate relations together with the management at the workplace so that the welfare of the workers is always given priority and protected. This can be realised when sealed in a collective agreement.

iv) play a role in providing services and training to improve the living and social standards of members over time in line with economic progress and development in the country.[492]

The ILO and the National Security Guard Union

Malaysia has been a member of the International Labour Organisation (ILO) since 1957, and the primary objectives of the ILO are to advise on the ratification and application of international labour standards and to facilitate discussions among social partners. The government, the Malaysian Trade Union Congress (MTUC), and the Malaysian Employers Federation (MEF) are the constituents that the ILO supports in their efforts to bring about social justice and decent employment in Malaysia. Members of KESPA stand to benefit from the partnership between KESPA and MTUC. ILO defines a trade union as an organisation established for the purpose of advancing and safeguarding the interests of the employee, an organisation that is established to defend the rights of workers and look after them. Trade unions regulate enterprise relations through a direct collective bargaining process with management.[493] Security guards are advised to become members of the security guard national union to safeguard their

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492 https://jpp.mohr.gov.my/files/pdf/notes/PERANAN%20KESATUAN%20SEKERJA%20DALAM%20MEWUJUDKAN%20KEHARMONIAN%20PERHUBUNGAN%20PERUSAHAAN%20ANTARA%20MAJIKAN%20DAN%20PEKERJA-PEKERJA%20DI%20MALAYSIA.pdf (retrieved on 8 Jan 2024)

493 https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_111330.pdf (retrieved on 9 Jan 2024)

welfare in compliance with the guard union's establishment and associated acts, instead of joining many unions with the same members, which may defeat their union's purpose.

3.21.7 Security Guards and Harassment

There are many reports in the media about security guards being treated inappropriately. The most horrific event involved an elderly security guard who was fatally attacked for carrying out his duty and preventing a visitor from using the swimming pool while the restricted movement control order was in effect.[494] There are several instances of security guards being abused by either their employers or members of the public, yet for various unexplained reasons, these incidents were not reported to the authorities, including sexual harassment. According to the findings by Khairunesa Isa and Sazali Samad, there is little correlation between employees' awareness of the definition of sexual harassment and factors such as age, work experience, job title, and sex, while the overall mean for understanding the definition of sexual harassment in terms of meaning and forms of sexual harassment is moderate. The finding is indicative of many workers who are still not aware of issues relating to sexual harassment in the workplace.[495] Unfortunately, Malaysia's private security industry laws remain silent on the issue of safeguarding security officers from assault and harassment, unlike Singapore, which has recently amended PSIA 2007 to include new Division 2 sections 17A–17F for their protection. Malaysian lawmakers should seriously consider emulating Singapore to protect the safety of the security guards while on duty, as this will ensure they are able to carry out their duties efficiently. Such protection will also attract the locals to join the industry.

3.21.8 Security Guards and Minimum Wages Law

Setting the minimum wage too high or above the market-clearing threshold would lead to a rise in unemployment and a decline in employment. If unemployment is high or on the rise and impacts low-skilled workers, the minimum wage should not

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494 https://www.malaymail.com/news/malaysia/2021/09/09/man-charged-with-murder-over-attack-on-security-guard-caught-on-viral-video/2004172 (retrieved on 10 Jan 2024).

495 Isa, K., & Samad, S. (2012). Level Of Awareness Of Workers In Relation To Sexual Harassment Misconduct in the Workplace (Tahap Kesedaran Pekerja Hubungannya Dengan Salah Laku Gangguan Seksual Di Tempat Kerja). Journal of Techno-Social

be raised.[496] The Malaysian government aims to lower the poverty level by establishing a minimum wage policy because at least 30 to 40 per cent of workers now earn less than the federal poverty threshold. It also shows the government's commitment to increased inclusivity.

Though laws impose a minimum wage on security guards, numerous instances of their not being paid legally have been documented. MTUC claims 80 per cent of security guards in the country are still underpaid after the minimum wage.[497] The trivial reason given by employers who deliberately refuse to comply with minimum wage payment instructions is that the minimum wage increase will hurt the industry.[498]

3.21.9 Occupational Safety and Health Act 1994 (Act 514) and the Security Guards

Security guards provide a broad range of services in the course of their employment. They may be assigned to a particular property or sent on patrol for multiple locations or regions. As a result, they have dealt with many circumstances, settings, and behaviours while suffering from high levels of stress and dissatisfaction with their jobs or pay. Considering that they carry a great deal of responsibility and critical obligations, it is crucial to ensure their well-being. Based on the study conducted by Affizal Ahmad and Nurul Hazrina Mazlan[499], security guards are likely to exhibit violent behaviours and mental health issues. These results imply that there is some degree of risk for security personnel who also have mental health issues. According to the findings, there is a critical need to analyse mental health issues in security guards either during the enrolment process or while they are on the However, the Occupational Safety and Health Act 1994 (Act 514) does not include any provisions for offering assistance to employees with mental health issues or for creating a supportive environment for mental health and well-being at work. Act 514 is a legislative

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496 Siti Marshita Binti Mahyut (2013) Minimum Wage In Malaysia: The Challenge On The Implementation Of The Law; International Journal of Business, Economics and Law,

497 https://www.malaymail.com/news/malaysia/2022/09/01/report-mtuc-claims-80pc-security-guards-in-country-still-underpaid-after-minimum-wage-kicks-in/2586 (retrieved on 13 Jan 2024)

498 https://www.thestar.com.my/news/nation/2022/03/24/increase-in-minimum-wage-could-have-negative-impact-on-security-industry-says-association (retrieved on 13 Jan 2024)

499 Ahmad and Mazlan (2013) found a significant correlation between personality disorders and aggressive behavior, noting that security guards experiencing high stress levels are more prone to physical and verbal violence.

framework that addresses safety, health, and welfare among Malaysian workforces. Furthermore, Act 514 is self-regulated, causing fewer firms to produce OSH codes of practice and recommendations. The research by Ruzita Azmi1, Siti Nur Samawati Ahmad, Bidayatul Akmal Mustafa Kamil concludes that a comprehensive legislative framework and effective policies are necessary, particularly for Malaysia, to support mental health and well-being at the workplace.[500] Occupational stress is viewed as a challenge by employers, and managers must find a strategy to deal with it, as high levels of stress lead to low productivity and other issues with employees.[501]

The Parliament of Malaysia has passed a legislative act known as the Pembangunan Sumber Manusia Berhad Act 2001 (Act 612). The Act provides for the imposition and collection of a human resources levy for the purpose of promoting the training of employees.[502] Section 1(2) states that it will apply to the classes of employers in the industries listed in Part 1 of the First Schedule, which includes the private security services sector.[503]

Employee performance has a significant impact on an organisation's ability to succeed. All employees, regardless of their position, are valuable to the company for which they work. Recognising the importance of worker training, the Malaysian government established the Human Resource Development Council (HRDC) in 1992, which was later renamed Human Resource Development Limited (HRDL) in 2002; employee training is funded through the Human Resource Development Fund (HRDF). One of the key goals is to promote employee skill development, which includes creating, establishing, growing, improving, or maintaining training facilities.[504]

Based on a study conducted by Rahmah Ismail, Zulridah Mohd Noor, and Salma Hamzah, this body provides more structured guidance and encourages employers to be involved in employee training by obligating levy contributions from eligible companies that have a training scheme in place. Based on the number of registered companies and the amount of contributions, the levy has been successfully collected, indicating

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500 Azmi, R., Ahmad, S. N. S., & Kamil, B. A. M (2021). Mental Health Issues At the Workplace: An Overview of Law and Policy in Malaysia and the United Kingdom (UK). International Journal of Law, Government and Communication,

501 Nisha Yadav, U.V. Kiran (2015) Occupational Stress among Security Guards. Journal for Studies in Management and Planning

502 Preamable Pembangunan Sumber Manusia Berhad Act 2001 (Act 612)

503 First Schedule Part 1. B Service Sector (xx) Security services that is the provision of private security services that includes providing guard and patrol, security consultancy, armoured car or providing advice relating to the security of property, personnel, plant and equipment

504 Section 22 (2)(a) Pembangunan Sumber Manusia Berhad Act 2001 (Act 612)

HRDC's success in bringing its mission to improve employee training, which further contributes to national economic growth. Yet, the extent of the opportunity for employees to attend HRDC training and the factors that determine attendance and frequency of training attended are questionable.[505]

It is crucial to upskill and train the employees, as studies show that training programmes generally enhance employees' knowledge, abilities, and productive work habits. The favourable impact of training on employees' job performance and company performance is supported by multiple linear regression analyses.[506] However, the ongoing issue of insufficient manpower in the sector raises doubts about the effectiveness of security guards' training on their mental well-being.

3.21.10Employee Social Security Act 1969 and Industrial Relation Act 1967

The International Social Security Association refers to social security as 'the protection which society provides for its members, through a series of public measures, against the economic and social distress that otherwise would be caused by the stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, unemployment, invalidity, old age, and death; the provision of medical care; and the provision of subsidies for families with children[507].' In Malaysia, the Social Security Organisation (SOCSO), also known as PERKESO (Pertubuhan Keselamatan Sosial), was established in 1971 under the Ministry of Human Resources to provide social security protections to all employees or workers in Malaysia pursuant to the Employee Social Security Act 1969 (Act 4).

Security guards employed by PSCs are protected under this Act. Thus, employers are responsible for making sure contributions are made to the Fund[508] to guarantee that the employee and their dependents are qualified for benefits under the Act. Somehow, an injured employee may still be able to claim damages for an event

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505 Ismail, R., Noor, Z. M., & Hamzah, S. (2013). Determinants of Employee Engagement in Limited Human Resource Development Training (Penentu penglibatan pekerja dalam latihan pembangunan sumber manusia berhad). Jurnal Ekonomi Malaysia,

506 Abd Hair Awang, R. I., Noor, Z. M., & Hamzah, S. (2010). (Impact of Employee Training Program in Hospitality, Information Technology and Communication Sectors) Impak Program Latihan Pekerja Sektor Perhotelan, Teknologi Maklumat Dan Komunikasi. Jurnal e-Bangi

507 Social security: Challenges and issues (SSRC Working Paper Series No. 2014-1). Social Security Research Centre, University of Malaya. https://swrc.um.edu.my

508 Section (6A) defines 'Fund' means the Social Security Fund established under section 68;

that happened while they were employed by the company, even if neither the employer nor the employee made good on their contributions to the Fund. For example, in the case of *Abdul Rahim bin Mohamad v. Modern Steel Engineering and Construction,*[509] the plaintiff claimed damages for an accident that occurred while working with the defendant. The plaintiff was not registered with SOCSO at the time of the accident. The High Court held that the definition of 'insured person' in the Act clearly states that it is no longer a matter of whether an industry or worker is registered or not, as long as the Act applies to that industry. With the decision of the Abdul Rahim case, the decision of *Lian Ann Lorry Transport & Forwarding Sdn Bhd v. Govindasamy,*[510] which required that contributions had been paid to qualify the employee as an insured person, is no longer a good case.

In addition, an accident on the way to or from work is considered to have occurred when the person was employed.[511] The appellant in the case of *Amran bin Ahmad v. Director General, Social Security Organization*[512] works as a sales assistant and is available from 8 am to 5 pm had an accident on the way to work one day around 6:45 am. He acknowledged that on his way to work, he had taken a different route in order to pick up cash from Malayan Banking Berhad. According to a ruling by the Social Security Appeal Board, an employee is able to pick up their pay whenever it is convenient for them, whether that be after work, on their way to work, or at any other time that is allowed. It was determined to go to the bank. The trip to the bank was decided to be 'incidental' to his job. In the case of *Umang AK Antam v. The Director General of SOCSO*[513] the appellant applied for benefits due to the death of his son. SOCSO rejected the application on the grounds that the deceased's death was not the result of an occupational accident that occurred 'during and as a result of employment'. There must be a causal relationship between death and employment. Because section 23 allows the assumption that accidents during work also exist as a result of the job being broken, then SOCSO can bring evidence for the purpose of breaking the

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509 [1999] 5 CLJ 85

510 [1982] 2 CLJ 538

511 Section 24. (1) SOCSO Act defines -An accident happening to an insured person shall be deemed to arise out of and in the course of his employment if the accident happens while the insured person—
(a) is travelling on a route between his place of residence or stay and his place of work;
(b) is travelling on a journey made for any reason which is directly connected to his employment.

512 Unreported.

513 [1999] 1 CLJ 433,

assumption. However, the Appellate Body decided that SOCSO failed to rebut the presumption. Therefore, the deceased's death (as a result of a heart attack) is considered to be a result of his work as a painter.

There are several other schemes under SOCSO[514] where the employee may choose to contribute with different protections. Nonetheless, more than 20 per cent of employers refused to contribute to SOCSO for employees in 2023.[515] Security guards must be aware of their legal rights and entitlements to protection, in addition to any additional schemes they may be considering contributing to for their personal protection and benefits to safeguard themselves and their families in the event of an accident

The recent case of Subramaniam a/l Letchimanan v The United States of America[516] a key Malaysian Federal Court case on sovereign immunity in employment disputes between a local employee with a foreign embassy. This case reflects the protection toward the security guards that served the foreign embassy in Malaysia.

In this case, a Malaysian security guard employed by the US Embassy since 1998 was dismissed without notice in 2008. He claimed unjust dismissal under the Industrial Relations Act 1967, leading to a ministerial referral to the Industrial Court after delays. The High Court quashed the referral, upholding sovereign immunity based on the guard's alleged governmental duties. Somehow, the Court of Appeal reversed this, insisting the Industrial Court first determine if duties were sovereign (acta jure imperii) or commercial. In 2021, the Federal Court affirmed the Industrial Court as the proper forum for fact-finding under Malaysia's restrictive immunity doctrine, prioritizing worker protections and avoiding premature judicial review.

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514 https://www.perkeso.gov.my/en/ (retrieved on 15 Jan 2024)

1. Employment Injury Scheme - The Employment Injury Scheme protects an employee against accident and occupational disease during the employment period.
2. Invalidity Scheme -The Invalidity Scheme provides 24-hour coverage to employee suffering from invalidity or death due to any cause. This means, even if the cause of invalidity and death is unrelated to employment,
3. Employment Insurance System (EIS) -EIS will be deducted separately and not under the SOCSO category. If the employee have been contributing to EIS and lose his job, the employee will get some benefits to help him/her cope and start next chapter of life without much difficulty.

515 https://www.bharian.com.my/berita/nasional/2024/01/1198545/lebih-20-peratus-majikan-culas-carum-perkeso-untuk-pekerja-tahun

516 (2021) 5 MLJ 612

3.21.11Minimum Wage Order

According to the Statistics Department of Malaysia, based on the updated 2019 methodology. The national median poverty line income for households in Malaysia in 2019 was RM2,208 per month (with RM1,169 for food and RM1,038 for non-food expenditures). The amount was calculated by dividing the total number of families in Malaysia by the poverty line income for each household. Henceforth, most of the security guards in Malaysia live below the National Poverty Line Income group. The increase of 30 to 40 per cent of workers now earning less than the poverty level indicates the government's commitment to greater inclusivity.

A minimum wage that is excessively high or above the point at which the market clears would result in a decline in employment and a rise in unemployment. Raising the minimum wage in an environment where low-skilled workers make up a large portion of the jobless population will not be appropriate.[517] The new minimum wage influences their motivation at work and level of satisfaction with their pay significantly. Employee motivation at work, job satisfaction, and perceived quality of life were all highly impacted by their level of compensation satisfaction.[518]

In order to safeguard low-skilled workers and improve their quality of life while reducing poverty, the government has passed a minimum wage law. Through the Minimum Wage Order pursuant to section 23 of the Malaysia National Wage Consultation Council Act 2011 [Act 732], the monthly salary rate payable to the employee in effect from 1 May 2022 must be no less than RM1,500.[519] Employers with fewer than five employees were allowed time to be ready and compelled by law to use the new rate as of 1 January 2023. This implies that firms are required to pay their employees a minimum salary of RM7.21 per hour. The announcement of the new minimum wage sparked differing opinions among labour and business owners.

MOHA authorised PIKM to follow the minimum wage directive.[520] PIKM appealed to the government to delay the implementation of the RM1,500 minimum

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517 Mahyut, S. M. (2013). Minimum wage in Malaysia: The challenge on the implementation of the law. International Journal of Business, Economics and Law,

518 Ahmat, N. H. C., Arendt, S. W., & Russell, D. W. (2019). Effects of minimum wage policy implementation: Compensation, work behaviors, and quality of life. International Journal of Hospitality Management.

519 P.U. (A) 140 Order 4(2) – Minimum wage order 2022

520 PIKM Circular No 14/2022: Minimum Wage Order 2022 (Surat Edaran Pikm Ke-14/2022: Perintah Gaji Minimum 2022) dated 29 April 2022

wage, as many security companies were still not stable, and the raise of minimum monthly pay from the existing RM1,200 to RM1,500 would have a significant negative impact on its members.[521] But the appeal was rejected by the government.[522] Recent complaints have indicated a lack of adherence to the government's order. The Government Contract Workers' Network (Jaringan Pekerja Kontrak Kerajaan or JPKK) received many complaints from security workers and cleaning workers on duty in government buildings, claiming that the contractor would not implement the minimum wage.[523] Despite the government's implementation of the new minimum wage, it is possible that some security guards do not earn the minimum salary because of defiant and profit-oriented employers.

One of a minimum wage policy's goal is to address labour market inefficiencies, boost productivity growth, and lessen poverty and inequality. Although the Malaysian government is rightly concerned about improving the living conditions of the underprivileged and vulnerable, this approach is not the most effective way to combat inequality and poverty. In addition, there are many who would claim that the new minimum wage is inadequate or will lead to an increase in the number of illegal workers.[524] Also, a large portion of the impoverished work in the unregulated informal economy, where earnings are not fixed, or they are unemployed.[525] Ultimately, the introduction of the new minimum wage incentivises businesses to invest in innovative technologies that reduce the need for unskilled labour and extend the value chain. Thus, the effect of the policy's execution despite its noble intentions is debatable.

3.21.12Employees Provident Fund (EPF)

The Employee Provident Fund (EPF) is one of the world's oldest provident funds. Established in 1951, the main role of the fund is to help the Malaysian workforce save for their retirement in accordance with the Employees Provident Fund Act 1991.

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521 https://www.astroawani.com/berita-malaysia/pikm-rayu-kerajaan-tangguh-pelaksanaan-gaji-minimum-rm1500 (retrieved on 17 Jan 2024)

522 https://themalaysianreserve.com/2022/02/10/rm1500-minimum-wage-increase-not-conducive-says-pikm/ (retrieved on 17 Jan 2024)

523 https://www.astroawani.com/berita-malaysia/pengawal-keselamatan-pekerja-pembersihan-sekolah-tidak-dinaikkan-gaji-rm1500-jpkk-364382 (retrieved on 17 Jan 2023)

524 Ling, T. P., Yusof, M. F., Mahmood, N. H. N., & Soon, T. H. (2014). The implementation of minimum wages in Malaysia. Sains Humanika.

525 Ibrahim, N. A., & Said, R. (2015). The implementation of the national minimum wages in Malaysia. Journal of Economics, Business and Management

Provision Section 43(1), the provisions of Section 52,[526] every employee and every employer of a person who is an employee within the meaning of this Act shall be liable to pay monthly contributions on the amount of wages at the rate respectively set out in the Third Schedule. As per the provisions of Section 43(2) of the Act, employers who neglect to make contributions by the 15th of each month may face a maximum sentence of three years in prison, a fine of RM10,000, or both. Employers who withhold EPF contributions from monthly pay without making any actual contributions to the employee's EPF account face a maximum jail sentence of six years, a maximum fine of RM20,000, or both. Employers who withhold employee pay to utilise their portion of the contribution also face penalties.

Larger businesses are subject to harsher sanctions. Section 46 of the Act states that if the director, partners, or association of individuals of the firm fails to make any overdue EPF contributions, the company may be subject to legal action, which might include bankruptcy, asset seizure and sale, or withholding of passports. Even with the severe penalties set forth by the Act, there are still situations in which employers have broken the law by neglecting to contribute to the EPF. Security guards need to be educated about their entitlements and rights and to report their situation if their rights are violated.

3.21.13Workmen's Compensation Act 1952 (Act 273)

Workers' compensation refers to benefits given to an employee or worker and their dependents for injuries sustained while on the job. If an injured worker or dependant of a workman files a compensation claim, the employer is required to obtain workmen's compensation insurance. Such compensation is claimed to have been given to the employer within seven days after the happening thereof, and unless a claim for compensation concerning such accident has been made within six months from the happening of the accident causing the injury, or, in case of death, within six months from the date of the death.[527] Employers are responsible for compensating employees

[526] Section 52 Employees Provident Fund Act 1991
[527] Section 12 Workmen's Compensation Act 1952

who suffer personal injuries due to accidents that occur during the course of their job. This includes any costs related to the workers‘ treatment and rehabilitation.[528]

The Workmen’s Compensation Act 1952 (Act 273) is an act to provide for the payment of compensation to workmen for injury suffered in the course of their employment.[529] With effect from 1 July 1992, Malaysian workers are no longer covered under the Workmen’s Compensation Act 1952, as the local workers are covered under the Employees’ Social Security Act 1969 (SOCSO) (Act 4). Meanwhile, the Workmen’s Compensation (Foreign Workers’ Scheme) (Insurance) Order 1993 covers compensation for foreign workers for both employment injury and non-employment injury. The Act further makes provision for compensation to workmen who suffer from occupational diseases. Compensation for occupational diseases is provided under Section 5 of the Act. This could be crucial during the COVID-19 pandemic, where the security guards were required to perform their duties to safeguard assets and people while the civilians were under a restricted movement order due to the pandemic.

3.21.14Security Guards – Comparison to Licensed Tour Guide

Section 21 of the Tourism Industry Act 1992 (Act 482) provides that persons providing services as tourist guides must be licensed. No one is allowed to act or hold himself as a tourist guide unless he is licensed under Part IV of the Act.[530] Act 27 and the MOHA circulars do not specify any minimal educational requirements for security guards.[531]

The Ministry of Tourism, Arts and Culture Malaysia (MOTAC) has set the Lower Education Certificate (Sijil Rendah Pelajaran or SRP) as the minimum educational requirement for any candidate interested in enrolling in the Level 2 Local Nature Tour Guide Course. MOTAC gives consideration to candidates with less education who have a great deal of experience working in forests and other natural tourist destinations. Candidates must attend and pass the Tour Guide Basic Course Examination in order to be eligible to work as a guide. Upon passing the examination, a letter and a MOTAC Skills Certificate from the Skills Development Department

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528 Section 4 (1) (a) Part II Workmen’s Compensation For Injury - Employer’s liability for compensation

529 Preamble Workmen’s Compensation Act 1952

530 section 21 (2) Tourism Industry Act 1992 (Act 482)

531 Morris M.Kleiner (2000) Occupational Licensing; Journal of Economic Perspectives

through the Tourism Training Institute are awarded. These candidates are then required to attend the We Are the Host (WATH) course by the Tourism Training Institute or the Malaysian Tour Guide Association. Prior to that, any candidate who intends to serve as a tour guide must contact a tourism training institution registered with MOTAC. To get a Permanent Tourist Guide License, guides must complete the Tourist Guide Confirmation Course during their two-year probationary period and earn three certificates in Continuous Tourism Related Education (CTRE). Within two years, six CTRE certificates must be obtained in order to renew the tourist guide license.[532] CTRE exposes tourist guides to the history of the product, tourist attraction, and destination, as well as the idea and difficulties of tour guiding. The knowledge and experience they have received from CTRE improve their information, communication skills, self-confidence, and other attributes to guide their daily duties. However, it should have improved learning activities and well-thought-out guidelines for the organisers.[533]

Stricter regulations upon admission could have a negative effect that can aggravate the situations encountered by the industry since there is currently insufficient labour in Malaysia to serve as security guards. Those who seek to enter the field in the future will have to weigh the greater difficulty of meeting the entrance requirements against the economic benefits of the more dominant nature of the industry. Occupational licensing is thought to have several advantages, the primary one being an improvement in service quality for the clients. However, the drawbacks of this labour market institution include its tendency to limit the pool of available workers for a given job, which raises the cost of both labour and services. For this industry, alternate public policies need to be established.

3.21.15Psychometric Test – should be made a pre-employment compulsory requirement?

The public's concerns over the process of assessing candidates before hiring them as safety guards have been sparked by the instance of a safety guard who killed and sexually assaulted the bookshop supervisor at a Kuala Lumpur school in 2022.[534]

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532 https://motac.gov.my/en/faqs/tourist-guide-course (retrieved on 2 Feb 2024)
533 section 21(1) Tourism Industry Act 1992 (Act 482).
534 https://www.therakyatpost.com/news/2022/03/23/school-security-guard-charged-with-murder-of-bookstore-supervisor-in-cheras/ (retrieved on 29 April 2024)

Parents are now worried about their children's safety in schools, where they are at risk due to another incident in which a security guard is accused of sexually abusing a 13-year-old female student at the school where the guard was on duty.[535] The media has detailed a great many more instances of criminal and sexual misconduct by security guards. Security guards deal with difficulties and stress on the job, which might cause undesirable incidents if they are unable to control their rage. A study's findings demonstrated that private security guards are easily agitated but lack the capacity to handle stress. However, rage can be significantly reduced by training. As stress-coping strategies rose and the training proved successful, anger dropped as well. The study came to the conclusion that frequent training sessions on anger and stress management should be provided to security personnel. [536] Based on a study conducted by Affizal Ahmad and Nurul Hazrina Mazlan of the Forensic Sciences Programme, School of Health Sciences, Universiti Sains Malaysia, Kelantan[537] , Malaysia, security guards who suffer from mental health issues are not completely safe. According to the findings, security guards' mental health issues should be evaluated seriously during the hiring process or while they are carrying out their daily responsibilities to provide a safe and healthy work environment for both the public and the employer.

To lessen the risks, a security guard must pass a psychometric test to be hired. Psychometric testing is used in the domains of work, education, and medicine for a variety of purposes depending on the necessity. It is an established, scientific technique for assessing a person's mental capacity as well as their behaviour to determine human attributes, including their intelligence, personality traits, talents, and issues or disorders. An individual's psychometric testing categories or scores provide an explanation of the traits measured. [538] Psychometric testing is important because a study looked into whether combining it with other hiring methods, like face-to-face interviews and case studies, could make it work better. The candidates' replies to the questionnaire were found to be influenced by a number of circumstances, including time constraints, stress,

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535 https://www.malaymail.com/news/malaysia/2021/01/28/security-guard-charged-with-sexual-assaulting-school-girl-in-kelantan/1944845#google_vignette (retrieved on 29 April 2024)

536 Erçetin, Ş. Ş., Açikalin, Ş. N., Potas, N., Neyişci, N., & Çevik, M. S. (2021). Estimating the training effect through the levels of trait anger, anger expression, and coping with the stress of private security guards. Work.

537 Ahmad, A., 'Identifying types of Mental Health Problems and Aggression among Security Guards: Are they Totally Safe', Psychology and Behavioral Sciences, vol. 2, no. 3, 2013, p. 130.

538 Gregory, J. R. (2011). Psychological testing: History, principles and appplications (6th Ed.).United States: Pearson Education.

limited options, and testing pressure; yet the psychometric results generally reflected their personalities.[539]

Currently, employment as a government security guard requires passing the psychometric exam. Guards in grades KP11[540]and KP 41[541] are hired by the Public Services Commission of Malaysia, or Suruhanjaya Perkhidmatan Awam (SPA), a government body. The SPA has stipulated that a candidate must pass the psychometric exam in order to be hired.[542] Nonetheless, the psychometric exam is not compulsory for a private security guard. Due to this loophole, the criminal and sexual misconduct committed by private security personnel, as reported by the media, seems to be rampant, and the public is exposed to risk.

3.21.16Private Security Services and Industrial Revolution 4.0 (IR 4.0)

IR6.0 is described as a paradigm shift beyond previous industrial revolutions, integrating advanced AI, robotics, and human ingenuity to create highly efficient, personalised, and sustainable manufacturing processes. Key features include hyperpersonalisation at scale, advanced AI and machine learning enabling autonomous decision-making, seamless human-robot collaboration, and a strong focus on sustainability with closed-loop systems and renewable energy. Technologies such as the Industrial Internet of Things (IIoT), edge computing, digital twins, augmented and virtual reality, and blockchain will play crucial roles in this evolution.[543] While the

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539 Erçetin, Ş. Ş., Açikalin, Ş. N., Potas, N., Neyişci, N., & Çevik, M. S. (2021). Estimating the training effect through the levels of trait anger, anger expression, and coping with the stress of private security guards. Work.

540 Security Guards carry out security control duties of government assets involving physical security, documents and personnel in buildings and premises government including areas declared as Regions Prohibited and Prohibited Places under the Prohibited Areas and Places Act Prohibition 1959 (Act 298https://www.interactive.jpa.gov.my/ezskim/huraiankerja/HuraianKerja/K/3PK04.pdf (retrieved on 30 April 2024)

541 Responsible for advising, monitoring and enforcing laws, regulations and directives on security protection to government agencies and important targets as well as restricted areas and places prohibitions include the relevant private sector to maintain and improve the level of physical security, document, personal, security ICT protection with the aim of protecting assets and official secrets from various forms of security threats. - https://www.interactive.jpa.gov.my/ezskim/huraiankerja/HuraianKerja/K/3LK15.pdf -)

542 https://www.spa.gov.my/spa/en/ (retrieved on 29 April 2024)

543 https://atmecs.com/vision-for-industry-6-0-the-convergence-of-ai-robotics-and-human-ingenuity/ (retrieved on 4 April 2025)

world is beginning to embrace IR6.0, which represents a more advanced and transformative stage of manufacturing, Malaysia is currently still in the phase of 4IR.

The widespread application of highly sophisticated technological equipment and the rapid development of robotics have not spared the private security services. The private security service must accept and adjust to the usage of these tools and recruit workers with advanced capabilities to manage IoT. Thus, access to efficient communication tools is the most significant indicator of contractors‘ awareness of IoT advancement. [544] Unfortunately, the primary obstacle to implementing IoT in Malaysia's construction sector is a shortage of competent labour that has knowledge and expertise in utilising IoT technology, as well as a lack of programs and training to advance workers‘ professional abilities.[545] Employees' understanding of the benefits of using advanced technology equipment to lighten their workload and address several problems is relatively high. They are aware that information and communication technology (ICT) knowledge and skills are important, but they still need support from their employers, the government, their peers, and others to advance their careers, particularly in light of Industry 4.0's challenges.[546] The private security sector has started implementing IR 4.0, and PSCs are starting to incorporate cutting-edge equipment into their regular business operations.

Clear legislative restrictions by the government are required to ensure that private security businesses do not misuse such modern equipment that can jeopardise national security. Comprehensive training regulations are essential to ensure that advanced equipment is used properly and effectively. The study by Londiwe Caluza concluded that the regulator needs to create training standards tailored to the needs of the industry. The research also emphasises how security equipment needs to be regulated because an increasing number of security companies are implementing these new technologies. The use of this equipment must be controlled since it handles extremely sensitive personal data. A number of industry recommendations are given in

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544 Khouluddin, W. M. I. W. M., Omar, R., Masrom, M. A. N., & Wee, S. T. (2023). The Development of the Use of Internet of Things (IoT) in the Construction Industry in Malaysia: Contractors‘ Perception (Perkembangan Penggunaan Internet of Things (IoT) Dalam Industri Pembinaan Di Malaysia: Persepsi Pihak Kontraktor.) Research in Management of Technology and Business,

545 Zakaria, Z. F., & Yahya, M. Y. (2023). Challenges of Using Internet of Things (IoT) Technology in the Construction Industry in Malaysia (Cabaran Penggunaan Teknologi Internet of Things (IoT) Dalam Industri Pembinaan di Malaysia.) Research in Management of Technology and Business,

546 Sulaiman, N., Kaswan, N. A. A., & Saukani, N. (2022). The Influence of the ICT Knowledge and Skills of Low-Skilled Workers on Industry 4.0: A Study on Malaysia's Service Sector. Sains Humanika,

the report; these include adopting other organisations' best practices for regulation in the 4IR and creating standards for the regulation of security devices.[547]

3.21.17Use of Drone in the Private Security Services

In recent years, drones have gained popularity in a number of developed nations. A drone is an advanced unmanned aerial vehicle capable of taking 'bird's-eye-view' pictures and videos. Drone use is relatively new in developing nations like Malaysia. A study shows that the state of drone application development in Malaysia is still at the infancy stage. In order to fully utilise drone approaches in Malaysia, there is a need to harmonise measuring procedures, retrieval algorithms, processing and evaluation techniques, and to assure the implementation's sustainability and resilience to determine future directions, applications, developments, and problems.[548]

Drone technology is advancing quickly and is being applied extensively in a variety of industries, including the construction industry. Their use can reduce labour usage, save time, and produce accurate results. The traditional progress monitoring method of large-scale projects is costly and time-consuming. According to some research, drones can be a more affordable way to monitor areas since they reduce the need for human participation. As a result, using drones to monitor the progress of building projects is considered an alternative. However, there are additional external cost factors that can impact drone adoption.[549] In addition, technical knowledge is the most common challenge. To overcome the obstacles, the authorities or the corporation must provide adequate planning and training, necessitating initiative to address the issues at hand.[550] Despite widespread awareness of the benefits of deploying drones, the Malaysian construction industry remains resistant to change.[551]

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547 Caluza, L. A NEW DAWN: The Impact of the 4IR on South Africa's Private Security Industry. Private Security Industry Regulatory Authority .

548 Ab Rahman, A. A., Jaafar, W. S. W. M., Maulud, K. N. A., Noor, N. M., Mohan, M., Cardil, A., .. & Naba, N. I. (2019, July). Applications of Drones in Emerging Economies: A case study of Malaysia. In 2019 6th international conference on space science and communication (IconSpace). IEEE.

549 Nor, N. S. M., & Ayob, M. F. (2022) Investigation on Cost of Applying Drone in the Construction Monitoring Progress in Malaysia. E-Proceeding

550 Omar, M. R., Masrom, M. A. N., Mohamed, S., & Ahamad, J. (2022). Reviewing Challenges of Drone Technology Application Amongst Contractor G7. Research in Management of Technology and Business, 3(2), 599-611.

551 Soon, T. K., Teng, N. C., Wei, N. T., Tiong, C. C., Mukhlas, N. A., & Shah, M. S. A. (2024). Challenges And Barriers For Unmanned Aerial Vehicle (UAV) Implementation In Malaysian Infrastructure Projects. Asean Engineering Journal, 14(1), 237-243.

With a few minor adjustments, the private security services sector should apply the strategies used by the construction industry in the use of drones to improve the standard of services offered. Drones provide a cost-effective means of obtaining high-resolution images over relatively wide areas, thereby bridging the gap between field observations and remote sensing. However, the industry's top concern is the lack of qualified personnel to operate drones. To address this fundamental problem, the government, industry, and all stakeholders should collaborate closely and provide sufficient training through appropriate public or private organisations. In the future, drones will be a part of the monitoring operations of PSCs that can be considered to offer clients flexible services. [552] Thus, stakeholders in the industry must begin developing the pool of qualified drone operators in order to meet the demand.

3.21.18Effectiveness of the Occupational Safety and Health Act (OSHA) 1994

OSHA 1994 makes further provisions for securing the safety, health, and welfare of persons at work and for protecting others against risks to safety or health in connection with the activities of persons at work. Section 15 is one of the most important sections in the Act. It states the general duties of employers and self-employed persons to their employees. It shall be the duty of every employer and every self-employed person to ensure, so far as is practicable, the safety, health, and welfare at work of all their employees. However, there are no standard guidelines for building a security guard base. They are commonly dilapidated huts, as there is no statutory requirement for a suitable guardhouse to be constructed. It is the employer's responsibility to make sure the security guards' workspace is suitable for preserving their health, safety, and welfare.

3.21.19Legal Requirement for Construction of Guardhouse

Most residents choose to live in GACOS concept housing because of safety a sense of peace, and the low rate of criminal cases in residential areas, which is achieved by controlling the flow of outside community members.[553] The decision to live in a

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552 Dobre, V. (2017). Internet of Things: Challenges and Opportunities for Private Security Perspective. Business Information Technology. Oulu University of Applied Sciences

553 Yaacob, M., & Wen, T. P. (2021). Effects of Gated and Guarded Community Development (GACOS) from Social Aspects: Occupant and Non-Occupant Perspectives (Kesan Pembangunan

guarded area is motivated by the need for community, privacy preservation, and security, instead of their reputation or the status of the neighbourhood.[554] In 2019, a guideline known as the Guidelines for Planning and Establishing A Guarded Community Scheme (Non-Strata Housing)[555] was introduced by the Town and Country Planning Department of the Ministry of Housing and Local Government. These guidelines outline control measures and conditions to help the residents' association in residential areas of individual ownership (not strata), existing or new, in establishing community schemes that are guarded (Guarded Community). These guidelines will also help the local authority (Pihak Berkuasa Tempatan or PBT) and technical agencies in planning and regulating the operation of the guarded community within the area of their respective administrations. It's ironic that the criteria specified the maximum rather than the minimum size of the guardhouse that might be constructed inside the gated community. The guidelines specified that the size of the guardhouse shall not exceed 1.8 meters x 2.4 meters. GACOS strengthens the Gated and Guarded Community Planning Guidelines in Malaysia. Regulators ought to demonstrate greater concern for the welfare of the security guards by enforcing explicit legal requirements that all parties involved must abide by regarding the minimal standard of the guardhouses that must be constructed in order to guarantee the security guards' well-being within the bounds of the law.

3.21.20Public-private Partnership (PPP) and the Private Security Services

A public-private partnership (PPP) is an agreement between the public and private sectors to share risks, rewards, and expenses for a particular project. It also involves the public and private sectors working together on education initiatives at the same time. Under PPP, businesses, foundations, non-governmental organisations, academic institutions, and citizens collaborate with public sector organisations (federal, state, or local) to form a business partnership aimed at achieving a shared objective while also advancing the personal goals of each partner. Every party acknowledges that

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Komuniti Berpagar dan Berpengawal (GACOS) dari Aspek Sosial: Perspektif Penghuni dan Bukan Penghuni). Research in Management of Technology and Business, 2(1), 1305-1318.

554 Alauddin, S., & Ooi, S. K. (2016). Social Well-Being In Urban Life: The Perfsepctive Of Guarded Neighbourhood Residents. Kesejahteraan Sosial dalam Kehidupan Bandar: Perspektif Penghuni Kejiranan Berpengawal SARJANA:, 31(1), 55-69

555 https://mytownnet.planmalaysia.gov.my/ver2/gp/GPP_SKIM_BERPENGAWAL.pdf (retrieved on 15 May 2024)

each has a distinct role and voice in how the programme is implemented and that they will collaborate to carry it out.[556]

PPPs are essential to improving national security through technology to tackle complicated security issues by allowing the sharing of resources, knowledge, and intelligence. PPPs facilitate information sharing between the public and private sectors, improving situational awareness of possible dangers. This partnership makes it possible to jointly analyse security risks, especially in cybersecurity, where both industries can exchange knowledge about new threats and weaknesses. For example, by utilising one another's assets and capabilities, successful collaborations can assist governments and corporations in creating strong defences against cyber threats, as mentioned in a number of sources. In addition, PPPs can improve both sectors' capacities by combining resources without necessitating a sizable increase in expenditure from either party. While commercial organisations obtain access to government infrastructure and assistance, governments can profit from the operational efficiency and technical advancements provided by private businesses. This collaboration is especially noticeable in the security of vital infrastructure, where private companies offer their knowledge of complicated system management.

PPPs can offer a flexible response structure that enables prompt action against security risks during emergencies. These collaborations improve overall national resilience by facilitating the quicker mobilisation of resources and knowledge during emergencies by creating clear communication channels and protocols between public and private organisations. Innovation in the commercial sector frequently drives the integration of cutting-edge technologies. PPPs promote the use of cutting-edge technology in security operations, including data analytics, machine learning, and artificial intelligence. These technologies lower the costs of conventional labour-intensive approaches while improving operational efficiency and predictive capacities.

In education, PPPs are common in both rich and developing nations. PPPs are frequently viewed by governments as a means of enhancing the affordability, accessibility, or quality of their educational system.[557] Micro-level research indicates

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556 Blagescu, Monica and John Young. 2005. Partnerships and Accountability: Current Thinking and Approaches among Agencies Supporting Civil Society Organisations. London: Overseas Development Institute.

557 Aslam, M., Rawal, S., & Saeed, S. (2016). Public-Private Partnerships in Education in Developing Countries. Ark Education Partnerships Group.

that PPPs in education have the ability to boost enrolment and meet the growing demand for education, but that their influence on educational outcomes seems to be highly dependent on the specifics of the institutions involved and the scope of the programs under consideration. In addition, PPPs make educational systems more socioeconomically and ethnically divided.[558] PPPs help create a more skilled workforce capable of addressing both traditional and emerging security challenges by facilitating capacity building through training programmes and knowledge sharing to ensure security guards are equipped to handle modern threats effectively.

The Selangor and Wilayah Industrial Security Society (SWiSS) is a non-governmental organisation. It has taken a bold step by collaborating with private and public higher education institutions to increase the level of professionalism among security guards in Malaysia. Universiti Teknologi MARA (UiTM), a public university, through UiTM-PDRM Police Academy (AKP), on 25 September 2023, signed a Memorandum of Understanding (MoU) with SWiSS in cooperation to develop the national security industry. This represents a significant milestone in the effort to transform the industry and enhance the well-being, safety, and security of the people.[559] The signing of the MoU between the private company and the public institution ought to be regarded as a PPP. Given that PPPs in education are an effective strategy, UiTM and SwiSS's bold approach is commendable. More and more research points to PPP in education as a successful tactic for raising the quality of basic education in developing nations The cooperation between UiTM and SwiSS produces results is what gives the PPP its worth. As a result of risk transfers, the private partner must accept the appropriate incentives that include whole-life costs.[560]

New security solutions that are suited to a particular country's needs might also result from collaborative efforts. PPPs can be used by governments to establish legal frameworks that uphold national standards while encouraging best practices in security management. Governments can create legislation that reflects the realities of contemporary security threats and promotes the adoption of new technologies by

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558 Fabre, A., & Straub, S. (2019). The economic impact of public private partnerships (PPPs) in infrastructure, health and education: A review. Toulouse School of Economics.

559 https://www.sinarharian.com.my/article/280915/berita/semasa/akp-uitm-swiss-tandatangan-mou-kerjasama-bangunkan-industri-keselamatan (retrieved on 29 Feb 2024)

560 Barros, P. P., & Monteiro, R. S. (2016). Public–Private Partnerships. In World Scientific Handbook of Global Health Economics and Public Policy: Volume 3: Health System Characteristics and Performance

including private players in the policy-making process. To improve national security through technology, public-private collaborations are crucial. These collaborations greatly enhance a country's capacity to handle complex security issues by encouraging cooperation, exchanging intelligence, maximising resources, developing expertise, facilitating quick reactions, encouraging innovation, and creating efficient regulatory frameworks. PPPs will play an ever-more-important role in defending national interests as dangers in the digital age continue to change.

3.21.21 Continuous Professional Development Programme for Security Guards

Improving professional work requires professional development. The nature of a profession and the organisational structures supporting employees' professional growth are particularly relevant to the idea of professional development. Various strategic management patterns that support the sorts of professional development activities have been undertaken by police personnel.[561] Meanwhile, security guards must complete systematic, ongoing training provided by PIKM and endorsed by MOHA to make sure they are equipped to carry out the tasks that are delegated to them correctly.[562,563] Security guards in service need to receive systematic, ongoing training to keep up with the latest advancements in the field. A study by Cobbina, Nalla, and Bender concluded that the security guards firmly believe that regular and standardised training is needed because they are not sufficiently trained to carry out their duties.[564]

When comparing the roles played by police officers and security guards in maintaining public safety, it becomes evident how important it is for professional development programmes to be implemented and practiced in the sector in order to generate security guards who are more capable and charismatic. To improve their skills, competence, and effectiveness in protecting businesses and communities, security guards need to engage in continuous education and training. As of now, the regulator has not implemented any regulatory requirements that would make the post-

561 Kohlström, K. (2022). Professional development in the Swedish police organization: Police officers' learning pathways. Human Resource Development Quarterly, 33(4), 339-359.

562 Lim, S. S., & Nalla, M. K. (2014). Attitudes of private security officers in Singapore toward their work environment. Journal of Applied Security Research, 9(1), 41-56.

563 Cobbina, J. E., Nalla, M. K., & Bender, K. A. (2016). Security officers' attitudes towards training and their work environment. Security Journal, 29, 385-399.

564 Lim, S. S., & Nalla, M. K. (2014). Attitudes of private security officers in Singapore toward their work environment. Journal of Applied Security Research, 9(1), 41-56.

employment continuing professional development plan mandatory for security guards. The individual companies are allowed to choose whether to offer their staff upskilling or refresher courses.

3.21.21.1 Upskilling and Reskilling of Workforce

The obstacles that employees in every industry face on the job today differ from those they encountered a few years ago. The swift changes in communication styles and the speed at which technology is developing have affected how well employees perform at work and how they handle problems that arise in the course of their workday. Workers, including security guards, need to be trained to keep up with the rapid advancement of infrastructure and sociocultural shifts in society. All stakeholders must play a role in ensuring that employees are provided with the latest knowledge related to their work to enable them to do their work more effectively and systematically for optimal results. The acquisition of skills through adult education is essential for providing people with the know-how to meet the ever-changing needs of the modern workforce. Through establishing inclusive, efficient ecosystems for lifelong learning that promote a culture of lifelong learning, people can adapt to and flourish in a complex, uncertain, volatile, and ambiguous global environment.[565]

Organisations with the means to equip their staff with the necessary skills in this era of advanced technology will ultimately benefit businesses and employees alike. They must implement a systematic upskilling plan to identify skills gaps, tailor training initiatives to individual needs, and utilise technology for efficient learning processes.[566]By upskilling employees, companies can increase productivity, improve staff morale, boost employee retention, and create a culture of continuous learning within the organisation. An organisation can improve employee capacities and have a fully trained and developed workforce by retraining or upskilling its staff. Compared to hiring and training new employees, reskilling and upskilling require less cost. It enhances retention in addition to raising revenue for the company. It is more important

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565 Lim, Zhi Yong, Jun Hong Yap, Joel Weijia Lai, Intan Azura Mokhtar, Darren J. Yeo, and Kang Hao Cheong. 2024. 'Advancing Lifelong Learning in the Digital Age: A Narrative Review of Singapore's SkillsFuture Programme' Social Sciences 13, no. 2: 73. https://doi.org/10.3390/socsci13020073

566 https://www.forbes.com/sites/johnhall/2023/02/24/why-upskilling-and-reskilling-are-essential-in-2023/?sh=19ac30904088 (retrieved on 31 March 2024)

than ever for employees to ensure that their current skills remain applicable in the workplace, as technology is always advancing and driving change.[567] A study conducted by JE Cobbina, MK Nalla, and KA Bender shows that even security guards strongly believed that regular and standardised training was necessary and that they were not sufficiently trained to carry out their duties.[568] Employers who provide their staff with current knowledge concerning their work may be able to lower the percentage of workers quitting their jobs because they are unable to carry out their duties effectively, since they are not receiving the appropriate knowledge from them. The trade unions‘ demand for further training is therefore justified. Investing in upskilling programs ultimately improves the company's overall performance and competitiveness in the sector while also benefiting personnel by offering growth opportunities.

To meet the market demands, businesses require competent personnel. Globalisation and the use of advanced technology to support tasks that are mostly currently performed by humans have caused most employment to change over time. Artificial AI, in particular, has the potential to further revolutionise those roles through technology. The security guards must be trained to embrace the current development. The outdated regulatory framework that was initially implemented in New Zealand thirty years prior was ultimately overhauled in 2011 with the Private Security Personnel and Private Investigators Act (2010). The Act stated that by guaranteeing security, workers would subsequently be appropriately certified, it would boost standards, lower risk, and improve the industry's damaged brand. Of all the modifications implemented to achieve these goals, the inclusion of required training was undoubtedly the most significant. The Act's primary goals have been met now that it is obligatory.[569] It is evident that the ongoing training for security guards will improve their skills, strengthen industry standards, reduce risk, and repair the industry's tarnished reputation. Similar provisions should be implemented by Malaysia's regulator for the benefit of the industry, which is facing imminent challenges.

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567 Chakma, S., & Chaijinda, N. (2020). Importance of reskilling and upskilling the workforce. วารสาร สห ศาสตร์ ศรีปทุม ชลบุรี, 6(2), 23-31.

568 Cobbina, J. E., Nalla, M. K., & Bender, K. A. (2016). Security officers' attitudes towards training and their work environment. Security Journal, 29, 385-399.

569 Bradley, T. (2021). 'safe' and 'suitably qualified': Professionalising private security through mandatory training: A New Zealand case study. International journal of comparative and applied criminal justice, 45(2), 175-188.

3.21.21.2 Reskilling of Security Guards to Stay Relevant

Retraining employees is crucial to promoting inclusive growth and sustainability for the company and its members. Technology is evolving rapidly, transforming the growth of organisations globally, with automation and artificial intelligence serving as the primary drivers of digital transformation. Thus, PSCs should retrain or upskill their current workers to ensure they have the skills needed for the future and remain competitive in the market.[570] For example, PSCs should stay up-to-date with the latest and most advanced technologies and retrain their security guards to adapt to the changes in the sector.

3.21.21.3 The Government's Role in Upskilling and Reskilling Employees

Upskilling and reskilling workers to close the skills gaps, meet the changing needs of the workforce, and ensure they are not left behind by technology improvements is a critical role played by employees, businesses, and governments. In order to promote economic growth, increase worker productivity, and guarantee that people have the skills necessary to prosper in a labour market that is changing quickly, the government must play a crucial role in helping employees reskill and upskill. The Human Resources Ministry implements upskilling and reskilling programmes to create a highly competent, knowledge-based workforce through the entities under its purview, such as the Human Resources Development Corp (HRD Corp). In order to solve systemic problems and get Malaysian workers ready for the future of work, the government also established the National TVET Council. The government's commitment to improving the resilience and skill set of Malaysia's workforce in order to meet the needs of the changing economy is reflected in these projects.[571] Nonetheless, programmes to retrain and upskill security guards should not be denied from the private security industry. The security guard trade union and PIKM must take proactive measures to ensure that the initiatives of the Ministry of Human Resources are beneficial to the private security industry.

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570 Sasmita, N., & Kumar, R. H. (2018). Exigency of re-skilling for organization and employees growth. International Journal of Business, Management and Allied Sciences, 3, 65-67.

571 https://www.mohr.gov.my/index.php (retrieved on 1 April 2024)

3.21.22 Technical and Vocational Education and Training (TVET) and private security services in Malaysia

Having qualified people who can operate sophisticated equipment guarantees that Malaysia keeps up with the rapid advancement of technology. Malaysia must persist in coordinating with various affiliated entities to carry out human capital development.[572] ILO projects that by 2030, 395 million more individuals will enter the labour force in Asia, making up two-thirds of the world's workforce.[573] To keep up with the rapid advancement of technology, the education system must be used systematically in order to produce individuals who are competent in the use of modern, sophisticated technology. In line with the Malaysian government's aspiration to become a developed country by 2030[574] and reduce its dependence on foreign labour in many sectors,[575] including the security guard industry, it is necessary to provide a group of workers who are trained and skilled in using the latest modern and technological sophistication. To close the current disparity between supply and demand across a range of industries, especially those propelling economic development, Malaysia requires highly trained human resources. The government has concluded that one of its primary options for supplying highly skilled labour and one of the primary driving forces of the economy for Malaysia to become a high-income country is the TVET. The study by Mohamad Sattar Rasul, Zool Hilmi Mohamed Ashari, Norzaini Azman, and Rose Amnah Abdul Rauf acknowledges the efforts made to enhance the sector on a continuous basis through the TVET transformation programs; however, in order to optimise the operating and delivery system, it is crucial to systematically address the governance issues that the major stakeholders are facing.[576]

Malaysia acknowledges TVET as a crucial career option.[577] To maximise employment possibilities and support sustainable economic growth, TVET must concentrate on building top-notch infrastructure, industry-driven curriculum, pertinent

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572 Hassan, R., Foong, L. M., & Ismail, A. A. (2019). TVET in Malaysia. Vocational Education and Training in ASEAN Member States: Current Status and Future Development, 109-132.

573 https://www.ilo.org/global/research/global-reports/weso/WCMS_865332/lang--en/index.htm

574 https://www.malaysia.gov.my/portal/content/30901

575 https://theedgemalaysia.com/article/state-nation-malaysias-continuous-struggle-foreign-labour

576 Rasul, M. S., Ashari, Z. H., Azman, N., & Rauf, R. A. (2015). Transforming TVET in Malaysia: Harmonizing the governance structure in a multiple stakeholder setting. The Online Journal for Technical and Vocational Education and Training in Asia, 4(2), 1-12.

577 https://unevoc.unesco.org/wtdb/worldtvetdatabase_mys_en.pdf

and futuristic knowledge, skills, and talent needed for the occupations of the future.[578] The direction of employment and industrial practices should be the main emphasis of TVET in this country, according to the Malaysian Ministry of Education (KPM). By emphasising practical components, psychomotor skills, and exposure to industrial training, the goal is to produce a competent workforce. The KPM's explanation of focus is in accordance with the principles set forth by the United Nations Educational, Scientific, and Cultural Organisation (UNESCO), which prioritises education, training, and skills pertaining to the production, services, and livelihood sectors as well as the sphere of employment in general.

TVET is viewed as a component of the lifelong learning system, which includes professional development, job-based learning, and ongoing training that leads to a particular degree of qualification. The research conducted by Nor Asfarul Lail Azwan Haris and Nor Maizura Ibrahim[579] demonstrated that the respondents had five impacts as a result of lifelong learning based on TVET activities. Gained effects include improved communication, fresh information, self-assurance, facilities, and degree of concentration. However, TVET programmes offered in Malaysia do not include private security services. To enable private security guards to carry out their jobs more effectively, it is imperative that they possess particular characteristics, which they may gain from the programme.[580] In addition, there are misconceptions and stigmatisations about TVET, leading to a low enrolment rate among students seeking to advance their studies in this field. This misconception has led to a negative perception of TVET as a viable educational pathway and a secondary option.[581] Aggressive steps to remove the stigma and bad view of TVET in Malaysia, all major players in the field should be developed and implemented with good strategic planning.[582] Thus, the private security

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578 https://www.mida.gov.my/mida-news/a-world-class-tvet-will-attract-fdi/

579 Hassan, T. S. (2020). Empowering TVET Malaysia through the role of MyRIVET. Malaysian Vocational Education and Training Research Institute (MyRIVET) Ministry of Higher Education Malaysia Memperkasa TVET Malaysia melalui peranan MyRIVET. Institut Penyelidikan Pendidikan dan Latihan Vokasional Malaysia (MyRIVET) Kementerian Pengajian Tinggi Malaysia

580 Haris, N. A. L. A., & Ibrahim, N. M. (2019). The Impact of Technical and Vocational Education and Training (TVET) Under the Lifelong Learning (LLL) Programme of Langkawi Tourism Academy@ Kolej Komuniti Langkawi Towards the Adolescents with Disabilities (PWD) With Learning Difficulties. Affirmation of The Identity of Special Education Science to Support the Implementation of Inclusive Education, 400.

581 Md Yusoff, R., Harun, A., & Munzir, A. (2020). Tvet in Malaysia: Capabilities and challenges as viable pathway and educational attainment. Journal on Technical and Vocational Education, 5(1).

582 Haslinda, Abd., Hamid., Nor, Asfarul, lail, Azwan, Haris., Mohd, Faizul, Hassan. (2023). Shades of Gray TVET in Malaysia: Issues and Challenges. International journal of academic research in business & social sciences, 13(6) doi: 10.6007/ijarbss/v13-i6/16747`

guard industry has to be strengthened through formal technical education and training, and this is what policymakers and stakeholders should recognise as a demand at this juncture.

3.21.23Only Nepalese to Serve as Security Guards in Malaysia

Every Gurkha soldier is a native of Nepal. There are numerous Gurkha recruitment offices in Nepal, including one in Pokhara. In Pokhara, Nepal, there are many active-duty Gurkha soldiers and a significant number of retired ex-Gurkha warriors, also known as Gurkha veterans. Most of these veterans belong to the Matwali castes, which consist of alcoholic Mongolian ethnic groups, including Gurungs, Magars, and Takhalis. Healthy and intelligent Matwali boys are trained in martial arts and basic English in those Gurkha centres. Gurkha troops are then chosen and adopted into a brotherhood amongst Gurkha veterans so they can grow to forge links between the British Empire and other countries. It might be further feasible to think that the ties made by Gurkha veterans might connect the need for foreign workers in emerging countries with the need for jobs in developing countries throughout the former British Empire.[583]

Historically, the British army used Gurkhas for their exceptional fighting skills. Following the Anglo-Nepalese War of 1814–1816, British officers were impressed by the bravery and perseverance of Gurkha soldiers, which led to the recruitment of Gurkhas into the British Army. Gurkhas were subsequently recruited into the British Crown's armed forces as a result, first working under contract for the British East India Company and then joining the British Indian Army.[584] The Gurkhas are well known for their courage, fighting prowess, and devotion to the British Crown throughout the entire world.[585] They are fiercely regarded as excellent soldiers. They have earned the title 'bravest of the brave.' Their credo is 'It's better to die than live a cowardly life.'[586] In their service under numerous foreign rulers, Gurkhas had already demonstrated their extraordinary commitment to duty, extremely high standards of honesty and integrity,

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583 Yuji, Y. (2011). Preliminary Research on Nepalese Immigrant Workers in Penang: Gurkha Veterans' Connection for Oversea Nepalese Workers.

584 https://www.army.mod.uk/who-we-are/corps-regiments-and-units/brigade-of-gurkhas/gurkha-history/ (retrieved on 19 March 2024)

585 Wohl, E. (2013). From Pokhara to Kandahar: The Two Hundred Year Journey of the Force That Made Nepal Famous.

586 Rand, G. (2011). ' Bravest of the brave': the making and re-making of 'the Gurkhas', 1857-2009.

and most importantly, their unwavering allegiance to their commanders.[587] It is for these reasons that only Nepalese ex-soldiers should be employed as security guards in Malaysia, since the Gurkhas are said to have sacrificed for Malaya during the war-torn period.[588]

Para 2 of MOHA Circular No. 2 (2006) stipulates that only ex-soldiers from Nepal are permitted to be recruited as security guards in Malaysia. The government regulation permits security services companies to engage only Nepalese ex-soldiers, particularly for security guard roles. This legislation seeks to improve the quality and professionalism of security services by regulating the security guard industry and ensuring that people with military experience, such as ex-soldiers from Nepal, are employed in this field. To be eligible for consideration in the application to renew their business license, PSCs that employ Nepalese must ensure that by the end of 2024, at least 20 per cent of Nepalese citizens who have not yet completed the TNG training are employed, with this requirement applying to both companies employing 101 security guards and those employing fewer than 100.[589]

3.21.24The Ugly Truth about Nepali Security Guards in Malaysia

The Malaysian government's legal requirements specify that only Nepalese who have previously served in the Nepalese military forces can serve as security guards in Malaysia. However, some labourers or farmers from remote areas in Nepal end up working as security guards for PSCs as a result of poor implementation of the regulators' guidelines, a lack of proper assessment by the appropriate authorities, or a lack of integrity. The fundamental characteristics of integrity and ethics are trust, openness, accountability, and devotion to the public interest. Integrity and ethics in the workplace and organisation involve good deeds performed at work and are directly tied to religious teachings and human responsibility. Integrity and ethics in the workplace go beyond an individual's involvement in meeting their personal requirements.

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587 Tiwary, V. K., & Tiwary, V. K. (2009, January). The recruitment of the Gurkhas in the British army, their role in British Empire. In Proceedings of the Indian History Congress (Vol. 70, pp. 802-813). Indian History Congress.

588 Kadir, A. (2019). Gurkhas sacrificed for Malaya Gurkha berkorban untuk Malaya. UKM Learning and Research Repositor

589 MOHA directive letter dated 29 Feb 2024 (KDN K.S. 700-3/1/14(12)

Administrative malpractice and misbehaviour within the organisation will arise from the civil servants' declining regard for integrity.[590]

According to Andy Hall[591], a UK-based human rights activist, researcher, and investigator, some of the most mistreated, exploited, and abused at-risk workers in Malaysia are security guards from Nepal. Nepalese workers migrate mostly because of the country's lower income, job creation rate, and earnings rates compared to Malaysia. A further factor in determining the decision to migrate labour is the impact of social networks on labour migration costs.[592] Due to excessive and extortionate recruitment-related fees and costs levied against them in their villages in Nepal by local agents collaborating with Malaysian security guard agencies and Malaysian manpower agencies that are essentially unregulated, these youthful guards frequently find themselves in debt bondage situations. In his investigation, Hall found that undoubtedly, in Malaysia, Nepali security guards are frequently subjected to systemic forced work in affluent residences, embassy buildings, retail centres, and upscale stores located in the nation's capital. An article titled 'Nepali Guards in Malaysia: A Unique Market Without Profit' on the Nepalese website ekantipur.com sparked outrage over the mistreatment of Nepalese security guards in Malaysia. Among other things, the article in Nepalese stated that because the hiring process is opaque, Nepalese security guards in Malaysia put in 12 hours a day of labour without receiving the required minimum wage or overtime.[593]

3.21.25Private Security as 3rd Line of Defence- Is It the Right Move?

Para 7 of MOHA Circular for Private Agencies (1/2010) indicates the ministry believes that the ownership of shares by citizens is to ensure that safety remains in the hands of Malaysians. The goal behind the establishment of private agencies is to act as a third line of the national defence. In certain circumstances, the services of private

590 Arifin, M. A. M., & Ahmad, A. H. (2016). The importance of culture of integrity and work ethics in organizations in Malaysia: A general survey. Kepentingan budaya integriti dan etika kerja dalam organisasi di Malaysia: Suatu tinjauan umum. Geografia

591 Hall, A. (2023, January 10). Time to accord Nepalese guards respect they deserve for their sacrifices in Malaysia. Focus Malaysia. focusmalaysia.my

592 Sharma, Dhruba Prasad. 'system Dynamic Study of Nepalese Labors Migration Trend to Malaysia.' Master's thesis, The University of Bergen, 2017.

593 https://andyjhall.org/2023/01/10/http-andyjhall-org-2023-01-10-10th-jan-2023-time-to-accord-nepalese-guard-respect-they-deserve-for-their-sacrifices-in-malaysia/

agencies can be used by the government. First responders have to be more than just members of the security services or law enforcement. Private security guards, who manage entrance to the numerous establishments that people visit daily, are the first line of defence. Whenever it comes to efforts to identify anomalous or unusual activities, private security guards are the people on the ground.[594] One of the most significant roles that private security plays in society at large is in preventing crime.[595] A study by D.G. Steenkamp and P.J. Potgieter demonstrated how beneficial private security guards are at preventing crimes.[596] Thus, stakeholders and members of the public must recognise the substantial role that the private security guard sector plays in preventing crime.

3.21.26Security Guards as the First Line of Defence

Security guards are essential resources during emergencies, helping with crisis management and emergency response. They safeguard lives and minimise harm by responding quickly, controlling crowds, assisting evacuations, and communicating effectively. Security guards are frequently the first to arrive at the scene, where they maintain order, offer comfort, and act as a liaison between the public and emergency services due to their extensive training, readiness, and professionalism. [597] By safeguarding individuals and assets, they are essential to a community's safety.[598] Therefore, security guards, who have been trained to deal with potential threats, are the perfect first line of defence for homes and businesses.[599]

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[594] Hetherington, C. J. (2004). Private security as an essential component of homeland security (Doctoral dissertation, Monterey California. Naval Postgraduate School).

[595] Steenkamp, D. G. (2002). The role of private security in crime prevention (Doctoral dissertation). Department of Criminal Justice University of Zululand

[596] Steenkamp, D. G., & Potgieter, P. J. (2004). Private security and crime prevention: A factor analytic approach. Acta Criminologica: African Journal of Criminology & Victimology, 17(2), 71-82.

[597] https://www.leisureguardsecurity.co.uk/safeguarding-lives-the-essential-role-of-security-guards/ (retrieved on 18 March 2024)

[598] https://www.get-licensed.co.uk/get-daily/8-reasons-why-our-security-heroes-deserve-more-appreciation/ (retrieved on 18 March 2024)

[599] https://dragoonssecurity.com/what-makes-security-guards-the-best-front-line-of-defense-for-your-business-and-home/ (retrieved on 18 March 2024)

3.21.27Private Security Industry and Malaysian Government's Policies

The 12th Malaysia Plan is an influential plan that brings about a wealthy, inclusive, and sustainable Malaysia by introducing fundamental reforms.[600] Several bold and game-changing measures are implemented, including programs to help the impoverished and raise society's standard of living. The plan addresses the needs of all Malaysians, regardless of gender, race, financial background, or geography, as the goal of the Shared Prosperity Vision, or Wawasan Kemakmuran Bersama 2030 (WKB 2030), is to make Malaysia a unified, prosperous, and dignified nation. The government has crafted a number of programs and national policies to realise its goal of being a developed country by 2030. In Malaysia, the majority of security guards remain within the low-income group.[601] To reap the benefits of WKB 2030, actions must be carried out to gradually improve their economic standing.

3.21.28Shared Prosperity Vision 2030 (*Wawasan Kemakmuran Bersama* (WKB) 2030)

WKB 2030 marks the continuation of the nation's efforts to establish sustainable development in Malaysia while promoting fair, equitable, and inclusive economic distribution across all income brackets, ethnic groups, geographic regions, and supply chains to ensure that every Malaysian has a respectable quality of living by 2030.[602] WKB 2030 outlines seven strategic cores covering the structuring and improvement of the country's business and industrial ecosystem; research and pioneer new growth sectors; talent reform and national energy resources; improving the labour market and employee income; reinforcing social harmony; inclusive regional development; and increasing the social capital of the community. In addition to these seven strategic cores, WKB also sets enablers that cover fiscal sustainability, financial capital, institutional delivery effectiveness, governance and integrity, education and

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600 https://rmke12.ekonomi.gov.my/en (retrieved on 2 April 2024).

601 In Malaysia, the 'low income group' is commonly referred to as the B40 group, which stands for the bottom 40% of household income earners. According to the latest classification based on the Department of Statistics Malaysia's (DOSM) Household Income Survey 2022

602 Ekonomi, K. H. E. (2019). Shared Prosperity Vision 2030 Wawasan Kemakmuran Bersama 2030. Putrajaya: Kerajaan Malaysia.

TVET, public data, sustainability, and an enlightened society.[603] Since security guards are a group that needs to be given attention due to the lack of legal protection that allows them to improve their knowledge in carrying out their duties, in addition to the fact that the income they earn is relatively low. Hence, WKB 2030 needs to focus on this profession in order to achieve the goals of WKB 2030. One of the cores of WKB 2030 is education and TVET. Therefore, a reform must be given to the training of security guards from the aspect of either pre-recruitment training or during service.

3.21.28.1 Malaysia Digital Economy Blueprint

Digital technologies can stimulate Malaysia's economy by enhancing livelihoods, promoting innovation, and boosting productivity by utilising various technologies such as AI, big data, IoT, smartphones, and others. Digital technologies can foster inclusivity by facilitating established businesses and entrepreneurs to cater to neglected markets. Digital technologies can help entrepreneurs and already-existing businesses become more competitive by reducing costs and boosting efficiency. They also have the potential to foster innovation and scale economies, which might lead to the emergence of completely new businesses and entrepreneurial models.[604] The digital economy is defined as economic and social activities that involve the production and use of digital technology by individuals, businesses, and government.[605] The Malaysian government acknowledged the potential and difficulties posed by the digital economy in terms of serving as both a new source of revenue from taxes and a catalyst for economic progress.

UN Sustainable Development Goals (UNSDGs) help businesses have a much clearer set of long-term global priorities with political support and stronger alignment between the private sector, civil society, and policymaker.[606] Malaysia has reaffirmed its commitment to implementing and supporting the 2030 Agenda for Sustainable

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603 Sanwari, S. R., & Teknokorporat, F. P. (2020) Toward Shared Prosperity Vision 2030 Ke arah Wawasan Kemakmuran Bersama 2030 Fakulti Pengajian Teknokorporat, Kolej Profesional Baitulmal Kuala Lumpur

604 https://www.worldbank.org/en/results/2021/06/25/malaysia-s-digital-economy-a-new-driver-of-development (retrieved on 24 April 2024)

605 https://www.ekonomi.gov.my/sites/default/files/2021-02/malaysia-digital-economy-blueprint.pdf (retrieved on 14 April 2024)

606 Pedersen, C. S. (2018). The UN sustainable development goals (SDGs) are a great gift to business!. Procedia Cirp, 69, 21-24.

Development, which includes 17 SDGs, by introducing the Malaysia Digital Economy Blueprint. Additionally, Malaysia's 11th and 12th national plans illustrate the continuous integration of the SDGs into national planning by mapping the action plans, initiatives, and results of the national development plan to the goals, targets, and indicators of the SDGs. Through the integration of the SDGs into Malaysia's Plan, the populace will experience improvements in economic development, social cohesion, and inclusivity, and overall well-being.[607] The use of various technological advances by security guards will undoubtedly result in the creation of new business models. Thus, the private security sector ought to follow this model and collaborate closely with legislators to encourage innovation in day-to-day operations, thereby improving security guards' standard of living.

3.21.28.2 New Industrial Master Plan 2030

A New Industrial Master Plan (NIMP) 2030, introduced on 1 September 2023, is a commitment of the government of Malaysia to bolster the nation's manufacturing sector, with ambitious microeconomic targets that include boosting the Gross Domestic Product (GDP) of the manufacturing sector. NIMP 2030 encompasses six key goals that aim to elevate Malaysia's economic standing.[608] The evolution is supported by four essential enablers: funding, talent development, investor journey, and a governance framework that encourages institutional and structural changes, guaranteeing their successful execution and fostering an atmosphere that fosters industrial expansion.[609] Under the NIMP, manufacturing equipment and devices that can be used for security services should receive priority attention. This approach will succeed if new talent is developed in this field through rigorous processes, high-tech security is manufactured locally, and a strong legal framework supports good environmental governance.

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607 Michael, F. L., & Salleh, S. F. (2021). National sustainability planning in Malaysia. In The Palgrave Handbook of Global Sustainability (pp. 1-20). Cham: Springer International Publishing.

608 Ministry of Investment, Trade and Industry (MITI). New Industrial Master Plan 2030 (NIMP 2030). 1 Sept. 2023, nimp2030.gov.my.

609 https://www.mida.gov.my/launch-of-the-new-industrial-master-plan-2030-nimp-2030/ (retrieved on 21 March 2024)

3.21.29Private Security Services and the IcoCA

Malaysian government has not implemented the International Code of Conduct for Private Security Service Providers. It is instead a voluntary industry-led standard endorsed by private security companies rather than states. The ICoC, finalized in 2010 and overseen by the International Code of Conduct Association (ICoCA), lacks state ratification mechanisms, with no evidence of Malaysian government adoption or endorsement.

The ICoC sets principles for private security providers on human rights, use of force, and governance, building on the Montreux Document without creating binding state obligations. It is implemented through company signatories and ICoCA membership, not national legislation. No Malaysian private security companies appear as ICoCA members or certified signatories, and official lists exclude Malaysia. Domestic regulation occurs via national laws like those from SIRIM and MOHA, including a local code of practice, but without ICoC integration.

A 2022 case involved IKEA in Malaysia terminating a security provider for recruitment fee abuses, highlighting human trafficking risks addressed by ICoC principles, though not linked to Malaysian implementation. [610]Clients may require ICoCA compliance, but this remains private sector-driven.

3.21.30Private Agencies Act 1971 (Act 2&) and litigation

Private Agencies Act 1971 (Act 27), which regulates private security and investigation businesses by requiring licences and letters of approval for operations and employees. There is no reported cases litigated under the Act as it focuses on licensing compliance rather than frequent litigation. The Act prohibits unlicensed private agencies from operating, mandates security deposits with the Accountant-General,[611] and empowers police to inspect premises and seize evidence from suspects. Employees must carry identification papers approved by police,[612] and uniforms require ministerial

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610 https://www.business-humanrights.org/en/latest-news/malaysia-ikea-terminates-relationship-with-security-provider-over-recruitment-fees-paid-by-nepali-guards-incl-co-comment/ (retrieved on 14 Jan 2026)

611 Section 3 (1) Act 27

612 Section 8 Act 27

approval.[613] Offences carry fines up to RM10,000 or three years' imprisonment, with director liability unless due diligence is proven.[614]

In regulatory contexts, the Act supports enforcement against unlicensed operations, with ministerial powers to revoke licences for threats to public order. Recent amendments in 2025 simplify licence renewals to annual validity ending December 31. No major landmark judgments ever been reported.

3.21.31 Glaring gaps of Act 27 in comparison to Indonesian and Singaporean Laws

The Private Agencies Act 1971 (Act 27) in Malaysia lacks a number of contemporary protections that are present in both Singapore's framework and Indonesia's developing guidelines for security companies and private investigators (PIs).

Singapore's Private Security Industry Act integrates PDPA requirements, mandating PIs to obtain explicit consent for data collection during surveillance and notify breaches, with dedicated PDPC oversight. Malaysia's Act 27 omits specific privacy protocols, relying on general PDPA application without PI-tailored guidelines, creating enforcement gaps in digital investigations. Indonesia, despite no unified PI law, ties activities to its 2022 PDP Law via provincial rules, requiring data impact assessments for high-risk PI work—more explicit than Malaysia's silence on the issue. Singapore enforces a comprehensive code of conduct under PLRD, including mandatory training on ethics, anti-discrimination, and client confidentiality, with individual licensing tied to continuous professional development. Malaysia has no statutory ethical framework or training mandates in Act 27, leaving standards to voluntary industry codes and risking inconsistent practices. Indonesia's provincial permits often require basic ethics training under police supervision, filling a gap Malaysia overlooks despite similar cultural contexts.

As a developed nation, Singapore restricts covert tech like GPS trackers or drones to licensed uses with judicial oversight options, addressing AI surveillance risks. Malaysia's Act 27 predates digital tools, prohibiting only broad "illegal" acts without

[613] Sect 10 Act 27
[614] Sect 14 Act 27

specifics on cyber tools or AI ethics in PI work. Indonesia informally limits advanced tech via criminal code overlaps, but lacks Malaysia's licensing clarity, highlighting Malaysia's middle-ground weakness in proactive tech governance.

Act 27 imposes fines up to RM2,000 or 12 months' imprisonment for unlicensed operations, with potential increases post-2025 amendments and director liability unless due diligence is shown. Singapore's Private Security Industry Act enforces harsher penalties, including fines up to SGD50,000, two years' jail, or licence revocation for breaches like unauthorized surveillance.

Malaysian fines remain relatively low compared to Singapore's escalated scales, where repeat offences double penalties and include mandatory business closure orders. Indonesia applies general criminal code sanctions—fines from IDR100 million (about RM27,000) or one-year terms—without PI-specific escalations, often resulting in lighter practical enforcement due to decentralization.

Singapore prioritizes administrative sanctions like immediate licence suspension by PLRD alongside fines, enabling swift market exclusion. Malaysia relies on criminal prosecution with police seizures but lacks automatic revocation triggers. Indonesia uses ad-hoc fines or permit cancellations via local police, with minimal compounding for ongoing violations.

A more severe punishment should be adopted as it will act as deterrence. The utilitarian theory holds that punishment is a way to manage criminal behaviour and reduce future crime, typically through incapacitation and deterrence. According to this viewpoint, worries about high crime rates, fear of crime, and victimisation experiences should motivate punishment. From a retributive standpoint, punishment fulfils a symbolic purpose by exacting revenge rather than deterring similar offences in the future.[615]

[615] Gerber, M. M. (2021). Attitudes toward punishment. In Oxford Research Encyclopedia of Criminology and Criminal Justice.

CHAPTER 4
PRIVATE SECURITY SERVICES IN SINGAPORE AND INDONESIA

4.1 Introduction

In Chapter Four, the private security services landscapes of Singapore and Indonesia are examined. Due to growing worries about safety, an increase in crime, and the necessity for specialised protection in different situations, both countries have seen a marked growth in their reliance on private security. This chapter compares the private security services in Singapore and Indonesia in an effort to shed light on how each nation handles unique security issues while upholding international norms. The analysis will highlight both the common and operational variances.

The study selected Singapore as a reference point due to its shared history with Malaysia. Singapore experienced British colonialism and had the common law as its legal system. However, the private security sector in Singapore is distinguished by a high standard of professionalism and regulatory supervision. It has swiftly amended the laws governing the private security sector since they are now quite extensive and broad and reflect the advancement of the industry into the digital and industrial eras. The establishment of regulations and guidelines governing the activities of PSCs is mostly the responsibility of the government. Organisations like the Police Licensing & Regulatory Department and MOHA make sure that security staff are properly trained and that services fulfil high standards of quality.

Indonesia's private security industry has a different dynamic because of its distinct socio-political environment. Indonesia was selected because, as stated in their statute, they recently changed their laws for private security services, with a particular emphasis on security guards and their ability to progress in their careers, which further promotes their welfare. PSC expansion in Indonesia has been impacted by a number of reasons, including economic development, urbanisation, and rising public desire for safety. The wide range of services provided by Indonesian PSCs, which includes personal protection and event security, indicates their flexibility in responding to regional demands. The legislative framework for private security in Indonesia will be

covered in detail in this chapter, along with the functions played by trade groups and local government bodies in advancing best practices.

4.2 Background and Introduction to Private Security Services in Singapore

Singapore is a developed nation with a highly developed free-market economy.[616] As of 2017, its gross national income was USD54,530 per person, making it one of the most competitive economies in the world.[617] Singapore ranked first out of 39 countries in the Asia–Pacific region, with its overall score significantly higher than the world and regional averages.[618] Crime rates in Singapore are low. Singapore has a reputation for being one of the safest cities in the world. Violent crime in Singapore is rare. In 2021, such crimes accounted for nine per 100,000 population.[619] This Figurerepresented a ten-year high, primarily attributed to the rise in commercial crime cases. Despite the low crime rate in the country, the nature of security needs is uncertain. A study revealed that Singapore's security companies believed their present business conditions were favourable and that there was still a significant demand for private security services.[620] One issue that local PSCs have consistently encountered is a shortage of manpower. Security officer positions were among the top four non-PMET (professional, management, executive, and technical) vacant positions in Singapore from 2012 to 2021, according to a report by the country's Ministry of Manpower. The security officer position was crucial, but it was constantly one of the hardest to fill.[621]

Based on research conducted by IndSight Research[622] customer tastes in Singapore are shifting as a result of the global sustainability trend. The need for more environmentally friendly security goods and services is growing, even within the security industry. More consumers are considering the manufacturing process and location of these products, in addition to their high-tech sensors and cameras' productive performance. Certain people have a preference for solutions like solar-

616 https://www.forbes.com/places/singapore/ (retrieved 20 June 2024)
617 https://www.worldbank.org/en/country/singapore (retrieved on 20 June 2024)
618 https://www.heritage.org/index/country/singapore(retrieved on 20 June 2024)
619 https://www.statista.com/statistics/628339/crime-rates-in-singapore/ (retrieved on 20 June 2024)
620 https://www.indsights.sg/industry-perspective/sustaining-the-future-of-the-security-industry/ (retrieved on 21 June 2024)
621 https://www.indsights.sg/research-finding/singapore-companies-sentiments-fy22q1/ (retrieved on 21 June 2024)
622 IndSights Research is a not-for-profit industry research company conducting studies on various issues affecting Information and Communications Technology (ICT) companies as well as businesses in all key industries in Singapore

powered cameras and goods with less power consumption. Some take into account the production procedures as well, such as determining whether the company uses materials that are supplied ethically or if it has implemented lower carbon emissions guidelines.

4.2.1 Brief History of Legislation Governing the Private Security Services

The idea of private security has been around for centuries, but Singapore's modern private security sector took shape in the 1990s when the Private Investigation and Security Agencies Act (Cap. 249) was passed, tightly regulating the sector. The history of legislation pertaining to private security services in Singapore from 1973 to the present shows how passionate the government is about the private security sector in the country. Before PSIA 2007 was introduced, the act underwent several revisions and enhancements to better reflect the nation's changing socioeconomic environment. The Private Investigation and Security Agencies Act (Cap. 249) came into force on 1 December 1973. This Act was introduced to provide for the licensing and control of those persons who carry on the business of or act as private investigators or carry on the business of a security guard agency, and for purposes connected therewith.[623] This new regulation monitored Singapore's private security industry and its employees. In 1985, a revised edition of the Private Investigation and Security Agencies Act was implemented, which came into force in March 1987. PSIA 2007 (Act 38 of 2007) was presented to the parliament for its first reading on 16 July 2007, followed by the second and third readings on 27 August 2007. The Act subsequently came into force on 27 April 2009, as officially notified by the minister in the Gazette.[624]

The Private Investigation and Security Agencies Act (Chapter 249 of the 1985 Revised Edition) was repealed by PSIA 2007.[625] PSIA 2007 provides for the regulation of private investigators, private investigation agencies, security officers, security agencies, and security service providers.[626] Since 2007, PSIA has undergone a series of rigorous amendments with the aim of strengthening the industry. A few other relevant sections in various other Acts of Parliament have been duly amended to ultimately

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623 Preamble Private Investigation And Security Agencies Act (Chapter 249) (Original Enactment: Act 32 of 1973) REVISED EDITION 1985 (30th March 1987)

624 https://www.parliament.gov.sg/docs/default-source/Bills-Introduced/070026.pdf?sfvrsn=ae597b08_4 (retrieved on 25 June 2024)

625 Preamble Private Investigation And Security Agencies Act (Chapter 249) (Original Enactment: Act 32 of 1973) REVISED EDITION 1985 (30th March 1987)

626 Preamble Private Security Industry Act 2007.

achieve the goal.[627] It was revised in 2020 and incorporates amendments up to 1 December 2021.[628] The new regulation prohibits anyone from offering security services for payment unless they obtain an authorisation from the relevant authorities. According to the law, 'security service' includes creating security systems, installing and maintaining security equipment, and keeping an eye on people or property.[629] These days, the Singapore Police Force grants licenses to PSCs operating in Singapore, which offer a variety of services aimed at safeguarding people, things, assets, and data. They are a crucial ally in preserving neighbourhood safety.

4.2.2 Current Status in Singapore

The security industry in Singapore is grappling with operational and labour issues, including low starting pay, low productivity, high employee turnover, and unattractive working conditions brought on by a high amount of overtime.[630] Job satisfaction among security guards in Singapore is highly correlated with the guards' perceptions of task significance, goal specificity, and goal complexity. A favourable relationship exists between their job satisfaction and perceptions of chances for promotions, increased salaries, and perks. However, there were no statistically significant findings regarding the public's perception of the security guard sector or the perceived need for training.[631]

The Singapore University of Social Sciences (SUSS) and the Union of Security Employees (USE) jointly surveyed security officers between September and November 2020. The results showed that 42.3 per cent of them reported suffering abuse at work, which was higher than the 40 per cent recorded. A total of 37.2 per cent of respondents reported verbal abuse, while 4.8 per cent reported both verbal and physical abuse, making verbal abuse the most common type of abuse. There was a significant rise in abuse from employers, although the majority of abuse (39.4%) came from members of

628 Private Security Industry (Amendment) Act 2021 (No. 29 of 2021)

629 Section 18(1) Private Security Industry Act 2007

630 https://www.channelnewsasia.com/singapore/long-hours-thankless-job-singapores-security-sector-struggles-secure-talent-1028671 (retrieved on 3 May 2024)

631 Nalla, M. K., Lim, S. L. S., & Demirkol, I. C. (2015). The relationship between goal difficulty, goal specificity, rewards and job satisfaction: A study of Singapore security guards. Security journal, 28, 392-409.

the public, followed by residents and visitors.[632] MOHA takes the mistreatment and harassment of security officers seriously. All victims of abuse and harassment are protected by current legislation, such as the Penal Code 1871[633] and the Protection from Harassment Act 2014.[634] However, current legislation does not specifically provide additional protection for security officers.

The Singapore government acknowledged the vital function that private police officers undertake. In order to ensure the safety and security of both the residents and the premises where they are stationed, security officers are essential. They have a higher danger of running into someone while performing their duties because of the public-facing aspect of their profession. In order to send a strong message against the mistreatment and harassment of security personnel, MHA will expand PSIA's scope to include targeted protection for officers carrying out security activities that are specified under PSIA 2007. New laws that will include consequences to address typical forms of abuse and harassment that security officers encounter while performing their official jobs.[635]

Minister of State for Manpower Dinesh Vasu Dash delivered the speech at the Singapore Security Industry Awards 2025 on November 14, 2025, at Marina Bay Sands Expo and Convention Centre. He congratulated 126 recipients across 21 categories for driving industry transformation through innovation and professional development. Mr Dash emphasized embracing technologies like integrated sensors, robotics, and smart surveillance to evolve the security landscape. It highlighted the Security Industry Transformation Map, developed with tripartite partners, as a guide for productivity and skilled roles. Dash focused on the Security Progressive Wage Model, which mandates training at every job level with subsidies via Workfare Skills Support, turning security roles into rewarding professions. He cited examples like Triple 'S' Protection, which reskilled officers for robot operations via Workforce Singapore's Career Conversion

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632 https://www.ntuc.org.sg/uportal/news/Survey-on-Security-Industry-423-of-Security-Officers-Face-Abuse-at-Work/ (retrieved 21 June 2024)

633 Section 325 (voluntarily causing grievous hurt), which carries penalties up to 10 years' imprisonment, fine, or caning, and is applicable when security officers are harmed during their duties

634 Section 6(1), which deals with offences including harassment of security personnel, public servants, and public service employees. It states: 'A person or organisation will be guilty of an offence if they use offensive, threatening, abusive, or degrading language or conduct against a security guard while they are performing their duties.

635 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act/ (retrieved on 21 June 2024)

Programme, and AETOS's SecureX mentorship as a SkillsFuture Queen Bee. Finally, Mr Dash urged more agencies to pursue transformation, praising recipients for strengthening Singapore's security foundation through excellence and innovation.[636] This reflect how the Singapore government is rather serious in addressing the issue to enhance the private security industry in Singapore.

4.3 Salient Features of PSIA 2007

Preserving safety and averting damage of any kind within a certain location are vital tasks for a security officer. Assuring peace, security, and order, they protect individuals, property, and information. The key component of an organisation's safety is its security officer. They are in charge of patrolling, keeping an eye on the property, managing access points, resolving disturbances, and looking into and reporting any questionable activity. By working with first responders and law enforcement, they contribute significantly to the handling of situations.[637] PSIA 2007 was drafted to be a comprehensive piece of legislation that governs Singapore's private security sector to meet the aspirations of the profession. The Act establishes a framework for the licensing and regulation of security officers, private investigators, private investigation companies, security agencies, and PSCs in an effort to safeguard the safety and security of people and property.

4.3.1 Security Officer under PSIA 2007

Section 13 defines a security officer as any individual who, for reward, carries out any of the following functions:

a) patrolling or guarding another person's property (including cash in transit) by physical means (which may involve the use of patrol dogs) or by electronic means;
b) keeping the property (including cash in transit) of another person under surveillance, including for the purpose of preventing theft thereof;
c) acting as a bodyguard or bouncer[638];

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636 https://www.mom.gov.sg/newsroom/speeches/2025/1114-speech-by-mos-dinesh-at-ssia-2025 (retrieved on 14 Jan 2026)
637 https://sg.indeed.com/career-advice/finding-a-job/how-to-become-a-security-office
638 Section 2 PSIA 2007

d) in respect of any public place or other premises and as part of his regular duties, performing any function of screening individuals seeking entry thereto;
e) regulating traffic under the Road Traffic Act 1961.

4.3.2 Qualification to be a Security Officer in Singapore

A security officer in Singapore needs a license.[639] Working as a security guard without a valid security officer's license is illegal under PSIA. Conviction carries a maximum fine of USD10,000, a maximum sentence of two years in jail, or both.[640] Furthermore, hiring an unregistered security guard is illegal for any individual or organisation. Companies that violate this clause risk a harsher punishment, which includes fines of up to USD50,000, up to two years in jail, or both.[641] These fines highlight the stringent regulations that Singapore's private security sector must adhere to in order to maintain professionalism and public safety.

Before applying for a position as a security officer, one must obtain security clearance from the PLRD, unless they have prior experience or are exempt from PLRD requirements,[642] and complete three modules listed under the Basic Licensing Units (BLUs).[643] Security officers are required, unless exempted, to achieve the requisite Workforce Skills Qualifications (WSQ) Certifications, as well as any other necessary training modules that have been approved by the licensing officer.[644] In addition, prior to deployment and on an annual basis after that, a certified medical professional must certify that an individual is medically fit for employment as a security officer.[645] Pursuant to section 39 of PSIA 2007, the Minister for Home Affairs has made the

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639 https://sg.indeed.com/career-advice/finding-a-job/how-to-become-a-security-officer (retrieved on 14 June 2024)
640 section 14(2) Private Security Industry Act 2007
641 Section 15(2) Private Security Industry Act 2007
642 https://www.police.gov.sg/e-Services/Police-Licences/Security-Officer-Licence (retrieved on 14 June 2024)
643 1. Provide Guard & Patrol Services + Access Control Management
2. Handle Security Incidents and Services
3. Recognise Terrorist Threat (Threat Observation)
https://coursemology.sg/blog/how-to-apply-for-security-officer-licence / (retrieved on 14 June 2024)
644 'licensing officer', in relation to any provision in this Act, means any licensing officer appointed under section 4(1) for the purposes of that provision, and includes any assistant licensing officer appointed by such a licensing officer under section 4(2) and subject to the licensing officer's direction and control
645 https://www.police.gov.sg/e-Services/Police-Licences/Security-Officer-Licence (retrieved on 16 June 2024)

Private Security Industry (Conduct) Regulations 2009, which came into operation on 27 April 2009.[646] Section 21(8) of PSIA 2007 provides that, for the purposes of this section, in deciding whether a person or an officer of a business entity is a fit and proper person, the licensing officer may consider any of the following matters as indicating that the person or officer may not be a fit and proper person.[647] The salient provisions of the regulations are specified under Regulations 7 and 7A, wherein a licensed security officer is responsible for carrying out any function of a security officer at any premises referred to in Section 11(1)(c) of the Act.[648]

4.3.2.1 Academic Qualifications Requirements to Become a Security Officer

A security officer requires certain abilities to perform their tasks well.[649] They must be able to think quickly, stay alert, and manage any circumstance. Great security officers are able to interact with people and remain composed under duress. As long working hours and shifts are normal, personal characteristics, including alertness, patience, and communication skills, are helpful. As a result, the Singapore government imposes stringent requirements as to the minimum academic qualifications. The Singapore Police Force states that completion of secondary education (GCE 'O' Level or equivalent)[650] and proof of arithmetic literacy are prerequisites for employment as security officers,[651] coupled with other training and skills, before they can be employed as security officers.

4.4 Security Service Providers under PSIA 2007

PSIA 2007 provides regulations for security officers and investigation agencies as well as security service providers. Section 18 (1) defines a person as said to provide

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646 Private Security Industry Act (chapter 250A) –Private Security Industry Act (conduct) Regulations 2009

(a) that the person or officer associates with a criminal in a way that indicates involvement in an unlawful activity;

(b) that in dealings in which the person or officer has been involved, the person or officer —
(i) has shown dishonesty or lack of integrity; or
(ii) used harassing tactics;

(c) that the person or officer is or was suffering from a mental disorder;

(d) that the person or officer is an undischarged bankrupt or has entered into a composition with the person's or officer's debtors.

648 Dental Section 11 (1) PSIA 2007

649 https://www.belfrysoftware.com/blog/security-officer-skills (retrieved on 16 June 2024)

650 https://www.police.gov.sg/(retrieved on 16 June 2024)

651 Singapore Workforce Development Agency (SWFDA), Career guide 2007, Service sector: Security

a security service if the person carries on any one or more of the activities as mentioned therein.[652] To operate as a security service provider, a company must obtain a Security Service Provider License from the Singapore Police Force (SPF). The license requires the company to meet specific eligibility criteria and submit necessary documents, including a business profile and individual profiles of authorised personnel. The Private Security Industry (Security Service Providers) Regulations 2009 outline the requirements for obtaining and maintaining this license, including the fee of SGD50 and the need to notify the licensing officer of any changes in the company's particulars.[653]

4.5 Amendments to PSIA 2007

PSIA is the main legislative instrument in Singapore. The salient features of PSIA provide a thorough framework for the regulation of the private security sector in Singapore, with the overall goal of ensuring the safety and security of people and property and streamlining the regulation. The amendments to PSIA were passed in Parliament on 5 October 2021 and take effect from 1 May 2022.[654] PSIA gives the licensing officer and other authorised individuals the authority to search and seize evidence, inspect properties, and make arrests of those who violate the Act's rules. To manage false alarms, PSIA requires security service providers to pay a specified fee for each instance that the police respond to a false alert. The fee escalates with the number of false alarms within a year.

Licensees are required by PSIA. Licenses must be obtained from the licensing officer by private investigators, private investigation agencies, security officers, security agencies, and security service providers by complying with a number of requirements, such as maintaining records, obtaining identification documents from clients, and complying with the Act's provisions. Non-compliance with the terms of PSIA has consequences that include fines and imprisonment. In addition, the Act permits licenses to be suspended or revoked for noncompliance. A procedure for appealing decisions issued by the licensing officer to the minister is outlined in PSIA.

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652 Section 18 (1).

653 Private Security Industry Act (Chapter 250a) Private Security Industry (Security Service Providers) Regulations 2009

654 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act-to-take-effect-from-1-may-2022/ (retrieved on 12 June 2024)

The minister makes the final decision. In addition, Central Alarm Monitoring Station (CAMS) operators are subject to PSIA regulation. They must apply for a license and follow certain guidelines. Intruder alarm systems connected to a central monitoring station are under the watchful eye of CAMS operators. The salient features of PSIA provides a thorough framework for the regulation of the private security sector in Singapore with the overall goal of ensuring the safety and security of people and property.

4.5.1 PSIA 2007 – A Protection for Security Officers

Assuring the safety and security of both the buildings and the people who live in them is a major responsibility of security officers. Performing their jobs exposes them to a high risk of conflict with individuals because of the public-facing aspect of their profession. Security officer abuse and harassment are taken very seriously by MOHA. Although the Protection from Harassment Act and the Penal Code, among other laws, offer protection to victims of harassment and abuse, there are no further protections for security officers performing their jobs. Furthermore, there has not been much research done on the victim support services and the potential consequences of insufficient resources for security guards and the security sector.[655]

PSIA 2007 was amended with the intention of improving security officer protection and streamlining regulations. By enhancing the working environment and safety of security guards, these modifications hope to draw in more fresh talent to the field. The purpose of the harsher punishments for crimes like assault, harassment, and harming security officers is to discourage such behaviour and make the workplace safer for these experts. This change towards a more polite and safe workplace could attract more candidates to the security field, which would boost the number of people entering the field.[656]

PSIA's scope is expanded to offer targeted, increased protection for security officers who carry out security tasks outlined in PSIA. Beginning on 1 May 2022, anybody who purposefully harasses, alarms, or distresses security officers; assaults

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655 Koeppen, B., & Hopkins, M. (2021). Security guards as victims of violence: Using organisational support theory to understand how support for victims could have positive implications for the security industry. Security Journal, 34, 713-736

656 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act-to-take-effect-from-1-may-2022/ (retrieved on 12 June 2024)

them or uses unlawful force against them; or knowingly causes them harm may face harsher penalties under the amended PSIA.[657] More severe sanctions are introduced by PSIA for those who harm, threaten, or harass security personnel, including a maximum fine of SGD5,000 for deliberate harassment and a maximum jail sentence of 12 months, as opposed to SGD5,000 and a maximum of six months for members of the public. The Protection from Harassment Act 2014, which shields harassers of any kind, including security personnel, is incorporated into PSIA.[658] This covers clauses pertaining to voluntary harm inflicted upon others and deliberate harassment and assault.

PSIA places a strong emphasis on the value of teaching security personnel about their legal rights and protections. Initiatives like the Security Consultants Accreditation Programme (SCAP), an industry-led program to recognise, professionalise, and regulate security consultancy in Singapore,[659] promote industry-led security consultant accreditation. This is to guarantee that security advisors possess at least a minimum level of skills and competency, reducing the risk of abuse and harassment. PSIA encourages security guards to wear body cameras as a means of discouraging prospective abusers and supplying proof for police reports. These steps may lessen the possibility of abuse and harassment.

Community work and social education are permissible penalties under PSIA for harassing or abusing security officers. This can lessen recidivism or relapse and aid in the rehabilitation of offenders. Police reports must be filed under PSIA for any events involving harassment or abuse of security officers. The police will investigate these incidents and take appropriate action against offenders. In order to prevent conflict with the Protection from Harassment Act, PSIA does not apply to security personnel who are public service employees under the new section 17C. Under PSIA, this class of security professionals is still protected and faces the same sanctions as the new PSIA

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657 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act-to-take-effect-from-1-may-2022/

658 Private Security Industry Act 2007 -

3.—(1) An individual or entity must not, with intent to cause harassment, alarm or distress to another person (called in this section the target person), by any means —

(a) use any threatening, abusive or insulting words or behaviour;

(b) make any threatening, abusive or insulting communication; or

(c) publish any identity information of the target person or a related person of the target person, and as a result causing the target person or any other person (each called in this section the victim)

(2) Any individual or entity that contravenes subsection (1) shall be guilty of an offence and, subject to section 8, shall be liable on conviction to a fine not exceeding $5,000 or to imprisonment for a term not exceeding 6 months or to both.

659 https://scap.sas.org.sg/ (retrieved on 10 June 2024)

harassing offence found in section 17C. These clauses show PSIA's dedication to shielding security guards from abuse and harassment and guaranteeing their health and safety while on the job. In addition to the favourable exchange rate, amendments made to PSIA 2007 have drawn 10,000–15,000 Malaysians to the country to serve as security guards.This has resulted in Malaysia losing young talent, which the industry desperately needs.

Despite the amendment made to PSIA with the goal of providing more comprehensive protection for the security officers while performing their duties, the responses of private security guards working in environments where violence is a continual potential are rarely explored. A study analysed the motivational elements that influence the adoption of proactive and inactive measures and created a novel explanatory framework that explains how security guards' concerns about violence might manifest as both functional and dysfunctional types of anxiety. The study found that a variety of strategies are employed, generally combining the proactive strategies that get guards ready for a possible conflict in the future with the inactive strategies that let guards utilise avoidance or withdrawal techniques for their safety.[660]

4.5.2 The Impacts of PSIA 2007 Amendments

The amendments provide more severe punishments for crimes against security officers, like purposeful harassment, assault, or wilful injury, which will act as a more effective deterrent. Security officers may feel more confident and empowered to perform their jobs without worrying about being mistreated. There are now clearer legal boundaries and repercussions for activities like attacking or using criminal force against security officers, as well as intentionally hurting them. These offences are known as specified offences. Security guards benefit from this clarity in understanding their rights and the repercussions for violators. Security personnel may feel more assured and professional in their jobs with improved protection and more defined legal boundaries. Better service delivery, stronger ties with the general population, and a more favourable impression of the private security industry at large.

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660 Koeppen, B., & Hopkins, M. (2022). Surviving on the frontline: Retail security guards and their self-protection behaviours. Criminology & Criminal Justice, 17488958221114250.

PSIA's elimination of regulation from individuals who just offer security consulting services will simplify industry regulation. A more targeted regulatory framework and more efficient procedures for security officers and agencies could result from this move towards industry-led accreditation of security consultants.[661] In conclusion, PSIA's amendments seek to strengthen security officers' protection, establish more precise legal limits, boost professionalism and confidence, simplify the regulatory process, and eventually create a safer and more efficient security sector in Singapore.

4.6 The Private Security Industry (Conduct) Regulations 2009

The Private Security Industry (Conduct) Regulations 2009 govern the behaviour of private security officers and agencies in Singapore. PSIA of 2007 allowed for the enactment of these regulations, which became operative on 27 April 2009.[662] The Act emphasises that licensed security officers and agencies are prohibited from obstructing public officers or employees of statutory boards while they are performing their duties.[663] Whereas they must not share security information without authorisation.[664] They must report incidents of unauthorised surveillance to the police.[665] They must not tamper with security equipment without lawful authority.[666] Any person who contravenes these regulations is guilty of an offence and can be fined up to SGD10,000 or imprisoned for up to 2 years, or both.[667]

The private security sector is governed by PLRD.[668] PLRD regulates sectors that pose risks to a safe, secure, and orderly society under various regimes in support of the Singapore Police Force's mission to prevent, deter, and detect crime. These regimes include the private security industry and the auxiliary police forces. Companies must fulfil the PLRD's employment standards and company registration requirements in order to operate a security agency in Singapore. In order to safeguard public safety

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661 https://www.mha.gov.sg/mediaroom/press-releases/amendments-to-the-private-security-industry-act/ (retrieved on 11 June 2024)
662 Private Security Industry Act Chapter 250a) Private Security Industry Conduct) Regulations 2009
663 Reg 3 , Private Security Industry (conduct0 Regulations 2009
664 Reg 4 , Private Security Industry (conduct0 Regulations 2009
665 Reg 5 , Private Security Industry (conduct0 Regulations 2009
666 Reg 7 , Private Security Industry (conduct0 Regulations 2009
667 Reg 8 , Private Security Industry (conduct0 Regulations 2009
668 https://www.police.gov.sg/Who-We-Are/Organisation-Structure/Staff-Departments/Police-Licensing-and-Regulatory-Department (retrieved on 12 June 2024).

and security, these regulations guarantee that private security services in Singapore are appropriately regulated and that security professionals abide by a code of conduct.

However, employment standards and firm registration requirements are outside the purview of the PLRD, so the PLRD does not serve as a single point of contact for all criteria. In order to run a PSC in Singapore, one must additionally fulfil the prerequisite requirements set forth by the Singapore authorities. It is necessary to register the business with the Accounting and Corporate Regulatory Authority (ACRA) and make sure it has the SGD 300,000 minimum share capital required. PSCs must obtain licenses, such as the security agency and security service provider licenses, from PLRD. A minimum of two directors with relevant expertise or qualifications is one of the conditions that directors and partners of the organisation must meet. The PSCs are liable to ensure that security officers finish every required training program and certification exam, such as the Security Agencies Competency Evaluation (SACE)[669] and the Basic Licensing Units (BLUs). In respect of labour laws and rules, including those pertaining to pay, benefits, and working conditions. These are usually the responsibility of the Ministry of Manpower or other appropriate authorities.

4.7 Modules Designed for Security Officers

Applicants must enrol in three Singapore Workforce Skills Qualifications (WSQ) courses to obtain a security license, unless they are exempted by the Singapore Police Force or PLRD.[670,671] They must pass the basic modules under WSQ.[672]

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669 https://www.police.gov.sg/e-Services/Police-Licences/Security-Agencies-Competency-Evaluation retrieved on 12 June 2024

670 Singapore Workforce Skills Qualifications (WSQ) is a national credential system that trains, develops, assesses and certifies skills and competencies for the workforce.WSQ-accredited courses take reference from the skills developed under the Skills Frameworks. The Skills Framework provides key information on the job roles and skills that an individual needs to perform various job tasks and to stay transferable https://www.skillsfuture.gov.sg/wsq (retrieved on 12 June 2024).

671 Para 5(a) of the Private Security Industry (Exemptions) Order 2009 in respect of training courses, the person shall attend and be certified trained in the following two WSQ modules for security officers:
1) Handle Security Incidents and Services; and
2) Provide Guard and Patrol Services.

672 1. Access Control Management and Guard and Patrol Services: Provide Guard and Patrol Services and Run Basic Security Equipment which take effect from January 1, 2024.
2. Event Reaction: Managing Security-Related Events and Provide Services
3. Threat Observation or Recognise Terrorist Threats. Candidates who fail this module will only be placed in warehouses and condominiums. This ruling took effect as of January 2020.

4.8 Powers Vested to Security Officers

Security officials in Singapore are permitted to exercise the following legal powers in the course of their official duties:

1. To use reasonable force to remove suspects. This applies if a person is acting suspiciously or is not legally permitted to be in a protected area or location.[673] It is forbidden for any licensed security officer to purposefully interfere with, impede, or block any public official or employee of a statutory board while they are carrying out their duties, exercising their authority, or carrying out any function mandated by a written law. [674]
2. Not to share any security information that the security offices may have knowledge of with any other person. .[675]
3. Forbid altering, destroying, taking out, or interfering in any way with security equipment without a good reason in order to make it unusable or prevent correct data recording or transmission.[676]
4. Prohibited from knowingly allowing unauthorised individuals to enter the property that security officers are guarding without the consent of the owner or a lawful occupant.[677] When a security officer, while on duty on a licensed property, learns that there is someone other than a law enforcement officer conducting surveillance on those premises, the security officer must report this information to a police station right away.[678] When someone within the premises where they are deployed needs assistance, security officers are expected to respond right away,

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673 1. The Infrastructure Protection Act (IPA) 2017 was passed by Parliament on 2 Oct 2017 and assented to by the President on 23 Oct 2017. With the IPA taking effect, the Protected Areas and Protected Places Act (PAPPA) was repealed and the relevant provisions incorporated into the IPA on 18 December 2018. Premises previously declared as a PA/PP under PAPPA will be retained under the IPA. Under the IPA, the Authority of the PA/PP can exercise enhanced powers to better protect their premises. Section 6.—(1) of IPA provides that the Commissioner of Police may, subject to such conditions or restrictions as the Commissioner of Police thinks fit, authorise a security officer to be deployed to guard protected areas and protected places.

674 Reg 3 of Private Security Industry (Conduct) Regulations 2009

675 Reg 4 of Private Security Industry (Conduct) Regulations 2009

676 Reg 6 of Private Security Industry (Conduct) Regulations 2009

677 Reg 7 of Private Security Industry (Conduct) Regulations 2009

678 Reg 5 of Private Security Industry (Conduct) Regulations 2009

regardless of whether the person has been injured or property damaged.[679]

Security officers‘ use of force is subject to guidelines.[680] The authority of security officers is, however, more constrained than that of police officers. Without a warrant, security personnel are not allowed to conduct arrests, with the exception of specific locations or protected regions, or when an individual exhibits suspicious behaviour or lacks a valid purpose for being there. The minister made it clear that there are rules about when security officers can use force.

4.9 Technology Used to Enhance Performance Duties of the Security Officers.

Automation of surveillance and operational efficiency is achieved by the application of AI and IoT technologies. Singaporean security officers are utilising digital tools and technology to enhance their responsibilities. For example, security guards are being outfitted with new technology that allows for event capture, geolocation monitoring, and man-down alerts to support their patrolling responsibilities. Both situational awareness and personal safety are enhanced by this. This lessens the need for labour in times of scarcity. Video analytics alerts security officers to anomalies, eliminating the need for constant screen monitoring. Security officers may concentrate on more important duties due to this upgraded alarm system. Iris recognition and other contactless biometrics are being used for access control management. This lessens the chance of security breaches and personal interaction.[681] Also, low-light imaging technologies and varifocal cameras are also enhancing the quality of security surveillance.[682] To sum up, security personnel are utilising technology like sophisticated imaging, biometrics, video analytics, and IoT to improve

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679 Clause 3(f) The Schedule Code of Conduct Reg 2 and 9 Private Security Industry (Conduct) Regulations 2009

680 Speech by Mr. Louis Ng Kok Kwang, MP for Nee Soon GRC at the Second Reading of the Infrastructure Protection Bill [Bill No. 32/2017]

681 https://www.imda.gov.sg/-/media/imda/files/programme/smes-go-digital/industry-digital-plans/security-idp/security-industry-digital-plan.pdf (retrieved on 8 July 2024)

682 A varifocal lens is a security camera lens with an adjustable focal length, angle of view and level of zoom. This type of lens is often used in facilities like airports, hospitals, government offices and warehouses. Varifocal lenses allow user to find the perfect field of view, so user can cover as much ground as needed. Varifocal lens security cameras offer a to-and-from range, which can usually cover around 2.7 and 12mm. Some can even cover long-distance surveillance like license plate recognition, covering around 4.5 to 60mm.There are various varifocal lens security cameras available: varifocal IP cameras, varifocal bullet cameras and motorized varifocal lenses. multiple lenses, and full-colour picture rendering.

their capacity to identify threats, manage access, streamline operations, and enhance security results while overcoming manpower limits.[683]

4.10 Moving Forward through Government's Initiatives

A key component of Singapore's economic transition is the security sector. Due to its well-deserved image as a safe haven, Singapore has drawn businesses and talent from around the world, which has helped the economy of the nation. Thus, the security sector's function extends beyond ensuring the safety of people's residences and places of business. It also creates an atmosphere that is favourable to innovation and corporate expansion. Moreover, a sizable percentage of the local workforce still finds employment in the security profession, notwithstanding a shortage of people entering the field.[684] This scenario has led the government to adopt affirmative approaches through various initiatives.

4.10.1 Security Industry Transformation Map (ITM) 2025

The Singapore government established a number of more thorough measures to guarantee that PSCs can successfully perform their functions in line with the government's objectives. ITM was launched in 2018. When ITM was first introduced, its primary goals were to persuade security firms to embrace technology to deliver security solutions more successfully, rather than relying solely on human labour. It is also to increase production and efficiency by encouraging the security industry to adopt new technologies and innovative practices. To guarantee compliance and uphold the industry's high standards, regulatory standards should be improved. Enhance and expand security officers' skill sets to better serve the industry's expanding needs and to open up more employment opportunities. With the help of these goals, the security sector is expected to become more productive, competitive, and technologically

683 https://www.indsights.sg/resources/ retrieved on 9 July 2024 Sustaining the future of the security industry: Moving forward with digitalisation (2022). Indsights Research

684 https://www.labourbeat.org/news/transforming-the-security-industry-mindsets-need-to-change/#:~:text=The%20security%20industry%20is%20a%20cornerstone%20in%20Singapore%E2%80%99s,industry%20goes%20beyond%20safeguarding%20people%E2%80%99s%20homes%20and%20businesses. (retrieved on 8 July 2024)

sophisticated, improving security for Singapore and creating high-quality jobs for Singaporeans, with the goal of advancing the private security sector.[685]

The Security ITM is headed by and supported by tripartite partners that include government agencies, security industry associations, the Union of Security Employees, and security agencies. Since then, the Security ITM has assisted the sector in gradually transitioning from a model that relies heavily on labour to one that combines technology with skilled labour to provide security services of a higher calibre.[686] The security ITM 2025 focuses on a more advanced and integrated private security industry. In order to meet the evolving needs of security agencies and facilitate the expansion of their digital capabilities, the Security Industry Digital Plan would be updated from time to time. With the Chief Technology Officer[687] as a service under this transformation map, PSCs have access to digitalisation resources and end-to-end digital consulting help, which can speed up the industry's digital transformation.[688]

4.10.2 Government's Grant to Accelerate PSCs

The Government of Singapore assists businesses in enhancing their capabilities, innovations, and business transformation in order to stay competitive and relevant in the present and future markets. PSCs receive support in the form of grants, programmes, and initiatives that address topics like workforce upscaling, market expansion, and digital solutions.[689] The Grant for Enterprise Development (EDG) was introduced to companies looking to expand internationally, develop. It backs initiatives that bolster

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685 Mei TT (2018) New plan launched to get security companies to use tech instead of just relying on manpower NST

686 https://www.mha.gov.sg/mediaroom/press-releases/security-industry-transformation-map-itm-2025/ (retrieved on 28 June 2024)

687 One of the top executives of a corporation is the chief technology officer (CTO). They are in charge of overseeing the organization's technology development, strategy, and implementation. https://sg.indeed.com/career-advice/career-development/what-does-cto-do that is created (retrieved on 28 June 2024)

688 A small and medium-sized enterprise (SME) is defined by the Ministry of Trade and Industry as one that employs less than 200 people or has an annual sales turnover of less than S$100 million. The existing definition of a SME, which is defined as an organisation with no more than 200 workers and no fixed asset investment exceeding S$15 million. The revised definition became operative in all industries on April 1, 2011, https://sbr.com.sg/retail/more-news/govt-sets-new-parameters-define-smes#:~:text=The%20Government%20of%20Singapore%20declared%20new%20parameters%20for,million%2C%20or%20that%20employs%20less%20than%20200%20workers

689 https://www.atc.sg/singapore-government-business-sme-grants-support-assistance.php (retrieved on 1 July 2024)

companies‘ core competencies, productivity, creativity, and international market access.[690] These companies play a big role in the Singaporean venture capital scene and have invested directly and indirectly in some of the country’s most successful high-growth businesses. Furthermore, they provide investors with resources that help them expand and raise their chances of success because of their extensive global networks and complementary assets, such as access to clients and intellectual property.[691]

Digitalisation is a major part of Singapore’s plan to become an Asian centre for business, innovation, and technology.[692] Accordingly, the Singapore government’s establishment of a digital business environment is bringing in a new phase of economic growth. Incentives and tactics aimed at helping small and medium-sized enterprises, which comprise 99 percent of all businesses in the economy, to modify their business models in order to more effectively utilise digital technologies. The Productivity Solutions Grant (PSG) was established in order to assist businesses in implementing IT equipment and solutions to improve business processes.[693] PSG covers industries like security and offers Small and Medium Enterprises (SMEs) subsidies of up to 80 percent.

Also, SkillsFuture Enterprise Credit (SFEC) incentivises companies to spend money on staff training and upskilling.[694] A one-time SDG10,000 credit covers up to 90 percent of out-of-pocket costs for qualified companies. Companies can use the funds for staff upskilling, operational expansion, productivity improvements, and technology adoption. Even though the majority of respondents are happy with the SFEC, structural obstacles like time and cost are a major cause of the low participation rates. Furthermore, a discrepancy is observed between the rhetoric of government-driven pragmatism in lifelong learning and the individual goals of responders for their own personal growth. In short, government support initiatives can leverage PSCs to expand their operations. However, policymakers re-evaluate their strategy by funding more

690 https://www.enterprisesg.gov.sg/financial-support/enterprise-development-grant (retrieved on 1 July 2024)

691 Paiva-Silva, J. (2022). Understanding the Singaporean approach to state ownership: ‘commercially viable strategic alignment’ in historical perspective. Structural Change and Economic Dynamics, 61, 43-58.

692 Toh, M. H. (2022). Developing a digital business ecosystem in Singapore. In Digital Transformation Management (pp. 164-184). Routledge.

693 https://www.enterprisesg.gov.sg/financial-support/productivity-solutions-grant (retrieved on 1 July 2024)

694 https://www.enterprisesg.gov.sg/financial-support/skillsfuture-enterprise-credit (retrieved on 1 July 2024

diversified and high-quality courses, guaranteeing the employability of course certificates, and enhancing outreach initiatives.[695]

4.10.3 Outcome-based Contracting

Outcome-Based Contracting (OBC) is a revolutionary standard that revolutionises planning and procurement.[696] It is a one-stop resource portal to assist security agencies and service purchasers in becoming acquainted with outcome-based contracting. Often, consumers consider OBC to be the highest calibre of services that product companies provide. Product companies must switch from using the conventional product business model (PBM) to using an outcome business model (OBM) in order to produce OBCs. This represents a significant adjustment that reorganises their system of activities and, as a result, significantly alters their process of creating value.[697]

OBC is found to perform well in terms of perceived risk and overall effectiveness from the perspectives of the supplier and the buyer. When technical turbulence is high, buyers perceive a greater number of benefits, which makes OBCs more appealing from their perspective. When there is a high level of product innovation, OBC becomes a better option.[698] In the case of systems under outcome-based contracts, contract failure could result in the customer, to a certain extent, perhaps the public, paying a substantial amount of money for either no outcome or an inadequate outcome, or it could force the contractor out of business, which could be disastrous for both parties.[699] Therefore, implementing OBC under ITM 2025 security should be seen as a wise decision that will benefit service providers as well as customers.

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695 Kim, S., Chen, Z. W., Tan, J. Q., & Mussagulova, A. (2021). A case study of the Singapore SkillsFuture Credit scheme: Preliminary insights for making lifelong learning policy more effective. Asian Journal of Political Science, 29(2), 192-214

696 Outcome-Based Contracting (OBC) refers to service buyers specifying contract requirements in terms of expected performance levels, rather than output levels. In contrast, traditional output-based contracts specify fixed amounts of resources (e.g. manpower, equipment) that the service provider needs to supply - https://www.mha.gov.sg/docs/default-source/default-document-library/guide-on-outcome-based-security-contracts.pdf (retrieved on 19 June 2024)

697 Visnjic, I., Jovanovic, M., Neely, A., & Engwall, M. (2017). What brings the value to outcome-based contract providers? Value drivers in outcome business models. International Journal of Production Economics, 192, 169-181.

698 Böhm, E., Backhaus, C., Eggert, A., & Cummins, T. (2016). Understanding outcome-based contracts: benefits and risks from the buyers' and sellers' perspective. Journal of Strategic Contracting and Negotiation, 2(1-2), 128-149

699 Sandborn, P., Kashani-Pour, A., Goudarzi, N., & Lei, X. (2017). Outcome-based contracts–towards concurrently designing products and contracts. Procedia CIRP, 59, 8-13.

4.10.4 Multi-skilled Workforce

Security technologists create a new job to help with the shift to more sophisticated integrated solutions. Multiskilling can increase production and reduce the number of employees hired for a project. The multiskilled workforce should be scheduled and arranged to cover the skill combinations needed by the project, minimise the total labour requirements, and extend the workers' length of employment.[700] Higher income and improved worker employability are additional advantages. The workforce strategy and the planning and scheduling procedures of a construction project must be modified to use multiskilling effectively and efficiently in order to fully profit from these advantages. Accordingly, ITM desires to create a multi-skilled workforce that is prepared for the future. The Skills Framework for Security was revised to emphasise the competencies required for the evolving duties of security officers.

4.10.5 Increased Paid Up Capital to Ensure Competitiveness

The Singaporean government has adopted the strategy of raising the bar for new entrants into the industry to ensure that only PSCs with sufficient capital can enter the market, since a significant amount of money is required to realise the ITM aspiration. New PSCs will need to be able to offer increased pay and benefits for their employees, as well as investments in technology. Beginning on 1 July 2023, the initial paid-up capital requirement for new applications increases from SGD300,000 to SGD500,000. The purpose of the Singapore government's increase in the paid-up capital requirement for the private security sector is to make sure that newly established security organisations have a more robust financial base to weather market fluctuations and initial obstacles.[701] The higher paid-up capital requirement aids in guaranteeing the financial stability and improved ability of newly licensed security agencies to pay salaries, provide welfare benefits for their staff, and make investments in appropriate technology. This situation complies with legal requirements. The increased paid-up cash advocates for the revised Security Industry Digital Plan (IDP), which intends to

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700 Haas, C. T., Rodriguez, A. M., Glover, R., & Goodrum, P. M. (2001). Implementing a multiskilled workforce. Construction Management and Economics, 19(6), 633–641. https://doi.org/10.1080/01446190110050936

701 https://www.straitstimes.com/singapore/resource-portal-set-up-for-security-customers-as-refreshed-industry-roadmap-pushes-for-outcome-based-contracts (retrieved on 19 June 2024)

direct the sector in implementing cutting-edge digital solutions and equipping security personnel with skills that are in high demand.[702] As security contracts become more outcome-based, security organisations will have the financial capacity to produce the desired results and be ready for this new service delivery model. In summary, the Singaporean government increased the paid-up capital requirement for the private security sector to enhance the financial stability, regulatory compliance, digitalisation, and service delivery capabilities of security agencies, ultimately improving national security.[703]

4.11 The Evolution of ITM

ITM has undergone substantial change since its introduction in 2018. It collaborates with bigger foreign companies and higher education institutions to assist SMEs in embracing new technology and developing the skills necessary to seize international economic prospects.[704] With an emphasis on integrated solutions and digital transformation, ITM promoted technological innovation and acceptance in the security sector. ITM for security guards has resulted in better pay and benefits, as well as chances for professional growth and upskilling. ITM raises industry standards and ensures compliance through the introduction of the Security Agencies Competency Evaluation. Also, ITM has encouraged the best sourcing solutions. By pushing security companies to use technology to deliver security solutions more effectively, rather than only supply human.[705] Moreover, to facilitate the shift to more sophisticated integrated solutions, the ITM has developed a new role for security technologists and updated the Skills Framework for Security to highlight the skills required for the evolving duties of security officers.[706]

Since ITM is a high-impact strategy, the government's support is crucial to ensure the transformation's efficacy and success. The government has generously allocated SGD10 million for initiatives and SGD100 million to support businesses in

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[702] https://www.imda.gov.sg/how-we-can-help/smes-go-digital/industry-digital-plans/security-idp (retrieved on 19 June 2024)

[703] https://www.mha.gov.sg/mediaroom/press-releases/security-industry-transformation-map-itm-2025/ (retrieved on 19 June 2024)

[704] Speech by the Deputy Prime Minister Heng Swee Keat at the opening ceremony of the Industrial Transformation Asia-Pacific 2022 trade event at Singapore Expo.

[705] https://www.mha.gov.sg/docs/default-source/default-document-library/factsheet-on-best-sourcingc5af3c0f595a4a8285eceeec43f8e4dd.pdf (retrieved on 20 June 2024)

[706] .https://www.mha.gov.sg/docs/default-source/default-document-library/infographic-on-security-industry-transformation-map-itm-2025.pdf (retrieved on 12 June 2024)

their transformation endeavours.[707] MHA pledges to remain dedicated to guiding the Security ITM 2025 and creating a more secure Singapore in close collaboration with its tripartite partners.[708] In short, the introduction of the ITM in 2018 has advanced the security sector, moving from a labour-intensive paradigm to one that integrates skilled labour and technology for higher-quality security services.[709]

4.12 Technology and Effectiveness of Private Security Services

In Singapore, technology has a big impact on the success of private security services. Technology automates routine jobs, which frees up security staff so they can concentrate on more important duties and increases productivity. The capacity to identify and discourage criminal conduct is improved by the use of sophisticated surveillance technologies, such as CCTV cameras equipped with video analytics and facial recognition software. Security staff may better comprehend and respond to security threats with the use of data analysis and intelligence collection, which speeds up incident response times and lowers the chance of security breaches. Remote monitoring capabilities enable security staff to monitor multiple locations simultaneously, thereby accelerating response times and enhancing overall security coverage. Moreover, integrating surveillance with other systems, such as guest management and access control, strengthens overall security posture and expedites incident reaction times.[710] By facilitating better communication among security workers, technology lowers the possibility of misunderstandings and helps them respond to security crises more skilfully.

Technology improves security personnel's training by giving them the abilities and know-how required to handle cutting-edge security systems and react to security situations. It enhances efficiency by decreasing reliance on human procedures and enhancing the precision and swiftness of security measures. Technology lowers expenses by decreasing the need for physical labour and increasing the effectiveness of security operations. Security outcomes are also enhanced by the increased capacity to

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707 Tan HH (2023) Transforming the Security Industry: Mindsets Need to Change. Labourbeat

708 https://www.mha.gov.sg/docs/default-source/default-document-library/infographic-on-security-industry-transformation-map-itm-2025.pdf (retrieved on 19 June 2024)

709 https://www.businesstimes.com.sg/international/new-plan-launched-get-security-companies-use-more-tech-rely-less-manpower (retrieved on 12 June 2024)

710 https://www.police.gov.sg/Advisories/Security-Outcome-Based-Contracting/Security-Outcome-Based-Contracting (retrieved on 10 June 2024)

identify and discourage criminal activity, speeding up incident reaction times, and lowering the likelihood of security breaches.[711] These advantages demonstrate the important part technology plays in raising the efficacy of private security services in Singapore.

4.13 Progressive Wage Model (PWM)

In the traditional systems, tasks and skills are viewed as equal. Conventional approaches match workers with occupations using a skills framework. Jobs are matched with workers based on their talents and vice versa. High-skilled workers will be in more demand as jobs grow more high-tech, while low-skilled individuals will still perform low-tech tasks. However, skills and tasks may not be equal now because jobs are disrupted task by task rather than job by job or even skill by skill.

PWM has been implemented in several Singaporean sectors and is specifically designed to assist low-wage workers. It is effective in resolving Singapore's gross wage and employment difficulties, especially since it eliminates the 13th-month Annual Wage Supplement (AWS) and other allowances in order to pay for the increase in gross wages.[712] PWM seeks to give employees a fair compensation structure that values their abilities and contributions to the company while assisting them in achieving long-term, sustainable wage growth.

PWM supports workers in their career advancement and gradually increases their pay. The concept is intended to give employees more defined career advancement pathways and to assist employers in determining what skills and abilities their staff members must learn to develop in their roles. Employees must complete job-specific duties and training under PWM in order to advance up the wage scale. Over time, such training helps them advance their talents and get paid more. The concept encourages employees to learn new skills and knowledge that can help them advance in their professions and get greater compensation by putting a strong emphasis on skill development and job-specific duties. PWM is anticipated to raise the workforce's

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711 https://www.mom.gov.sg/-/media/mom/documents/employment-practices/pwm/stc-report-on-enhanced-training-requirements-jan-2023.pdf (retrieved on 11 June 2024)

712 Guo Qiang, T. (2021). Paradox of Progressive Wage Model in Security Sector: A Singapore Case Study. Academia Letters, 2.

general productivity and competitiveness in Singapore while also assisting companies in becoming more profitable and efficient.[713]

PWM is advantageous to PSCs. PWM offers a defined career roadmap that enables security officers to earn greater salaries by improving their productivity, job responsibilities, and skill set. Higher pay will allow security officers to work fewer overtime hours, improving work-life balance and reducing weariness while boosting alertness and performance. This encourages security officers to work more and builds a sense of professionalism and pride in their work. In addition, the security industry will also be in a better position to draw in and hold on to skilled personnel. A more productive and highly skilled workforce that makes use of technology will benefit the security services. As a result, service providers can take advantage of improved security service standards and safer environments for people to live and work in.[714]

PWM serves the majority of low-wage workers and started as a specialised project aimed at outsourced service industries, including cleaning, security, and landscaping. Though PWM assisted in closing the pay gap without reducing employment levels, the wage ladders will need to be updated regularly, and consumers and companies will need to adapt to rising prices as Singapore works to create a more equitable society.[715]

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713 https://hrsingapore.org/occupational-progressive-wage/?sow-7769d7174390=121&sow-87942=17 (retrieved on 20 June 2024)

714 https://www.ntuc.org.sg/uportal/news/Private-security-officers-to-benefit-from-better-jobs-and-better-pay-with-the-launch-of-the-Progressive-Wage-Model-for-the-security-industry/ (retrieved on 7 June 2024)

715 Ho, T. (2023). The Growing Scope and Impact of the Progressive Wage Model. Singapore Labour Journal, 2(01), 56-67.

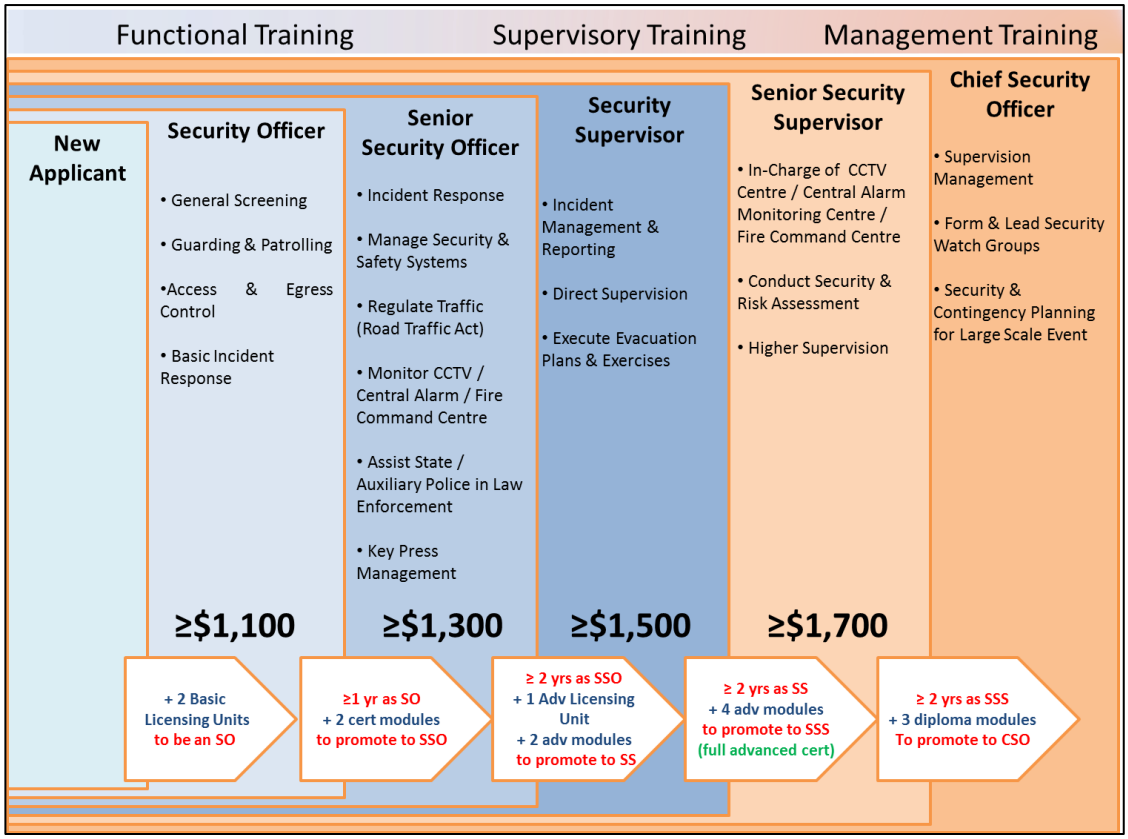

Figure4.1 Progressive Wage Model

Transparency is a powerful and essential part of PWM. Singapore has implemented two digital tools, the Occupational Employment Dataset register and the Progressive Wage Portal, that allow workers to verify if their pay complies with PWM regulations. It is built around clear pay increases that are closely linked to employees' increased productivity and skill development. This organised career ladder ensures that employees understand how obtaining new certifications or skills leads to higher compensation, which in turn fosters motivation and pay equity,[716] ensures PSCs follow fair pay rules, and provides workers with direct access to wage data. WM facilitates employee verification, supports regulatory compliance, and offers easily comprehensible information on salary progression. This cooperation guarantees that PWM raises wages in a sustainable, equitable, and responsible way. In short, Singapore's approach to fair wage structures, transparency, and the PWM thus constitutes a potent, mutually supporting combination.

716 https://www.ncs.co/en-sg/knowledge-centre/articles/advancing-economic-equity-with-enhanced-progressive-wage-portal/ (retrieved on 7 June 2024)

4.14 The Use of Robots by Private Security Services

Due to a shortage of security guards and the growing demand for more effective and affordable solutions, Singapore's Private Security Companies (PSCs) are increasingly employing robots. Oneberry Technologies Pte Ltd, a Singaporean company, provides a line of adaptable RoboGuard Oneberry,[717] KenOBI,[718] ObiForce security surveillance, concierge, and inspection robots. These robots are capable of a multitude of tasks, including thermal scanning, deterrence, surveillance, and AI-powered alarms. These devices have the ability to be incorporated into the current building infrastructure and placed in different places, like airports, events, and key entry points. Ademco, a security services company, has introduced a rent-a-robot program in response to a shortage of security officers.[719] In addition, the Singapore Police Force has placed autonomous patrolling robots at Changi Airport to improve security and demonstrate cutting-edge law enforcement technology.[720] These robots can enforce cordons, alert bystanders, and enable direct communication with law enforcement because they are made to mimic the functions of human officers. The employment of robotics in Singapore's private security services is indicative of a worldwide trend in the usage of robotics and AI in surveillance and law enforcement. These advancements demonstrate the increasing significance of robots in Singapore's private security services, which is being driven by the demand for more economical and effective solutions.

4.14.1 The Use of Robots Compared to Drones in Singapore

Robots are widely regarded for their dependability, consistency, and capacity to carry out dangerous or repetitive jobs in controlled settings like commercial buildings, industries, and hospitals. They attract companies looking for efficiency and flexibility

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717 RoboGuard® is a series of customisable security surveillance, concierge and inspection robots. With the shortage of manpower, the RoboGuard solution was designed to takeover and augment some of the tasks of physical officers and complement security manpower deployments.

718 KenOBI is a security & concierge robot that can help to automate manual security tasks and complement security manpower. It is a contactless security solution serving multi-functional needs, that can be integrated across existing building infrastructure for example visitor management, access control and the FCC. They can also be deployed at events for mobile surveillance & concierge

719 https://www.todayonline.com/singapore/robot-security-guards-hire (retrieved on 10 June 2024)

720 https://edition.cnn.com/2023/06/18/asia/police-robots-singapore-security-intl-hnk/index.html. (retrieved on 10 June 2024)

because of their deployment, which solves labour shortages and boosts productivity. However, drones are becoming more popular in Singapore, although widespread use is severely hampered by public opinion, particularly in residential areas. Concerns about privacy, safety, and misuse are the top reasons why Singaporeans are less at ease with drones operating close to their houses, according to studies. Although acceptance is greater in commercial or recreational areas, these limitations prevent drones from being widely used in regular urban environments.[721]

In Singapore, a number of interrelated factors contribute to its greater utilisation of robots as opposed to drones. The government invests in and supports robots through programmes like the National Robotics Programme (NRP).[722] The programme provides major financing for the integration of robots into industry, healthcare, logistics, and facilities management. Singapore invests in robotics with 730–770 robots per 10,000 workers, making Singapore one of the highest robot densities in the world, far exceeding the global average. A strong ecosystem for robotics innovation, commercialisation, and adoption across a range of industries has been established by the government's focus.[723] Singapore continues to perform excellently in AI, and they are the first Southeast Asian nation to adopt a national AI strategy.[724] Singapore's government-funded AI R&D expenditures as a percentage of GDP are eighteen times greater than comparable US R&D expenditures.[725] The city-state's success with AI can also be attributed to a number of government programmes on innovation and talent development.[726]

4.14.2 Advantages of Using Security Robots - Singapore's Experience

The use of robots and AI in security technology management is changing the work of security officers. While there are now more options to advance into higher-

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721 KL Tan, BC Lim, G Park, K H Low, CS Yeo (2011)'Public acceptance of drone applications in a highly urbanized environment, Technology Society, Volume 64, https://doi.org/10.1016/j.techsoc.2020.101462.

722 https://www.mti.gov.sg/Newsroom/Speeches/2025/03/Speech-by-2M-Tan-See-Leng-at-the-National-Robotics-Programmes-RoboSG (retrieved on 10 April 2025)

723 https://www.growyourbusiness.org/business-news/singapore-invests-usd-60-million-in-national-robotics-programme-to-drive-industry-adoption/ (retrieved on 10 April 2025)

724 https://www.smartnation.gov.sg/nais/ (retrieved on 23 April 2025)

725 https://cset.georgetown.edu/publication/examining-singapores-ai-progress/. (retrieved on 23 April 2025)

726 Goode, K., Kim, H. M., Deng, M. (2023). Examining Singapore's AI progress. Center for Security and Emerging Technology, 19

skilled professions and upskill, fundamental competencies are still essential for employment. Robots are being used in private security in Singapore with the ultimate objective of increasing the efficacy and efficiency of security services, cutting expenses associated with operations, and strengthening national security. Security robots can work nonstop, eliminating the requirement for a big human security crew and the related labour expenses. Security robots can result in lower insurance rates for homes and companies by lowering the chance of security breaches and catastrophes. Security robots eliminate the need for extra staff and resources by covering wide areas and detecting anomalies more quickly than human security officers. Since security robots do not need benefits, paid time off, or other costs related to hiring human people, they may end up being less expensive over time than traditional security guards. During the late hours, when hiring human security officers is usually more expensive, security robots can offer round-the-clock coverage.[727] Therefore, the use of security robots instead of human security guards has financial advantages.[728]

The possibility of human error, which can result in expensive legal bills and settlements and bad press, can be decreased with the use of security robots. Since security robots can offer a full-service subscription plan that includes robot deployment, maintenance, updates, support, and replacements, they can offer a return on investment (ROI) that is quicker and easier to specify.[729] When it comes to security and risk management, security robots are able to gather and evaluate information more efficiently than human security officers. This results in insightful information being used, as well as improved operational efficiency and supported human officers.[730, 731] A wide range of public safety duties, including monitoring prison operations, providing real-time overhead video transmission during major incidents, and patrolling quarantine facilities, are being assisted by robots and drones in Singapore. Security robots outperform traditional security guards, as they are a more effective alternative for the protection of businesses and properties.

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727 Reinharz S (2024) A new era in property protection: Security officers & security robots. Security magazine

728 https://www.salvatortech.com/en/blog/why-security-robots-are-a-game-changer/ (retrieved on 11 June 2024)

729 https://www.cobaltai.com/the-roi-of-security-robots/ (retrieved on 10 June 2024)

730 Rees Victoria (2024) Improving safety with automated AI-based security robots, SJA Security Journal Americas

731 Shirley Tay (2021) Meet the robots and drones helping to keep Singapore safe. Govinsider

Robots are used extensively in Singapore across a number of industries, including private security, to boost monitoring capabilities, improve productivity, and save operating expenses. RB-WATCHER and other autonomous mobile robots are utilised for surveillance duties, including patrolling pre-established zones, keeping an eye on cameras and other sensors, and spotting fires.[732] These robots can work in a variety of settings, such as both indoor and outdoor ones, and they can find their way through places that are hard to get to or exposed to bad weather. For example, the Singapore Police Force has placed autonomous patrolling robots at Changi Airport to improve security and demonstrate cutting-edge law enforcement technology. With their 360-degree vision, these robots can enforce boundaries, alert onlookers, and help with direct police-to-person communication.[733]

4.14.3 Singapore's Framework beneficial for Malaysia to Emulate

Singapore's individual licensing requirements under the Private Security Industry Act provide a scalable model for Malaysia, mandating background checks, fit-and-proper assessments, and periodic training certifications for every private investigator and security operative, which directly addresses Act 27's agency-only focus and rising needs in corporate governance amid AI-driven surveillance ethics. This approach ensures personal accountability, reducing liability risks for firms in high-stakes sectors like trusts and companies law, where unqualified personnel could breach fiduciary duties or mishandle sensitive data.

Adopting Singapore's comprehensive code of conduct which covering client confidentiality, anti-discrimination protocols, conflict-of-interest disclosures, and explicit PDPA integration for surveillance data as this would modernize Malaysia's framework without requiring a full overhaul. Act 27's silence on these leaves gaps exploitable in litigation; Singapore's model, enforced via PLRD audits, promotes self-regulation through mandatory annual ethics refreshers, aligning with Malaysia's academic emphasis on professional standards in evidence and tort contexts.

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732 RB-WATCHER is the inspection robot developed to perform surveillance tasks autonomously, safely and efficiently even in challenging and dynamic indoor and outdoor operating environments. This autonomous mobile robot precisely executes surveillance tasks ranging from patrolling a predetermined area, locating objects and persons (e.g. intruders), detecting fires or collecting quality data. The robot processes all this information and sends it in real time to the control centre for decision making- https://robotnik.eu/products/mobile-robots/rb-watcher

733 https://smartechdaily.com/singapore-police-robots-patrol-airport/ (retrieved on 19 June 2024)

Singapore's administrative tools, such as immediate licence suspensions pending investigation, proactive compliance audits, and tiered penalties escalating to business closure, offer Malaysia faster resolution than Act 27's court-dependent prosecutions. In Kuala Lumpur's dense urban environment, this PLRD-style dedicated regulator would streamline police resources, deter unlicensed operations effectively, and incorporate tech-specific rules like drone usage limits, fitting Malaysia's evolving digital corporate landscape.

Singapore's Progressive Wage Model (PWM) under the Private Security Industry Act stands out as the premier career development provision, establishing a structured five-level ladder from Security Officer (SO) to Chief Security Officer (CSO), with mandatory training modules, experience thresholds, and escalating minimum salaries tied to skill upgrades.

New entrants start as SO after completing three basic modules on security operations, patrolling, and emergency response, qualifying for SGD1,400+ monthly base pay. Progression to Senior Security Officer (SSO) requires two advanced modules plus 12 months' experience, unlocking supervisory duties and SGD1,800+ salaries. Further levels that is Security Supervisor (SS), Senior Security Supervisor (SSS), and CSO demand 1-4 specialized modules each such as team management, risk assessment, leadership, cumulative experience up to 48 months, and wages rising to SGD4,500+, enforced as a licensing condition by PLRD.

This model addresses Act 27's complete absence of training mandates, offering Malaysia a plug-and-play framework for professionalizing PIs and guards amid corporate governance needs in AI-monitored trusts and companies. Unlike Indonesia's basic decrees, PWM's wage incentives reduce turnover in Kuala Lumpur's high-demand market, while modular WSQ certifications align with SkillsFuture-style initiatives, enabling cost-effective rollout via police oversight without new bureaucracy.

Mandating PWM like progression would curb unqualified operators in tort-prone scenarios, foster loyalty through clear paths (e.g., evidence-handling certs for PI roles), and integrate PDPA ethics training, mirroring Singapore's success in elevating industry standards—ideal for Malaysia's legal academia focus on fiduciary competence.

4.15 Brief History of Indonesian Private Security Services

The acronym Satpam stands for Satuan Pengaman, which literally means security unit. It is a form of representation of the security system guaranteed by an institution. The initial record of security guard establishments in Indonesia dates back to 30 December 1980, when General Awaloedin Djamin, the Chief of Police at the time, issued SKEP 126/XII/1980, a decree about the development of security units. General Awaloedin Djamin inspired and honoured members of the public who were devoted to elevating the status of security guards in the security sector.[734] The initial idea of establishing security guards was due to the limited number of police officers to maintain security. With limited personnel, it was impossible for the police to guard shops and offices. Awaloedin proposed a security guard funded by a certain office. Thus, Satpam was formed to assist the police in performing security duties in small areas, such as neighbourhoods, offices, and shops.[735]

Satpam was a self-initiated security task to assist the police in the field of organising security and public order, which is limited to its working environment to tackle organised crimes, such as thugs, that mushroomed in certain areas of Indonesia.[736] Satpam's primary duty is to uphold law and order in a specific setting.[737] Security guards are employees who organise security and order in the environment or workplace, which includes aspects of physical security, personnel, information, and other technical security.[738] By establishing security guards, the police could secure these areas without needing to send their personnel directly.[739]

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734 Awaloedin Djamin, (2007); Security Management in Indonesia and Improvement of Perkap 24 (Management Security di Indonesia dan Penyempurnaan Perkap 24) . MPA

735 Asvi Warman Adam, (2010), 'Uncovering the Mysteries of History (Menguak Misteri Sejarah) Penerbit Buku Kompas

736 Aris, N. H. (2023). Reconstruction Of Police Regulation Number 4 Of 2020 Concerning Self-Initiated Security for Security Guard Members Based on Human Rights (Rekonstruksi Peraturan Kepolisian Nomor 4 Tahun 2020 Tentang Pengamanan Swakarsa Pada Anggota Satpam Berbasis Hak Asasi Manusia); Master thesis, Universitas Darul Ulum Islamic Centre Sudirman, Semarang Indonesia).

737 H.Arkian Lubis (2019) SATPAM. Percetakan PT Gramedia Jakarta

738 Nasution, M. Y., & Suryandi, D. (2021). Juridical Review of the Liability of Pt Golgon Service Provider Company Due to the Crime of Theft Committed by Workers / Security Guards (Tinjauan Yuridis Tanggungjawab Perusahaan Penyedia Jasa Pt Golgon Akibat Tindak Pidana Pencurian Dilakukan Pekerja/Satpam). JURNAL RECTUM: Tinjauan Yuridis Penanganan Tindak Pidana, 3(1)

739 Ian Wilson (2018) The Politics of Thug Rations: Mass Organisations and Street Power in Post-New Order Indonesia. (Politik Jatah Preman: Ormas dan Kuasa Jalanan di Indonesia Pasca Orde Baru); jurnalruang

The global economic growth has a significant impact on businesses in Indonesia. Competition is so intense that it has caused the need for security services. The professionalism of security guards is very important since the private security services not only provide physical protection services through static guards and the supply of security personnel and provide security information and other technical security from any security threat and order disturbances, but also act as a protector in the effort to manage risks from various threats to the public order and safety in the businesses. Professional, modern, and trusted security guards must possess skills, intelligence, integrity, and discipline.[740] Awaloedin revealed that security guards must receive the same education and security materials as the police. Basic training of security guards is provided by the police. In order to accomplish these intricate and dynamic tasks, the State Police of the Republic of Indonesia adopted a policy of inviting community engagement, given the limited number of police officers and resources available. Administratively, security guards must also be recorded and registered as members of the police.[741]

In conclusion, private security services in Indonesia have transcended informal neighbourhood watch groups and have evolved into a professional industry that plays a major role in maintaining the security of the country. They are essential for crime prevention beyond community surveillance, and they also contribute to disaster management. However, a study by Ni'am Irawan Dewanto shows that the weakness of the legal system in force in Indonesia against security guards in glorifying the security guard profession is mainly related to legal protection and employment status. The study further shows that legal protection is needed for members of the security guard in Indonesia.[742]

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740 Edisah Putra (2020), Toward the creation of professional, modern and trusted security guards in the security industry in Indonesia (Menuju Industrial Security Dalam Mewujudkan Tenaga Satpam Profesional, Modern Dan Terpercaya Di Indonesia) Male Law Journal

741 https://nasional.tempo.co/read/1557043/ini-sejarah-asal-usul-pembentukan-Satpam (retrieved on 13 June 2024)

742 Ni'am, Irawan, Chaeruli Dewanto (2021) Media of Law and Sharia 2021 Vol 2, Efforts to Realize the Glorification of the Security Unit Profession in View of Police Regulation Number 4 of 2020 (Upaya Mewujudkan Pemuliaan Profesi Satuan Pengamanan Ditinjau Dari Peraturan Kepolisian Nomor 4 Tahun 2020)

4.15.1 The Private Security Services in Indonesia Prior to Satpam

The history of private security services in Indonesia is shaped by various factors, including urbanisation, globalisation, and economic development.[743] Prior to the establishment of Satpam, there were other forms of private security services in Indonesia. Jaga is an Indonesian word used to describe security guards who are not licensed by the government or working with a licensed security company.[744] They are usually hired by individuals or small businesses to provide security services. Jaga guards are not required to have any formal training in guard duties.[745]

Hansip is an acronym for pertahanan sipil. [746] Hansip can be translated as civil protection is a neighbourhood watch system that was established during the New Order era. The New Order era in Indonesia refers to the period of governance under President Suharto, which lasted from 1966 to 1998, in Indonesia. It is a community-based security system that relies on volunteers to patrol the neighbourhood and report any suspicious activities to the authorities. Hansip volunteers are not licensed by the government or working with a licensed security company.[747]

The majority of Indonesians in the middle class do not employ PSCs to protect their community members. Rich Indonesians and foreigners are the main consumers of private protection services. Satpam has played a role in reforming private security services in Indonesia and has contributed to this reform through regulation. The Indonesian National Police (POLRI) issued regulations specifically addressing private security services, such as Regulation Number 4 of 2020 on Private Security.[748] This regulation provides an official definition of Satpam and establishes guidelines for their roles and responsibilities. In addition, the implementation of recruitment and training processes for Satpam has been studied and evaluated.

Satpam is considered a source of security and safety for communities, contributing to a positive perception of private security services. As the first line of defence for an integrated security system, Satpam is essential. Ensuring security and

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743 George and Kimber (2014),The Handbook of The History of Private Security and Its Impact on the Modern Security Sector; Palgrave Macmillan, London

744 Collins Dictionary translated the word ‘jaga’ as ‘guard’ or ‘sentry’

745 https://www.expat.or.id/info/jaga.html; retrieved on 14 July 2023

746 (http://www.organisasi.org/1970/01/arti-singkatan-hansip-kepanjangan-dari-hansip-kamus-akronim-bahasa-indonesia.html retrieved on 14 July 2023)

747 https://www.expat.or.id/info/jaga.html;retrieved on 14 July 2023

748 https://nawakara.com/en/serba-serbi-Satpam/; retrieved on 15 July 2023

order in the workplace and its environs is the primary responsibility of Satpam members. This includes managing personnel, information, and other technical security measures in addition to physical security. They safeguard the neighbourhood around the workplace as well. Apart from carrying out manned security duties, Satpam can also act as brand ambassadors. Satpam plays an important role as a front-line protector in a company's hospitality department. Thus, it is imperative to take into account Satpam's persona, of which the uniform is a key component.[749]

Satpam welcomes the planned uniform change. Over the years, POLRI has made multiple modifications to the uniforms of private Satpam in order to set them apart from law enforcement personnel. In the beginning, Satpam wore navy blue uniforms at night and white shirts and black trousers during the day. POLRI implemented brown uniforms for civilian guards in September 2020 in an attempt to represent 'closeness' and foster a feeling of pride in their line of work. However, there was confusion since the brown clothes were too close to police uniforms. POLRI improved the Satpam uniform, introducing a new colour during the 41st anniversary celebration held in Jakarta on 2 February 2022. The new uniform reflects a more professional look for the profession. To further set themselves apart from law enforcement, POLRI altered the Satpam outfit once again in the year 2023. The latest uniform seems to be able to distinguish Satpam from the police personnel. A. Muhd Inu Aqil asserts that the latest alteration has effectively eliminated any confusion. [750] The approach adopted by POLRI to change Satpam's uniforms a few times demonstrates the industry's increased professionalism and showcases the modernisation of Indonesia's private security sector. This can be better illustrated in Figure4.2

749 https://nawakara.com/en/seragam-Satpam-terbaru-2024/ (retieved on 15 July 2024)

750 This article was published in thejakartapost.com with the title ''. Click to read: https://www.thejakartapost.com/indonesia/2022/01/14/no-more-confusion-security-guards-welcome-planned-uniform-change.html.

Figure4.2 Uniform Identity: The Evolution of Satpam Attire Since 1980

4.15.2 Satpam- Business Entities and Workforce

The number of security guard employees and security service companies (Badan Usaha Jasa Pengamanan, or BUJP) grows every year. In 2022, a total of 5,670 BUJPs increased by 2,500 from 1,622 in 2021. The number of security personnel was 856,002 in 2022, an increase of 596 from 815,129 in 2021.[751] POLRI naturally anticipates that a rise in quantity will need to be accompanied by a rise in proficiency and expertise. Therefore, POLRI offers several training programs for Satpam. The purpose of the training is to provide Satpam with the skills and knowledge they need to perform their duties effectively.[752] According to the National Police Chief's Decree No. 54/1/2023 concerning the Training Curriculum, security guards are allowed to periodically progress through different levels of security guard training. The training courses offered by POLRI include

1. Basic Education, or Pendidikan Dasar (Diksar), was formulated to grow their professional abilities and knowledge. Satpam must complete basic training that consists of both physical and mental exercises. The basic training is very important for all Satpam because a study by Rasit Kalenggo, Arifin Utha, and La Tarifu shows that the organisation inspired the creation of basic Diksar, which breaks down all necessary training activities to achieve the training goals for security guards and helps organise their basic training into an effective and unified system. The implementation of this coordination method will allow security guards to maintain focus on organisational objectives.

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751 https://jurnalsecurity.com/jumlah-bujp-dan-Satpam-meningkat-di-tahun-2022/ (retrieved on 1 Dec 2023)

752 https://polri.go.id/ (retrieved on 1 Feb 2024)

2. The training of Gada Utama, Madya, and Pratama Level, wherein Gada Pratama, Gada Madya, and Gada Utama are the three levels of Satpam training, each with distinct duties and skill requirements. Gada Pratama is a mandatory basic education and training for prospective members of Satpam so that they can be more responsible and professional in carrying out security and public order duties in their work environment. Security guards can advance to the Gada Madya level upon completion of the Gada Pratama level. This course provides advanced security education. The Gada Madya level represents the pinnacle of the security guard hierarchy. The emphasis of Gada Utama training is on gaining a deeper understanding and proficiency in security-related tasks.

3. Specialised training where certain task units offer courses or training tailored to Satpam, which may involve certain mental and physical exercises.

Unfortunately, a study conducted by Wahyudi and Kadaryanto found that the implementation of training for prospective security guard members based on regulations was not running properly.[753] The basic Satpam training programme can improve knowledge and build attitudes, values, and skills. However, security guards have to care about local culture in the surrounding environment, necessitating the inclusion of local culture in the training syllabus. A study by Siti Saropah aims to examine the basic training programme for security guards based on local wisdom that has a mental attitude of personality and physical fitness and has basic knowledge and skills as a security guard while preserving local culture in the surrounding environment. Knowledge and basic skills as a security guard, while preserving local culture, are vital. In conclusion, the study shows that the inclusion of local traditions with the National Police Headquarters security training curriculum produces positive and harmonious outcomes, besides conserving native cultural practices.[754]

Apart from the police department's mandatory basic training curriculum, company owners have the option to provide their security guards with additional training on their own initiative. In order to raise the calibre of graduates, the Education and Training Management Security Unit works with the local police, has strong ties to

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753 Wahyudi, H., & Kadaryanto, B. (2023). Implementasi Pelatihan Calon Anggota Satpam Bagi Penyedia Jasa Pengamanan di Kabupaten Kampar. Jurnal Niara, .

754 Siti Saropah, (2022) Local Wisdom Model in the Basic Training Programme of Security Unit (Satpam) Gada Pratama Qualification Case Study in East Kalimantan Province. Model Kearifan Lokal Pada Program Pelatihan Dasar Satuan Pengamanan (Satpam) Kualifikasi Gada Pratama Studi Kasus Di Provinsi Kalimantan Timur. Phdl Thesis, Universitas Negeri Jakarta

the Provincial Police or Polisi Daerah (POLDA) and Regional Police or Polisi Resor (POLRES), and is well-connected. Planning is related to candidates, facilities, and infrastructure, and positive relationships with partners. It may start with curriculum development, financial planning, admissions preparation, and infrastructure and facilities. To enhance the calibre of graduates, the Education and Training Security Unit is being implemented, reviewed, and analysed. Every educational component is being implemented in compliance with the pre-planned schedule. In order to raise the calibre of graduates, solutions must be found for the issues encountered during the security units‘ education and training process.[755]

4.16 Career Path in Satpam

In Indonesia, the security guard industry is divided into several tiers or categories. Gada Pratama is an entry-level position for a security guard. The Gada Pratama training program addresses a number of fundamental security and physical and mental readiness topics. Security guards can advance to the Gada Madya level upon completion of the Gada Pratama level. This course provides advanced security education. Finally, Gada Utama is the top tier of the security guard hierarchy. The emphasis of Gada Utama training is on gaining a deeper understanding and proficiency in security-related tasks. Furthermore, there exist other tiers within the security guard industry, including manager, supervisor, and executor, each with distinct prerequisites and credentials. Before security guards can advance to the next level of responsibility, they need to have the opportunity to learn and receive training, as they will perform better than prior to receiving training.[756]

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755 Kurniawan, E., Rosa, A. T. R., & Handayani, S. (2022). Management of Security Guard Education and Training to Improve Graduate Quality. (Manajemen Pendidikan dan Pelatihan Satpam untuk Meningkatkan Mutu Lulusan). JIIP-Jurnal Ilmiah Ilmu Pendidikan, 5(1), 103-111.

756 Inggar Kesuma, N. (2017). How To Be A Good Security Training Untuk Meningkatkan Kinerja Anggota Satpam Pt. Rodeo Prima Jaya Semarang (Doctoral dissertation, Fakultas Psikologi Universitas Katolik Soegijapranata).

4.16.1 Nine Ranks in Satpam - Rank Structure

Satpam can progress via nine distinct career tiers. The distinct and clear career path attracts talent.[757] The insignia and emblems that reflect the ranking of Satpam can be better explained in Figure4.3.

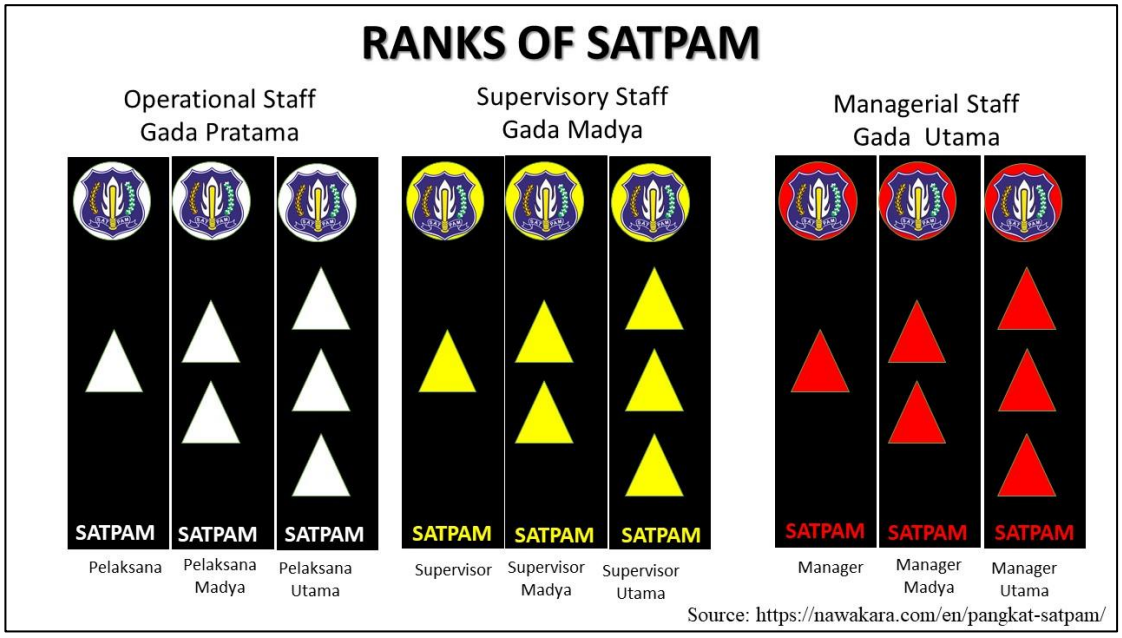

Figure4.3 Ranks of Satpam

Numerous studies have demonstrated the effectiveness of employing the multi-layer perceptron (MLP) to forecast the performance of security unit employees who had received formal training in Indonesia. PSCs in Indonesia adopt MLP extensively for employee promotion. MLP is a neural network that has at least three layers: an input layer, a hidden layer, and an output layer. Each layer operates on the outputs of its preceding layer. MLP classified the security personnel's performance into three groups: good, sufficient, and fail. The method used during the testing phase to comprehensively measure performance achieved the best accuracy of 97.75 per cent.[758]

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757 Keller, S., & Meaney, M. (2017). Attracting and retaining the right talent. McKinsey & Company,

758 Fachrie and Wibowo , (2018), Artificial Neural Network to predict the performance of security guards (Jaringan Syaraf Tiruan Untuk Memprediksi Kinerja Satpam) JIKO (Jurnal Informatika dan Komputer)

4.17 SATPAM and Public's Perspective

To prevent disruptions that could negatively impact the company's ability to conduct business, security is the first line of defence. These disruptions can come from external sources like robbers, thieves, sabotage, and operations, as well as internal ones like worker demonstrations, strikes, and protests. It is not possible for the police force to be present in every place at the same time because there are many neighbourhoods that cannot be attended to intensively. For the sake of the intensity of the presence of the police, assistance is needed, and the existence of private security, by the community, for and from the community, is contained in the form of private security services, including security guards. A security guard, as a form of security, is an assistant to the police function.[759] Although a security guard has limited power regarding security, this is viewed positively in a society with significant power differences. One of the reasons for the change of the security guard uniform is to establish an emotional closeness between the police and security guards, fostering security guard pride as a developer of limited police functions, glorifying the security guard profession, and increasing the role of the police in the midst of society.[760]

The general public views security guards as having a menial position with no room for advancement or even as being unemployed, for which being a security guard is a solution.[761] Working as a security guard is neither in high demand nor valued by Indonesian society members, much less considered a profession.[762] This is because it is evident that security force employees have a dismal future due to low pay, a lack of career opportunities, low-level employment, and numerous other negative presumptions. Employees of BUJPs are frequently interpreted as being no more than

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759 Sudahnan, Vol.XVI, No.3 (2011), Authority of Security Guard as Security Personnel in the Company (Kewenangan Satpam sebagai Tenaga Keamanan di Perusahaan), Jurnal Perspektif.

760 Muhammad, P. (2022). The Relationship of Changes in The Colour, Shape and Completeness of Security Guard Uniforms to Perceptions of Security in The Community. (Hubungan Perubahan Warna, Bentuk Dan Kelengkapan Seragam Satpam Terhadap Persepsi Keamanan Di Masyarakat.) Jurnal
Ilmu Komunikasi

761 Mustofa, M. H., Timan, A., & Zulkarnain, W. (2019). Career Development Analysis of Security Personnel (Analisis Pengembangan Karir Personel Satuan Pengamanan) Universitas Negeri. JAMP: Jurnal Administrasi Dan Manajemen Pendidikan.

762 Budiarsih, (2015) Workers' Rights under Malaysian and Indonesian Public Health Laws (Hak Pekerja di Bawah Hukum Kesehatan Awam Malaysia dan Indonesia), Journal Faculty of Law Universiti Kebangsaan Malaysia, Penerbit UKM Malaysia, I

regular guards or business associates.[763] Due to the public's negative perception, the law has been enacted by the government, but in its implementation, there are still many obstacles that affect the fulfillment of welfare protection.[764]

According to a study conducted by Muhamad Fathur Rizki and Irwan Sarbeni, where security guards were interviewed and discussed a wide range of topics, the study revealed that their careers as security guards are underappreciated and that the risk-taking nature of the work is not worth the salary. Security guards' careers are also undervalued, making them seem less important than police or other security services. This research thus established how many people disregard security guards and how important their welfare is. The study shows the real perception of the security guard industry and the well-being of those who work in such dangerous jobs. Although they may seem like they're just relaxing, the responsibilities they accept are very heavy. Security guards have limited options for negotiating better pay, complicating the issue of salary increases.[765]

Security guards face a dilemma when confronted with criminal events. Due to their limited powers, they are required by Article 49 of the Criminal Code to use forceful self-defence. If they fail to do so, they risk damaging the company property they are responsible for, potentially even endangering their own lives. In addition to being guidelines created by the National Police Chief, the regulations are particularly governed by laws and regulations in an attempt to ensure security guards, who are in a highly vulnerable position to criminal activities, receive legal protection.[766] Security guards require legal protection.[767] Regrettably, Indonesia's weak legislative framework does not favour security guards in particular when it comes to employment

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763 Edisah Putra ,Volume 4 Issue 2 (2020); toward industrial security in realising professional modern and trusted security personnel in Indonesia (menuju industrial security dalam mewujudkan tenaga Satpam professional, modern dan terpercaya di Indonesia) Maleo Law Journal

764 Ryan Istiyanto, Idham, Christiani Prasetyasari; Vol 10 N0 2 (2020);Legal Analysis of the Protection of Outsourced Labour Welfare in the Field of Security Services (Research Study of PT. Putra Tidar Perkasa in Batam) Analisis Yuridis Perlindungan Kesejahteraan Tenaga Kerja Alih Daya Di Bidang Jasa Pengamanan (Studi Penelitian PT. Putra Tidar Perkasa Di Batam); Zona Keadilan

765 Rizki, M. F., & Sarbeni, I.(2022) Security Guards: Behind the visible (SATPAM: Di balik yang terlihat) Journal Anthology of Film and Television Studies.

766 Wesley, J., Machmud, S., & RAS, H. (2023). Law Enforcement against Security Units (Satpam) that Carry out Their Functions and Duties Based on Article 49 of the Criminal Code (Penegakan Hukum terhadap Satuan Pengamanan (Satpam) yang Menjalankan Fungsi dan Tugasnya Berdasarkan Pasal 49 KUHP). Jurnal Hukum Lex Generalis,

767 Ni'am, A. K., Irawan, A. D., & Dewanto, C. A. (2021). Efforts to Realise the Glorification of the Security Unit Profession in Review of Police Regulations (Upaya Mewujudkan Pemuliaan Profesi Satuan Pengamanan Ditinjau Dari Peraturan Kepolisian) Nomor 4 Tahun 2020. Media of Law and Sharia,

opportunities and legal protection, nor does it glorify the security guard profession. Security guards play a crucial role in fulfilling their duties and obligations, which include assisting the police function within the company to anticipate disturbances to community safety and order, particularly during violations and criminal acts at their workplace. Therefore, it is essential to have security guards with enhanced skills and intelligence, necessitating proper education and training so they can responsibly execute their duties and act swiftly and effectively within their limited authority as non-judicial physical security personnel in the company.[768]

The current and upcoming challenge for the National Police of the Republic of Indonesia is to revive the idea of voluntary security through Pasukan Pengamanan Masyarakat (PAM Swakarsa), which is a term for sharp-armed civilian groups formed by the National Armed Forces of Indonesia or Tentara Negara Indonesia (TNI), which forbids social and political violence against civilians and members of the group without following the correct legal procedures. This goes against both the principles of Indonesia as a state founded on the rule of law and the values of patriotism.[769]

4.18 Satpam and the Legislation

POLRI issued Regulation Number 4 of 2020 on Private Security to provide guidelines for the roles and responsibilities of private security services, including Satpam.[770] Indonesian legislation has acknowledged the existence and function of Satpam. In the Law of the Republic of Indonesia Number 2 of 2002 concerning the National Police of the Republic of Indonesia, Article 2, that they will be assisted by special police, civil servant investigators, and/or forms of private security:

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768 Sudahnan, S. (2011). The authority of security guards as security personnel in the company (Kewenangan Satpam sebagai tenaga keamanan di perusahaan). Perspektif

769 Bungsadewo, R. D., Chairunnisa, N. I., & Farhana, S. A. (2021). Polemik Penghidupan Kembali Pengamanan Swakarsa: Dilema antara Community Policing dan Vigilantisme [Controversy Surrounding the Reestablishment of Civil Security Forces (Pam Swakarsa): a Dilemma Between Community Policing and Vigilantism]. Jurnal Politica Dinamika Masalah Politik Dalam Negeri dan Hubungan Internasional,

770 Nigel D. White, Mary E. Footer, Kerry Senior, Mark van Dorp, Vincent Kiezebrink, Y. Wasi Gede Puraka & Ayudya Fajri Anzas (2018); Blurring Public and Private Security in Indonesia: Corporate Interests and Human Rights in a Fragile Environment; Netherlands International Law Review

The police function is one of the functions of the state government in the field of maintaining security and public order, law enforcement, protection, protection, and service to the community.

PSCs aim to, firstly, fulfil the need for a sense of security and comfort in the company environment, area, and/or settlement. Secondly is to raise the awareness of community members in the area and/or settlement in order to overcome any possibility of disturbance of security and public order and finally is to improve the development of the organisations and capabilities in carrying out limited police functions in their respective environments. A study conducted by Deni Fredian and Fadlan Karma[771] revealed that there is a lack of particular regulations governing the legal foundation of the security guard profession, assurances of job continuity, employment relationships or contracts, the Satpam sectoral wage system, and regulations on the Satpam Wage Scale Structure (Struktur Skala Upah or SUSU), further highlighting the urgency of passing a special law for the security guard profession.

Security Guard members are self-initiated security officers who are recruited, trained, and have a membership card and employment status in accordance with the provisions of laws and regulations. Security guard members have the status of workers as stated in Law No. 13 of 2003 concerning labour. The groups and ranks of Satpam are regulated by sets a maximum retirement age of 56 years to 65 years for private employees. The retirement age restriction for Satpam, as specified in Article 31 of Perpol No. 04 of 2020, reaches a maximum age of 70 years. This demonstrates that the rules made by the Ministry of Manpower and the Police differ from one another. Also, the council for the Satpam Professional Code of Ethics has not been set up yet,[772] so workplace disputes are handled according to Law Number 2 of 2004, which deals with resolving these issues through the Manpower Office and the Industrial Court (PHI).[773]

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771 Fredian, D., & Kalma, F. (2024). Urgency Of the Birth of a Special Law for The Security Guard Profession (*Urgensi Lahirnya Uu Khusus Profesi SATPAM.)* Kultura: Jurnal Ilmu Hukum, Sosial, dan Humaniora, 2(8), 104-115.

772 Regulations for the settlement of industrial relations disputes that occur both in private companies and companies within the State-Owned Enterprises. The parties to the dispute are workers/laborers individually or trade union organizations/labor unions with employers or employer organizations. The parties to the dispute can also occur between trade unions/labor unions and other trade unions/labor unions in one company. Every industrial relations dispute is initially resolved through deliberation for consensus by the disputing parties (bipartite). https://peraturan.bpk.go.id/Details/40452/uu-no-2-tahun-2004 (retrieved on 1 September 2024)

773 In 2005, the Industrial Relations Court (PHI) came into effect in Indonesia. PHI is a special court located in the District Court. This special court only handles special cases, namely industrial

4.19 Legal Requirements to become Satpam

Indonesia's economic growth remains resilient, with inflation on a declining trend and a stable currency, the World Bank said in its semi-annual Indonesia Economic Prospects report. GDP growth is projected to ease slightly to an average of 4.9 per cent over 2024 to 2026 from 5 per cent in the current year as the commodity boom loses steam.[774] Due to the rising demand for services across a variety of sectors, including residential, commercial, government, and transportation, the private security services market is anticipated to experience significant growth in the upcoming years, as the Indonesian economy is expanding very rapidly.[775] Individuals who assume the role of Satpam must fulfil the requirements set under Article 6 of the Republic of Indonesia State Police Regulations Number 4 of 2020 on Private Security, which provides that any natural person who intends to apply for the post of Satpam must clearly be provided under their legislation.[776] Employers seeking talent must consider additional factors beyond the legal requirements outlined by Indonesian law before making a hiring decision, as these factors may affect the performance of potential candidates.

Competency is the most significant factor determining security guard performance. Thus, hiring the right people and providing them with the right training can greatly enhance security guard employees' performance.[777] The study conducted

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relations disputes, which consist of cases of disputes over rights, disputes over interests, disputes over PHK (Termination of Employment) and disputes between labour Shar unions. The law used in PHI is generally the procedural law used in general courts, - Syahrul Machmud (2014) Hukum Acara Khusus Pada Pengadilan Hubungan Industrial,Yogyakarta: Graha Ilmu.,

774 https://www.worldbank.org/en/news/press-release/2023/12/13/indonesia-economic-growth-to-ease-slightly-in-2024-as-commodity-prices-soften#:~:text=JAKARTA%2C%20December%2013%2C%202023%20%E2%80%93%20Indonesia%E2%80%99s%20economic%20growth,this%20year%20as%20the%20commodity%20boom%20loses%20steam .(retrieved on 7 Feb 2024)

775 https://www.technavio.com/report/private-security-services-market-size-industry-analysis (retrieved on 7 Feb 2024)

776 (a) Indonesian citizens
(b) Pass the medical test
(c) Pass the physical fitness test
(d) Pass the psychological test
(e) Drug free
(f) To furnish the police clearance report
(g) To attach a statement that has never been sentenced to a criminal penalty
(h) Educated of at least at the high school level or equivalent
(i) Minimum height of 160cm for male and 155cm for female
(j) At the time of registration, the minimum age shall be not less than 18 years old and shall be of the maximum of 55 years old

777 Mentari, R. R. (2013 Analysis of the Effect of Recruitment and Competence on Security Guard Performance (Study at Outside Provider Company PT. Bina Area Persada Surabaya)). Analisis

by Rindya Rakhma Mentari reveals that hiring and competency have an impact on security guard performance. The study also shows that hiring practices and performance competence are somewhat related to each other, with performance competence being the primary factor influencing security guard performance. It is necessary to invest in the development and training of security guards in order to raise their level of expertise and quality and establish a secure work environment, as Satpam's performance is greatly impacted by the training.[778] Ironically, the study conducted by Muhammad Khrisna Adi shows that the highest work motivation to attract talent is in the safety and security dimension, that is, a comfortable workplace that makes the employee very motivated, while the lowest motivation is in the basic need dimension, where the income earned is not sufficient to meet their needs.[779]

4.20 Satpam and the Union

Trade unions are a component of Indonesia's overall labour system. Trade unions are meant to protect workers' rights and interests, provide protection, and improve worker welfare. For employees who choose to form trade unions or associations within their company, the government of Indonesia guarantees legal protection as part of the employment system. In order to protect the principles of freedom of expression, Law Number 21 of 2000 regulating trade or labour unions was enacted.[780] Employees who are members of labour unions have the right to speak out about issues such as salaries, benefits, and working conditions.[781] The employment laws in Indonesia are to protect the well-being of workers, such as the Labour Law of 2003 on Manpower as recently amended by Law No. 11 of 2020 on Job Creation and

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Pengaruh Rekrutmen dan Kompetensi Terhadap Kinerja Satpam (Studi Pada Perusahaan Outside Provider PT. Bina Area Persada Surabaya). Jurnal Ilmiah Mahasiswa

778 Adimad, M. R. I., & Liza, L. (2023). The Effect Of Job Training On The Performance Of Security Units (Security Guards) At The Pratama Kpp Palu (Pengaruh Pelatihan Kerja Terhadap kineja satuan pengaman (Satpam) di KPP Palu) Jurnal Ekonomi Trend

779 Adi, M. K. (2019). Motivation In The Security Unit (Security Guard) At Company X (Motivasi Pada Satuan Pengamanan (Satpam) Di Perusahaan X). Personifikasi: Jurnal Ilmu Psikologi,

780 Kristiantoro, Abigael Stevani (2018) Implementation Of Legal Protection For Workers/Labourers Who Will Form Trade Unions/Labour Unions In The Company Based On Law Number 21 Of 2000 Concerning Trade Unions/Labour Unions (Case Study At Pt. Sinar Amaril Factory Semarang And Pt. Sinar Puspita Abadi Batang). Pelaksanaan Perlindungan Hukum Bagi Pekerja/Buruh Yang Akan Membentuk Serikat Pekerja/Serikat Buruh Dalam Perusahaan Berdasarkan Undang-Undang Nomor 21 Tahun 2000 Tentang Serikat Pekerja/Serikat Buruh (Studi Kasus Pada Pt. Sinar Amaril Factory Semarang Dan Pt. Sinar Puspita Abadi Batang). thesis, Soegijapranata Catholic University (Unika Soegijapranata) Semarang.

781 https://www.paulhypepage.co.id/labor-rights-in-indonesia/ (retrieved on 28 August 2023)

subsequently revoked by Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation, Law No. 21 of 2000 on Labour Union, and Law No. 2 of 2004 on Industrial Relations Dispute Settlement.[782] The number of BUJPs and security guard personnel increases every year. In 2022, the number of BUJPs was 5,670, an increase of 2,500 from 1,622 in 2021. Meanwhile, the number of security guard personnel in 2022 was 856,002 people, an increase of 596 from 815,129 people in 2021.[783] Since the total number of Satpams in Indonesia is significantly large, it is essential to incorporate the Satpam Union to guarantee the protection of their welfare. Satpam has the right to form unions as guaranteed by the Constitution of the Republic of Indonesia.

However, Satpam are considered a part of the POLRI; thus, they are not permitted to form or be members of a trade union or labour union, according to the National Police Chief Telegram Letter No. Pol ST/227/III/2001 and the Banten Police Chief's Circular Letter Number B/538/II/2013/Ditbinas. The Chief of Police's Telegram Letter No. ST/227/III/2001 and the Banten Police Chief's Circular Letter No. B/538/II/2013/Ditbinas are not included in the hierarchy of legislation, which is founded on the principle of lex superior derogat legi inferiori. This means that a later law overrides an earlier law. The maxim asserts that a legal rule that emerges subsequent to a conflicting rule takes precedence over the earlier rule, subject to the degree of the conflict. The principle may apply both to customary rules of law and to provisions of conflicting treaties between the same parties. So, the Telegram Letter from the National Police Chief No. Pol ST/227/III/2001 and the Banten Police Chief's Circular Letter B/538/II/2013/Ditbinas are not part of the official laws, which means they must follow the higher laws, specifically Law No. 21/2000 on Trade Unions/Labour Unions and Labour Law No. 13 Year 2003.[784]

The functions of unions set forth under Indonesian law include protecting workers, defending their rights, increasing the welfare of workers and their families, negotiating and entering into collective bargaining agreements, resolving industrial disputes, representing workers and creating harmonious industrial relations, and

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782 https://documents1.worldbank.org/curated/en/104061468772776048/112512322_2004111714 1030/additional/multi-page.pdf (retrieved on 28 August 2023).

783 https://jurnalsecurity.com/jumlah-bujp-dan-Satpam-meningkat-di-tahun-2022/ (retrieved on 20 July 2023)

784 Caroles, M. B. (2014). Union Rights of Security Guards as Workers in Indonesian Positive Law (Hak Berserikat Satuan Pengamanan (Satpam) sebagai Pekerja dalam Hukum Positif Indonesia) Doctoral dissertation, Brawijaya University.

striking in accordance with legal requirements.[785] Despite the attempt to foil the desire to form the association for Satpam, this has led to the establishment of Asosiasi Profesi Satpam Indonesia, or APSI, which is recognised by POLRI and the Ministry of Law and Human Rights of Indonesia (Kemenkumham) as the official association that represents security guards. APSI was established on 1 November 2014 to replace Asosiasi Manager Security Indonesia (AMSI), which was incorporated on 1 July 2001.[786] In the regulated setting, Indonesian law acknowledges the legitimacy of collective bargaining agreements (CBAs) made by trade unions like APSI during union bargaining. CBAs are effective for two years after they are executed, but they can be kept in effect for an extra year if both the union and the employer agree in writing.[787] For CBAs to be binding and effective, they must be registered with the appropriate manpower agency.[788]

Overall, the legal protections for unionised workers in Indonesia are comprehensive and aim to ensure that workers' rights are protected. Indonesia has ratified the ILO Core Convention of the Declaration on Fundamental Principles and Rights at the Workplace.[789] There have been protests raised by the Federation of Independent Workers Union (FSPM) against the police circular that prohibits security guards from joining workers unions.[790]

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785 https://betterwork.org/reports-and-publications/4-2-union-operations/ (retrieved on 28 August 2023)

786 https://apsiindonesia.org/ (retrieved on 28 August 2023

787 Article 123 Law No 13 0f 2003 on Manpower which states:

'A collective bargaining agreement (CBA) shall be valid for no longer than 2 years and can be extended for no longer than 1 year if both the employer and the trade union agree in writing.'

Negotiations for a new CBA must be conducted not more than 3 months before the expiration of the existing CBA.

If the negotiation does not result in an agreement, the existing CBA shall remain valid for no longer than 1 year.

788 Article 30(1) Law No 13 0f 2003 on Manpower which states:

'Employers must register the collective labour agreement with the government agency responsible for manpower affairs.'

Article 30(2) explains the purpose of this registration:

a. As a tool for monitoring and evaluating the working conditions regulated in the company;

b. As the primary reference in case of disputes regarding the implementation of the CBAs.

Article 30(3) requires that the registration application must include the CBA document signed by both the employer and the labour union on sufficient stamp duty.

789 Wijayanti, Asri, Critical Analysis of the Right to Establish Trade Unions in Indonesia (December 8, 2012). Available at SSRN: https://ssrn.com/abstract=2186743 or http://dx.doi.org/10.2139/ssrn.2186743

790 https://www.business-humanrights.org/en/latest-news/guards-want-to-join-labor-union-indonesia/ (retrieved on 28 August 2023).

4.21 The Duties, Functions and Roles of Satpam

Security guards are authorised to act as limited law enforcement officers in support of the National Police while carrying out their duties for the corporation, despite having restricted physical authority.[791] Satpam on duty at work can be divided into two categories based on their level of authority: anticipatory (guiding, cultivating) and preventive (preventing, counteracting). With this newly granted authority, the organisation establishes order.

Based on Article 6 of Perkapolri No. 24/2007, the task of security guards is to organise security and order in the environment or workplace, which includes aspects of physical security, personnel, information, and other technical security. In addition, they protect and safeguard the environment or workplace from any security disturbances, as well as enforce the rules and regulations that apply in their work environment. Satpam primarily exercise their limited police power within their assigned locations, such as homes, offices, or college campuses. Security guards play a role in assisting police duties.[792] Satpam plays a critical and tactical role in supporting law enforcement, particularly in preserving public safety, order, and the environment Satpam's duties and functions, which include maintaining order and security in the workplace and environment, support POLRI's duties and responsibilities.

In summary, Satpam is responsible for assisting POLRI in promoting public security and order, enforcing laws and regulations, raising security awareness and vigilance in the workplace or environment, securing assets such as agencies, projects, buildings, properties, or places; and monitoring equipment, surveillance systems, inspections, and access points to ensure security and prevent intentional loss or damage.[793] Satpam's duties shall include various areas.[794] As such, they must constantly be aware of and implement a security management system, which begins with planning, organising, implementing, and supervising in order to achieve the goals expected by the environment. Security guards are in charge of this system in order to

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791 Subagio, I. M. (2023). The Role and Duties of Security Guards in Law Enforcement at PT Garga 73. International Journal of Social Service and Research,

792 Marudat Pakpahan, Nur Hakim (2022) Main Duties, Functions and Roles of Security Unit (Satpam) *Tugas Pokok, Fungsi Dan Peran Satuan Pengamanan (Satpam)*, ATT Consulting

793 Law No. 2 of 2002 concerning the State Police and further elaborated in the Police Chief Regulation No. 24 of 2007.

794 Article 3 paragraph (1) of Law No. 2 of 2002 concerning the Indonesian National Police states that the police function is carried out by POLRI, assisted by special police units, civil servant investigators, and forms of Pam Swakarsa, which include Satpam.

continuously add value in the form of a conducive sense of security.[795] Training is a crucial organisational investment in human resources that security professionals must undergo in order to perform law enforcement to the fullest extent possible.

Overall, while there have been some efforts to regulate private security services in Indonesia, there are still concerns about the involvement of untrained and unaccountable civilian groups in providing protection. Additionally, there is a need for more comprehensive regulation of intelligence agencies.[796]

4.22 Satpam's Well-being under the Local Legal Framework

A stringent legal framework to uphold and protect the well-being of Satpam is crucial. A study conducted by Ahmad Khoirun Ni'am, Anang Dony Irawan, and Chaeruli Anugrah Dewanto indicated that the weak legal system to glorify the security guard profession in Indonesia was the result of the weakness of legal protection and employment status.[797] The law governing Satpam has recognised the importance of the formation of the registered association for Satpam, as the existence of a professional security guard association, namely Asosiasi Profesi Satpam, is an important factor in the requirements of the profession. Currently, APSI, previously known as the Indonesian Security Managers Association (Asosiasi Manajer Sekuriti Indonesia (AMSI)). The association can be a real platform to shelter the aspirations of workers and fight for various rights in accordance with the provisions of Indonesian law. Rules governing the security guard association itself have actually been stipulated under Article 32 of Police Regulation Number 4, 2020.[798]

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795 Nanlohy, N. (2018). The role of security guards in campus security responsibilities (*Peranan Satpam Dalam Tanggung Jawab Keamanan Di Kampus*). Fakultas Hukum Unpatti: Ambon

796 Kristiansen, S., & Trijono, L. (2005). Authority and law enforcement: local government reforms and security systems in Indonesia. Contemporary Southeast Asia: A Journal of International and Strategic Affairs,

797 Ahmad Khoirun Ni'am, Anang Dony Irawan and, Chaeruli Anugrah Dewanto, Vol 2 No 3 (2021), Efforts to Realise the Glorification of the Security Unit Profession in Review From Police Regulation Number 4 of 2020 (Upaya Mewujudkan Pemuliaan Profesi Satuan Pengamanan Ditinjau Dari Peraturan Kepolisian Nomor 4 Tahun 2020); Media of Law and Sharia

798 1. Security guard members can create a security guard members association.
2. The association of security guard members as contained in paragraph 1 includes an association of security guards, in which there are aspirations and interests shared by security guard members.
3. The association contained in article 1 must be registered in Korbinmas Baharkam Police through Dirbinpotmas Korbinmas Baharkam Police. Baharkam Police by going through Dirbinpotmas Korbinmas Baharkam POLRI.
4. Associations such as those contained in paragraph 3 are required to prepare a code of ethics.
5. In the preparation of the code of ethics, the association shall form a team of formulators whose members include representatives of the association and the police.

The top brass of POLRI viewed the glorification of the security guard profession very seriously. During an interview, Brig. Gen. Pol. Edy Murbowo (Dirbinpotmas Korbinmas Baharkam POLRI), S.I.K., M.Si, stated that security guards are currently being bullied by members of the community. POLRI, as the regulator, has deliberated this issue and has agreed to raise the professionalism of security guards through the enactment of Police Regulation Number 4 of 2020. The regulation therein glorifies the security guard profession.[799] One of the first steps towards glorifying the security guard profession was echoed at the 2018 National Security Services Industry Conference (Konferensi Industri Pertahanan Nasional, or KIPNAS) in Bandung. Increasing the competence and welfare of members of Satpam became the focus of discussion at the conference. A tangible form of the steps to glorify the security guard profession is the promulgation of the Regulation of the National Police of the Republic of Indonesia Number 4 of 2020 concerning Private Security on 5 August 2020.

Satpam must be taught to make wise investments with their hard-earned money to guarantee that their financial needs are met. This can be accomplished by providing them with appropriate guidance. The result of this activity is that workers gain insight into the world of investment, knowledge of their self-profile in risk-taking to adjust the type of investment that is suitable, and the ability to analyse stocks that are worth investing in.[800] Notwithstanding explicit provisions in the laws controlling Satpam, research indicates that industry respondents and regulators must carry out the law application and execution. Based on a study conducted by RB Putra and G. Sukarno, performance is improved by work ethics, performance is strongly impacted by good integrity, and performance is strongly impacted by organisational control.[801]

Regular training is essential since it has the most effect on Satpam's performance. A study conducted by Pudijati and Tutik Yuliani suggests that training, discipline, and work environment all significantly impacted employee performance,

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6. The code of ethics that has been compiled by the association will be submitted to the National Police Chief to be ratified.

799 https://www.youtube.com/watch?v=Yam1wpBJyzY Sosialisasi Perpol No 4 tahun 2020 Bersama Polri, Abujapi, Apsi, Host Sabena Rangkuti, (retrieved on 29 August 2023)

800 Hartono, W. (2019). Improving Economic Welfare with Investment and Stock Saving Training for Outsourced Workers, Security Guards, And Drivers at Ciputra University Peningkatan Kesejahteraan Perekonomian Dengan Pelatihan Investasi Dan Menabung Saham Bagi Tenaga Outsourcing, Satpam, Dan Sopir Di Universitas Ciputra. Jurnal LeECOM (Leverage, Engagement, Empowerment of Community)

801 Putra, R. B., & Sukarno, G. (2023). Analysis of work ethics integrity and supervision on the performance of security units in outsourcing. Enrichment: Journal of Management).

either entirely or in part. Training was the component that had the greatest impact on employee performance.[802] Careful consideration needs to be given to Satpam's well-being because research indicates that i) compensation affects employee job satisfaction, ii) work environment affects employee job satisfaction, iii) compensation affects employee performance, iv) work environment affects employee performance, and v) employee job satisfaction affects employee performance.[803] In order to accomplish the ultimate goal of enhancing work ethic, performance, integrity, and organisational control with constant training, the union should be able to play a crucial role as a platform for connecting Satpam and the employers while at the same time promoting the well-being of Satpam.

The private security services in Indonesia have shown remarkable growth and significance in ensuring public safety as well as supporting business protection needs. However, the industry must overcome challenges related to legal frameworks, training standards, corruption risks, and customer perception to further improve its professionalism and reputation. Addressing these matters requires collaborations between private firms themselves along with Indonesian government bodies responsible for regulatory oversight.[804]

One of the issues that Satpam frequently faces is work tiredness, which can affect performance and raise the likelihood of workplace accidents. 67.3% of Satpam reported experiencing occupational tiredness, according to a research, the degree of exhaustion is significantly correlated with age and work-related characteristics such extended work hours, physical and mental workloads, and work shifts. Due to circadian rhythm disruption and insufficient rest time, night shifts were determined to be the primary factor that raised the risk of weariness. A better balanced work schedule, sufficient rest areas, and training on fatigue management are all necessary to lessen

802 Pudjiati, P., & Yuliani, T. (2022). Factors affecting the performance of security units (security guard) in Balikpapan city. INOVASI.

803 Nurwati, S. (2021). Determinants of Job Satisfaction and Employee Performance: Compensation and Work Environment (A Review of Human Resource Management Literature) Determinasi Kepuasan Kerja Dan Kinerja Pegawai: Kompensasi Dan Lingkungan Kerja (Suatu Kajian Studi Literatur Manajemen Sumberdaya Manusia). Jurnal Ilmu Hukum, Humaniora dan Politik.

804 White, Footer, Senior, van Dorp (2018),Netherlands International Law Review 65(4). Blurring Public and Private Security in Indonesia: Corporate Interests and Human Rights in a Fragile Environment

security guard weariness.[805] Hence, the regulators and stakeholders must address this concern to ensure the performance of Satpam is at the top notch.

4.23 Satpam's Powers and Authority

The current study concluded that the role of Satpam is to enforce law, order, and security in its duty environment. Security guards on duty in the workplace can be categorised as having two authorities. First, it preemptively fosters and directs, creating order within the organisation using the authority granted. The second is to prevent and combat any wrongdoing by others.

Education and training play a vital role in knowledge transfer to improve the skills and intelligence of Satpam to suit the expectations of Satpam to carry out their duty as security guards. The knowledgeable enable them to respond quickly and effectively within the authority given to them as security guards.[806] A study conducted by Nadira Andesti showed that Satpams who have undergone training perform better compared to those who did not attend the training, as this is in line with the Islamic principle since the training provided is meant to produce better performance, as one is required to be accountable for the training provided to them.[807]

In order to carry out maximum law enforcement, security officers need to be trained. Training is an important organisational investment in human resources. Authority within the scope of physical authority that is limited in nature. Security guards, when carrying out their duties in the company, have the authority and act as limited law enforcement officers to assist in the role of the National Police function, namely, Non-Judicial Repressive (actions include cracking, arresting, handcuffing, and conducting initial interrogation). They can act, arrest, search, handcuff, and interrogate, but only temporarily before police take over if a crime or violation occurs in the company.[808] Hence, working closely and collaborating with the local police force will

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805 Ayu, K., & Djamalus, H. (2025). Faktor Risiko Kelelahan Kerja pada Pekerja Satuan Pengamanan (SATPAM): Systematic Literature Review. Journal of Syntax Literate, 10(6).

806 Suhadnan (2011) Vol 16 No 3. Satpam's authority as security guards in the company (Kewenangan Satpam sebagai Tenaga Keamanan di Perusahaan) Perspektif

807 Nadira Andesti (2015) The influence of training toward the performance of Satpam from the Islamic economic perspective (Pengaruh pelatihan terhadap kinerja Satpam ditinjau menurut ekonomi Islam). Thesis Universitas Islam Negeri Sultan Syarif Kasim Riau

808 I Made Subagia (2023) The Role and Duties of Security Guards in Law Enforcement at Pt Garga 73 International Journal of Social Service and Research,

improve the quality of qualified Satpam.[809] A study conducted by Hendro Wahyudi, Ardiansah, and Bagio Kadaryanto shows that continuous training is required for Satpam.[810]

Communication ability is considered important for security guards because they need to know how to negotiate, handle, and control situations. Interpersonal communication, when used effectively, proves to be a valuable skill for security guards. Training can increase knowledge and ability to effectively communicate with the environment and society.[811] The research by Lisda Sofia, Maulidya Shalzabila Indah, Arina Sabila, Stefanny Ayu, and Danny Mulyanto recognises the importance of effective communication to be practiced by Satpam to ensure they would be able to carry out their duties smoothly.[812]

4.23.1 Article 49 of the Indonesia Penal Code[813]

Satpam is a profession that carries out limited police functions. The dilemma faced by the security guard arises during a criminal event, as their limited role requires them to engage in forced self-defence according to Article 49 of the Indonesian Criminal Code; otherwise, an unfortunate incident could occur involving the company's assets that they are guarding, potentially endangering their own life. To provide legal protection for security guards who are vulnerable to crime, regulations are not only rules made by the Chief of Police but are also regulated explicitly through laws and

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809 Eka Kurniawan, Ade Tutty R.Rosa and Sri Handayani (2022) Vol 5 No 1, Education Management and Training to improve the quality Satpam (manajemen pendidikan dan pelatihan Satpam untuk meningkatkan mutu lulusan); Jurnal Ilmiah Ilmu Pendidikan

810 Hendro Wahyudi. Ardiansah and Bagio Kadaryanto (2023) The implementation of training for candidates of private security services in Kampar Regency (Implementasi pelatihan calon anggota Satpam bagi menyediakan jasa pengaman di Kabupaten Kampar); Jurnal Niara Fakultas Ilmu Administrasi Universitas Lancang Kuning

811 Attan, A., Shamsudin, S., Noh, N. M. A. M., Mahmood, N. H. N., & Ahmad, Z. (2017). Proposing a Comprehensive Training Needs Approach for the Communication Skills Training of Security Guards. LSP International Journal,

812 Lisda Sofia, Maulidya Shalzabila Indah, Arina Sabila, and Stefanny Ayu Danny Mulyanto JURNAL; Volume 2 No. 1 (2020); Training for interpersonal communication for an effective communication (Pelatihan Komunikasi Interpersonal Untuk Komunikasi Efektif); Jurnal Pelayanan Kepada Masyarakat (PLAKAT)

813 [813813] Article 49

(1) Not punishable shall be the person who commits an act necessitated by the defence of his own or another one's body, chastity or property against direct or immediate threatening unlawful assault.

(2) Not punishable shall be the overstepping of the bounds of necessary defense, if it has been the immediate result of a severe emotion caused by the assault.

regulations.[814] The concept of self-defence is covered under Article 49 of the Indonesian Penal Code, which has important ramifications for security guards operating in Indonesia. According to this article, as long as someone takes appropriate and necessary action to defend themselves or others from an urgent threat, they will not be punished. When Satpam take action to protect themselves or others from imminent threats, they are legally protected under Article 49. This means that if a Satpam uses force to defend himself or another person in danger and their actions are judged appropriate and proportionate to the threat, they may not be held criminally liable. Article 49 emphasises how important it is for Satpam to know when force is appropriate.

However, Satpam needs legal standards training. The skills learnt in this training should include identifying threats and using appropriate force without needlessly increasing the level of violence.They must be trained to appropriately analyse circumstances and respond with acceptable levels of force in order to ensure that their actions do not go beyond what is required for defence. Satpam may be asked to give thorough explanations of their conduct after each event in which force is used. As part of this, they must defend their use of force by elucidating the events that preceded it and citing Article 49's guarantees of self-defence. Sch legal frameworks have the potential to change the public's perception of security personnel as defenders rather than aggressors. When security personnel follow legal regulations, it can increase public confidence in Satpam in performing their duties. In conclusion, Article 49 of the Indonesian Penal Code imposes obligations on Satpam, including training, accountability, and the proper use of force, while simultaneously offering crucial legal safeguards for those who act in self-defence. This framework seeks to strike a balance between people's rights and society's requirement for efficient security measures.

4.24 Code of Ethic, Guiding Principles, and Pledges for Satpam

The security guard profession is a profession that demands a good moral personality because a good moral personality can increase user trust.[815] The code of

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814 Wesley,Jonathan,Syahrul Machmud dan Hernawati RAS.Vol.4. No.2(Februari2023) Penegakan Hukum terhadap Satuan Pengamanan (Satpam) yang Menjalankan Fungsi dan Tugasnya Berdasarkan Pasal 49 KUHP. Rewang Rencang: Jurnal Hukum Lex Generalis.

815 https://www.kompas.com/skola/read/2023/11/06/033000569/mengenal-kode-etik-penuntun-dan-janji-Satpam (retrieved on 27 September 2024)

ethics for Satpam consists of norms or rules that unify ethical and philosophical foundations regarding the required, prohibited, appropriate, or inappropriate behaviours and speech for a security guard that were produced through collaboration between POLRI and related professional organisations, such as APSI.

4.24.1 Code of Ethic

1. Believe and fear God Almighty.
2. Uphold Pancasila and the 1945 Constitution.
3. Maintain public peace with a full sense of responsibility based on self-exemplification.
4. Always be vigilant in dealing with any possible disturbance of Kamtibmas in the task environment. Always be able to carry out this noble service based on conscience.
5. To achieve the desired professionalism, a security guard is required to have good moral and personality integrity.

4.23.2 Guiding principles

1. We, members of the security unit, uphold discipline and comply with and obey the leadership with honesty and responsibility.
2. We, members of the security unit, always maintain personal honour and uphold the honour of the security unit.
3. We, members of the security unit, are always vigilant in carrying out our duties as security and order in the work environment.
4. We, members of the security unit, always have an open attitude and do not underestimate something that happens in the work environment.
5. We, members of the security unit, are tough officers and always behave ethically in enforcing regulations.

4.24.2 Satpam's Pledge

1. Be loyal and uphold Pancasila and the 1945 Constitution.
2. Hold fast to discipline, comply and obey the leadership and dare to be responsible for every task implementation.
3. Maintain personal honour and uphold the honour of the security unit.

4. Maintain the unity and integrity of security and other security forces.
5. Always maintain and improve vigilance and task capabilities for the achievement of environmental security.

Thus, the code of ethics, guiding principles and pledges for Satpam serve as a moral guide and a tool to improve the quality of security services in Indonesia.

4.25 Well-being of Satpam

The welfare of Satpam in Indonesia is legally maintained through various regulations that provide protection and basic rights for them.[816] For example, Law No. 13 of 2003 concerning Manpower[817] regulates the rights of workers, including security guards, to receive fair remuneration and non-discriminatory treatment. This includes the right to decent wages, working hours, and working conditions. BUJPs are required to provide adequate training and coaching to security guards so that they can carry out their duties well and understand their rights and obligations.[818]

4.25.1 State Recognition of Satpam's Contribution

On 30 December every year, the Indonesian government observes Satpam Day. The day might be interpreted as an acknowledgement of the organisation's significance in preserving public safety and order in Indonesia. This date was selected following POLRI issuing a decree on this day in 1980 that set the foundation for the formation of security units.[819] The Chief of Police of Indonesia acknowledges that maintaining security and public order cannot be carried out by the police alone. Therefore, with the role and assistance of Satpam, police tasks in maintaining security and public order become easier.[820] Such recognition is essential for boosting Satpam's reputation and morale. Studies have indicated that organisations with a strong and encouraging culture,

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816 Fredian D and Kalma F (2024) Urgency of The Birth of a Special Law for The Security Guard Profession (*Urgensi Lahirnya Uu Khusus Profesi Satpam*) Jurnal Ilmu Sosial Dan Humaniora

817 Https://Www.Expat.Or.Id/Business/Manpoweractno13tahun2003.pdf (retrieved on 28 September 2023)

818 Pragas (2023) Legal Basis, Limits of Authority, And Obligations of Security Units in Carrying Out Limited Police Duties and Authority in Their Environment (*Landasan Hukum, Batas Wewenang, Dan Kewajiban Satuan Pengamanan Dalam Melaksanakan Tugas Dan Wewenang Kepolisian Terbatas di Lingkungannya) Pt Pragas Gadatama*

819 https://security.astacademy.or.id/news/109-sejarah-Satpam-di-indonesia (retrieved on 20 December 2023)

820 https://www.infopublik.id/kategori/nusantara/706900/upacara-hut-Satpam-ke-42-tahun-2023 (retrieved on 20 Dec 2023).

cognisant of the psychology of commending employees for their hard work, and a commitment to the concepts of employee recognition are better able to recognise their employees effectively.[821]

4.25.2 Satpam and Career Advancement

In Indonesia, security guards are subject to special laws that regulate their professional development.[822] Research by Ahmad Khoirun Ni'am, Anang Dony Irawan, and Chaeruli Anugrah Dewanto classifies the security guard profession as an employment profession provided under the Police Regulation Number 4 of 2020 concerning Private Security. This is an attempt by the POLRI to glorify the security guard profession. However, the regulation does not particularly address the distinctive requirements of security guards that place their well-being and employment law clarity first. Instead, it only regulates voluntary security measures, the hiring process, rank, qualifications, and competency. Satpam is a less common job that Indonesians do not value. The study's findings demonstrate how Indonesia's weak legislative framework, which favours security guards in particular when it comes to employment opportunities and legal protection, helps elevate the security guard profession.[823] The existence of the security guard profession has often been underestimated by various parties since its inception. Instead of being rewarded for their dedication, the reality in the field shows that the law (Article 11 of the Regulation of the Chief of the National Police of the Republic of Indonesia Number 24 of 2007 concerning Security Management System for Organisations, Companies, and/or Institutions/Government Institutions (Security Guard)) has not been followed.[824] The findings of research demonstrate that the goal of legal protection for workers is to ensure that they have access to fundamental rights,

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821 Amoatemaa, Abena Serwaa; Kyeremeh, Dorcas Darkoah (2016) Making Employee Recognition a Tool for Achieving Improved Performance: Implication for Ghanaian Universities; Journal of Education and Practice

822 The Second Part Articles 19-29 Police Regulation Number 4 of 2020 concerning Private Security,

823 Ahmad Khoirun Ni'am, Anang Dony Irawan, Chaeruli Anugrah Dewanto (2021) Efforts to Realise the Glorification of the Security Unit Profession in Review of Police Regulation Number 4 of 2020 (Upaya Mewujudkan Pemuliaan Profesi Satuan Pengamanan Ditinjau Dari Peraturan Kepolisian Nomor 4 Tahun 2020) Media of Law and Sharia

824 Aris, Noor Halim (2023) Reconstruction of Police Regulation Number 4 of 2020 Concerning Self-Initiated Security for Security Guard Members Based on Human Rights (Rekonstruksi Peraturan Kepolisian Nomor 4 Tahun 2020 Tentang Pengamanan Swakarsa Pada Anggota Satpam Berbasis Hak Asasi Manusia) Master Thesis, UNDARIS (Universitas Darul Ulum Islamic Centre Sudirman)

equal opportunities, and non-discriminatory treatment, all of which are necessary to ensure the welfare of labourers and their families.[825]

There are certain rights, such as the freedom to associate and assemble, that need to be specifically accommodated for security guards in their capacity as special workers. These rights must also be further governed by presidential and government regulations, which should cover topics such as the role of independent security guards, particularly security guards, their rights and obligations, efforts, and legal mechanisms. [826] In order to better protect their well-being and to fortify their relationship, security guards should speak with one voice through associations or unions, as trade unions serve as a platform for employees to voice their desires in trade union and labour union laws. The union is required to settle disputes between employers and employees in order to ensure that all parties may perform their legal mandates and rights.[827] A study conducted by Anggraini demonstrated the critical role trade unions play in resolving labour relations issues that may affect layoffs. Trade unions provide a number of roles, such as mediating disputes, giving members legal counsel, and defending the rights of employees through action and protest. According to the study, trade unions should play a bigger part in resolving labour issues that may lead to terminations. This can be accomplished by educating and training union members on labour relations legislation and the function of unions in conflict resolution. It is therefore anticipated that it will improve worker stability and create a more positive work environment.[828]

In order to better safeguard their interests in the event of a labour dispute that could result in layoffs, Satpam should be advised and urged to join the union. In light of their own advantages, Satpam should now be made aware of the union. The 1951 Recommendation on Collective Agreements (Recommendation No. 91), the 1951 Recommendation on Voluntary Conciliation and Arbitration (Recommendation No.

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825 lam, S., & Arif, M. (2020).Legal Protection of Workers: Perspective of State Constitutional Responsibility. (Perlindungan Hukum Terhadap Pekerja: Perspektif Tanggung Jawab Konstitusional Negara.) Kalabbirang Law Journal

826 Teguh, P., & Mustakim. (2022). The Legal Position of the Security Unit in the Perspective of Labor Law. Rechtsidee,

827 Haris Wahyudi, Kelvin Tan, Alvin Henk Saputra, Lusiana,AldenNelson (2023) Labour Union at PT Ghimli Indonesia in Batam City (Serikat Pekerja Pada PT. Ghimli Indonesia di Kota Batam);Jurnal Pengabdian kepada Masyarakat Nusantara (JPkMN)

828 lam, S., & Arif, M. (2020).Legal Protection of Workers: Perspective of State Constitutional Responsibility. (Perlindungan Hukum Terhadap Pekerja: Perspektif Tanggung Jawab Konstitusional Negara.) Kalabbirang Law Journal,

92), the Recommendation (Recommendation No. 163), the 1952 Resolution on the Independence of the Trade Union Movement, and the 1970 Resolution on Trade Union Rights and Their Relationship to Civil Liberties are just a few examples of the ILO recommendations and resolutions that have been ratified and incorporated into Indonesia's national legal system.[829]

4.26 The Implementation of Perpol 4/2020

POLRI explains the functions and roles of security guards stipulated in Regulation of the National Police of the Republic of Indonesia Number 4 of 2020 (Perpol 4/2020) and emphasises that this regulation is the basis for security guard assignments. Perpol 4/2020 regulates self-security in detail, including its definition, purpose, and components, such as Satpam and neighbourhood security units, known as Satkamling.[830] The regulation also revokes and declares inapplicable previous regulations related to environmental security systems and security management of organisations/companies, thus providing regulatory clarity.[831] Police Chief Commissioner General Listyo Sigit Prabowo is committed to reviving and integrating Pam Swakarsa with AI and police facilities, demonstrating his commitment to implementing this regulation.[832] Thus, based on the information obtained, it can be concluded that Perpol 4/2020 has been successfully implemented.[833]

4.27 What Can Malaysia Emulate from Indonesia?

Indonesia requires firms to conduct basic, region-specific training on crowd control, first aid, and local threat response as a permit condition, without mandating individual certifications. Unlike Singapore's resource-intensive PWM ladder, this practical, low-cost solution fits Malaysia's diversified terrain, from metropolitan Kuala

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829 Setiawan, B., Perdana, F. W., Apriani, D. D., Pusriansya, F., & Santoso, S. (2022). Implementation of International Instruments on Freedom of Association and the Right to Organise Workers/Labourers in Indonesia (Implementasi Instrumen Internasional Tentang Kebebasan Berserikat dan Hak Berorganisasi Pekerja/Buruh di Indonesia). Jurnal Indonesia Sosial Teknolog

830 Satkamling is a community unit that carries out police functions formed by community members based on their willingness, awareness, and interests to secure their environment. Satkamling that has been formed must be reported to the Police through the Sector Police to carry out data collection and coaching.

831 https://www.peraturanpolri.com/2023/04/pengamanan-swakarsa.htm (retrieved on 21 Dec 2023)

832 https://news.detik.com/berita/d-5342651/ini-yang-masuk-kategori-pam-swakarsa-di-peraturan-kapolri-nomor-4-tahun-2020 (retrieved on 23 Dec 2023)

833 https://humas.polri.go.id/2022/09/01/fungsi-dan-peran-Satpam-diatur-dalam-perpol-4-tahun-2020-ini-yang-menjadi-dasar-penugasan-Satpam/ (retrieved on 23 Dec 2023)

Lumpur corporate positions to Sabah plantations addressing Act 27's training gap affordably via police oversight.

Indonesian rules enforce mandatory third-party liability insurance for security firms, covering operational risks like tort claims, renewed annually with permits. Malaysia could integrate this into Act 27 to protect clients in fiduciary-heavy sectors such as trusts, companies law, reducing litigation burdens and aligning with evidence law standards for professional indemnity, without overhauling the framework.

Local Indonesian authorities tie fines that is IDR100 million and permit revocations to public order impacts rather than uniform audits, enabling scalable enforcement. This fits Malaysia's context by prioritizing high-risk AI surveillance in corporate governance while deprioritizing minor breaches, blending Indonesia's flexibility with Act 27's police powers for efficient improvisation.

Malaysia should emulate Indonesia's Satpam career development model, structured under Polri Regulation No. 4 of 2020 into three progressive levels—Gada Pratama (basic), Gada Madya, and Gada Utama as a practical, enforceable upgrade to Act 27's training void, fostering professionalism without Singapore's high-cost PWM infrastructure.

Gada Pratama serves as entry-level mandatory training (7-10 days) for new guards, covering ethics, patrolling, first aid, and emergency response, requiring high school diploma and SKCK clearance for certification which is directly mirroring basic needs for Malaysian guards in corporate or trust sites. Gada Madya builds supervisory skills (team management, conflict resolution) post-12 months' experience and Pratama cert, while Gada Utama equips chiefs with risk analysis and POLRI coordination, all police-verified and tied to permit renewals, ensuring scalable career paths amid Malaysia's SME-dominated industry.

Certifications are prerequisites for renewals and promotions, with audits enforcing compliance via fines or suspensions, incentivized by role-specific duties for example Pratama for patrols while Gada Utama for strateg). This fits Malaysia's context by integrating low-barrier police oversight, reducing tort risks in evidence-heavy scenarios, and promoting retention through clear ladder which is superior to Act 27's silence and more affordable than Singapore's wage-tied modules for Malaysia’s diverse operations.

CHAPTER 5
THE NECESSITIES AND IMPEDIMENTS IN REFORMING THE PRIVATE AGENCY ACT 1971

5.1 Introduction

Chapter 5 seeks to offer a thorough understanding of the current situation of private security services by combining various points of view, highlighting both operational difficulties and prospects for development and enhancement. The research was conducted from theoretical and practical perspectives to answer two research questions:

1. How effective is the existing regulatory framework in promoting the well-being of the private security services in Malaysia?
2. How can the similar laws in Singapore and Indonesia be adopted and implemented in Malaysia?

The main thrust of this research focused on the stakeholders, especially lawmakers and industry players, as insights were gathered that laws should be updated and amended to better represent the fundamental necessities of the sector. This argument served as the foundation for the discussions surrounding two key hypotheses. First, lawmakers are hesitant to amend the current legislation since doing so would require a protracted and arduous process involving numerous parties and parliamentary procedures. Secondly, industry players have exploited existing weak laws to favour their business models, which allows them to control the security guards. Their reluctance to support the amendments of the laws could be attributed to the legal, operational, and technical obstacles they already face or would encounter if the laws were amended, which would force industry players to pay closer attention to the security guards who work for them. In order to facilitate a discussion from the literature that is relevant to the data analysis and study findings, an awareness of these arguments is fairly important when writing interview questions and designing new legislation.

The thematic analysis was used for this purpose. By grouping recurrent concepts into logical themes pertinent to research questions, thematic analysis is a versatile qualitative research method for identifying, evaluating, and reporting patterns (themes) in data such as texts or interviews. This helps researchers comprehend deeper meanings,

opinions, and experiences. It's a fundamental qualitative talent that allows for both deductive (theory-driven) and inductive (data-driven) methods. It involves processes including familiarisation, coding, topic development, reviewing, defining, and writing up. Thematic analysis (TA) is one of the most widely utilized methods for analyzing qualitative data, offering a structured yet flexible framework for identifying, analyzing, and interpreting patterns of meaning within datasets.[834]

Chapter Five summarises the findings from in-person, one-on-one interviews with selected respondents from a range of backgrounds, each of whom offered a distinct viewpoint on the private security sector. The study included 21 respondents, comprising government officers from various ministries (e.g., MOHA and MOE) relevant to the industry's development, as well as business owners, security experts, and representatives of security guards. All provided insightful personal perspectives and viewpoints that shed light on the realities of private security operations.

Interviews contributed to a comprehensive understanding of the perceptions and applications of private security across various contexts, including the difficulties faced by the industry and the changing demands of the market in a security environment that is becoming more complicated. The conclusions drawn from these interviews guide suggestions for improving regulatory standards and service delivery in the private security industry, which will ultimately shape the industry's future with the hope of luring more young talent to enter the field as a result of the use of advanced technology and a more defined career path. In addition, field notes recorded in the study journal following each interview were included in the secondary data set. Data collection took place for 65 days, starting on 25 July 2024 and ending on 30 September 2024. The respondents were separated into six clusters in order to gain a more thorough and deeper comprehension of the different stakeholder categories based on their area of expertise and experience. The respondents were specifically chosen based on their roles and expertise within their respective fields of work; the researcher did not consider their professional or academic backgrounds.

There are five primary parts to this chapter. Part one covers the introduction. The second section looks at the individual experiences and opinions in light of their involvement in the law reform or their direct involvement in the industry as either

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834 Ahmed, S. K., Mohammed, R. A., Nashwan, A. J., Ibrahim, R. H., Abdalla, A. Q., Ameen, B. M. M., & Khdhir, R. M. (2025). Using thematic analysis in qualitative research. Journal of Medicine, Surgery and Health, 6, 228. (retrieved on 16 January 2026)

employers or employees. The third section scrutinises the distinctions between the existing practices and the proposed new legislation. The fourth segment looks into the explanations for the discrepancy between the law and operational challenges faced by industry players. The chapter is concluded in the final section. The report presents the empirical work results along with the respondents' experiences and opinions regarding the legal changes.

The Private Agencies Act 1971 (Act 27) revisions have a major impact on the industry, as covered in the preceding Chapters One, Two, Three, and Four. The proposed revised laws have resulted in significant changes to the industry, requiring parties such as employers, security guards, regulators, and public members as end users to fulfil specific tasks and responsibilities. To guarantee that the proposed amendments produce the desired outcomes, legislators and PIKM were the most crucial players. This section presents evidence regarding the respondents' opinions of the proposed new laws. A total of two senior official management staff members of PIKM were responsible for the day-to-day operation of the organisation, and one senior office bearer of the organisation was interviewed for their insights and inputs.

The selection of respondents from the regulatory agencies was restricted to those who hold at least grade 48 and had worked for the government for at least 10 years in order to guarantee that the opinions and personal experience are of higher quality. The other respondents, however, had to have worked in the field for a minimum of ten years or run the business for a period of time. The interview's primary focus was on the respondents' knowledge and experiences, and their academic background was never brought up throughout the interview.

5.2 Methodology of Interview

An interview is a prolonged discussion between two people to gather in-depth information on a certain topic or subject. It also allows for the interpretation of a phenomenon based on the meanings that the interviewees assign to it. Researchers in the social sciences employ in-depth interviews as a flexible method of gathering qualitative data. They provide respondents the chance to express how they perceive and comprehend the world in their own words. People engage in conversation by asking and responding to questions during interviews, which are a familiar social interaction.

But they are a very specific kind of talk, directed by the researcher and intended to achieve specified goals.[835]

In a similar vein, respondent protection and ethical issues are essential components of the interview process. It is important to keep in mind that responses may be influenced by factors including whether and how the person conducting the interviews has influenced the interviewee, as well as the degree of trust and rapport between the two persons, even if interview data may be used as proof concerning people's perspectives and understanding. Therefore, in order to optimise outcomes, researchers must be aware of the many strategies that support the interview process.[836] In addition, the location and time of the interview session should be decided upon entirely by the respondents in order to guarantee that they would be more receptive and willing to share their insights.

There are several methods to gather these meanings, the most popular being one-on-one interviews.[837] A one-on-one face-to-face interviewing technique was utilised in this study. Respondents were granted the freedom to voice their individual opinions on the matters discussed. Semi-structured interviews are exploratory interviews that are most frequently used in the social sciences to collect data for qualitative research projects. In addition to offering a basic structure through a pre-planned guide or procedure that centres around a central topic, a semi-structured interview facilitates exploration and allows for the exploration of topical paths as the discussion progresses.[838] Respondents were asked semi-structured interview questions to elicit insights based on their experiences and knowledge. The semi-structured interview, which was conducted casually with one respondent at a time, utilised a combination of closed- and open-ended questions and frequently included follow-up questions about why or how. To reduce researcher and respondent fatigue, a limit of one hour was believed to be appropriate for semi-structured interviews.[839] The

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835 Knott, E., Rao, A. H., Summers, K., & Teeger, C. (2022). Interviews in the social sciences. Nature Reviews Methods Primers, 2(1), 73.

836 Ryan, F., Coughlan, M., & Cronin, P. (2009). Interviewing in qualitative research: The one-to-one interview. International journal of therapy and rehabilitation, 16(6), 309-314.

837 Barbour, R. & Schostak, J. F. (2005). Interviewing and Focus Groups. In: B. Somekh & C. Lewin, (eds.) Research

838 Magaldi, D., Berler, M. (2020). Semi-structured Interviews. In: Zeigler-Hill, V., Shackelford, T.K. (eds) Encyclopedia of Personality and Individual Differences. Springer, Cham. https://doi.org/10.1007/978-3-319-24612-3_857

839 Adams, W. C. (2015). Conducting semi-structured interviews. Handbook of practical program evaluation, 492-505.

interviews mostly took place at the respondents‘ offices, where respondents felt more at ease and could more easily draw connections between the subjects they wanted to go into further detail on by perusing the files and records that were stored there.

Research initiatives should strictly adhere to ethical considerations while working with human subjects. A high standard of ethical considerations should be upheld because interviews are regarded as an intrusion into respondents' private lives due to the amount of time allocated and the sensitivity of the questions addressed. As a result, moral considerations ought to be made during the entire interview process. In other words, giving informed consent before the interview is a crucial step that researchers must follow throughout the entire study effort.[840] The researcher shall therefore strictly comply with the standard and guidelines imposed by the university's research ethics committee (REC).[841]

5.2.1 Semi-structured interview

Qualitative inquiry is a useful method for investigating respondents' perspectives and revealing their experiences. Qualitative researchers have a significant tendency to use interviews to gather the necessary data for their studies in social science fields. Interviews are a valuable method for gathering relevant information from respondents, and various interview formats are frequently employed to explore respondents' perspective.[842]

Interviews offer a flexible method for gathering qualitative data across the social sciences. They enable people to articulate, in their own words, how they perceive and comprehend their surroundings. People communicate by asking and responding to questions during interviews, which are a deceptively common social contact. Nonetheless, they are a very specific kind of discussion, directed by the researcher and serving particular purposes.[843]

A semi-structured interview is a conversation in which the interviewer asks questions of the other party to obtain information. Semi-structured interviews are a type

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840 Cohen, L., Manion, L., & Morison, K. (2007). Research Methods in Education. (6th ed.). London: Routledge

841 https://rec.uitm.edu.my/ (retrieved on 8 May 2025)

842 Elhami, A., & Khoshnevisan, B. (2022). Conducting an Interview in Qualitative Research: The Modus Operandi. Mextesol Journal, 46(1), n1.

843 Knott, E., Rao, A.H., Summers, K. et al. Interviews in the social sciences. Nat Rev Methods Primers 2, 73 (2022). https://doi.org/10.1038/s43586-022-00150-6.

of qualitative research methodology that entails conscious conversational communication with subjects based on a partially structured methodology course.[844] A semi-structured interview's main advantage is that it allows for focused interviews while allowing the researcher to freely explore relevant concepts that may arise throughout the interview. This can further improve understanding.[845] Hence, the researcher chose to conduct interviews using a semi-structured format.

The majority of semi-structured interviews use open-ended questions to encourage respondents to elaborate on their ideas and opinions in detail and express their personal experiences using their own words.[846,847] They are designed to cover as many themes as possible, without a preferred order. In order to refocus the interview when the respondent's comments deviate from the planned topic, the researcher uses discursive tactics to keep an eye on the interview's progress, utilising a pre-prepared interview protocol. If new and intriguing details emerge during the interview, the researcher may also spontaneously ask questions that go beyond the protocol's scope. Therefore, semi-structured interviews were chosen by the researcher because they allow respondents to freely express their personal opinions without any constraints.

Semi-structured interviews are useful for having in-depth discussions. To get complex conclusions, the researcher can typically critically examine the exchanges and range of at-first superficial reactions during the semi-structured interviews. Most of the time, a researcher can follow up on all verbal and nonverbal responses, such as hunches, laughs, and silence, to uncover hidden information that could be useful in the final data analysis of various themes that were taken from the conversation.[848] When it comes to qualitative research, the semi-structured interview holds greater power than other interview formats since it enables researchers to obtain comprehensive data and supporting documentation from respondents while keeping the study's objectives in mind. Secondly, it provides researchers with the flexibility and adaptability to stay on

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844 Longhurst, R (2012) Semi-structured Interviews and Focus Group. In N. Clifford, S.French & G Valentine (eds) Key Methods in Geography 2nd Edition, Edinburgh Gate, Pearson.

845 Mueller, A. E., & Segal, D. L. (2014). Structured versus semi structured versus unstructured interviews. The encyclopedia of clinical psychology, 1(7).

846 Karatsareas, P. (2022). Semi-structured interviews. Research methods in language attitudes, 99-113.

847 Kakilla, C. (2021). Strengths and weaknesses of semi-structured interviews in qualitative research: A critical essay.

848 Ruslin, R., Mashuri, S., Rasak, M. S. A., Alhabsyi, F., & Syam, H. (2022). Semi-structured Interview: A methodological reflection on the development of a qualitative research instrument in educational studies. IOSR Journal of Research & Method in Education (IOSR-JRME), 12(1), 22-29.

course, unlike in an unstructured interview when the session's direction is not entirely thought through. In-depth reviews of the literature on researchers' methodological insights in qualitative research are used in this piece. As a result, the semi-structured interview may allow qualitative researchers to change their study topics as they go along without losing direction.[849]

One of the main advantages of semi-structured interviews is that they can be targeted while allowing the researcher the freedom to explore relevant concepts that may arise during the interview, which helps improve understanding, through narrative inquiry techniques or qualitative content analysis.[850]

5.3 Consent to Publish Name and the Designation of Respondents

No confidentiality rule was violated in this study. In this study, the names and titles of respondents were explicitly mentioned, with a written consent letter from the respondents allowing their names and titles to be mentioned in relation to the insights they provided. The specimen of the Letter of Consent is attached as Appendix B. Should a respondent request to remain anonymous, their identity should have been kept private and would not be revealed in accordance with the university's confidentiality policy. For ease of reference, this group of respondents will be referred to as R1, R2, and so forth, corresponding to the views they explicitly shared with the researcher.

5.3.1 Format of Respondent's View Excerpt

Every interview was conducted at respondents' workplaces, enabling them to access office records or, if needed, consult co-workers, subordinates, or superiors to validate the ideas they had presented. Most interviews were in Bahasa Melayu, as most respondents were more comfortable expressing their opinions in that language, with some English used to elaborate. Therefore, quoting them verbatim was not practical. Consequently, the general summary was presented strictly in context using the respondents' opinions as a basis.

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849 Adeoye-Olatunde, O. A., & Olenik, N. L. (2021). Research and scholarly methods: Semi-structured interviews. Journal of the american college of clinical pharmacy, 4(10), 1358-1367.

850 Dolczewski, M. (2022). Semi-structured interview for self-esteem regulation research. Acta Psychologica, 228, 103642

5.4 Group segregation.

The researcher spoke with participants whose perspectives were considered important for the study throughout the interviews. They were divided into groups according to their roles, responsibilities, and potential influence on the study's overall conclusion.

5.4.1 Representatives from the National Security Guards' Union and Association

The President of the Union of Malaysian Security Guards (*Kesatuan Pekerja-Pekerja Pengawal Keselamatan Malaysia* (KESPA)),[851] Mr. Mohd Ali Bin Ibrahim, was interviewed to allow him to give his personal views after being in the industry for more than 25 years until the establishment of KESPA.

The security industry is currently facing a problem that the existing laws have not dealt with, since the laws are too generic and more favourable to the business operators than to the security guards. This is something that MOHA ought to consider seriously. The Private Agencies Act of 1971 can possibly be considered out of date. There are too many gaps in the Act that allowed security personnel to be abused. The rights and obligations of PSCs towards their security personnel are not addressed in the Act. Due to the lack of strict legislation protecting security guards, their employers refuse to take responsibility for their welfare. The security guards‘ efforts and labour are not explicitly acknowledged. Mr. Mohd Ali claims that there are currently no specific guidelines on the training requirements placed on business owners. The security guards are not receiving the necessary training. Security guards were not given a career path, leaving them unsure of their future in their profession. There is no grading system in place under the current legislation for career progression within the private security industry. To meet the needs of this industry today, the law must be amended.

After more than 50 years of implementation of the Private Agencies Act of 1971, no efforts have been made to create a career path for security guards through a legal framework that should be adhered to by industry players. A very nominal number of operators practice ranking and designations of their security guards within their

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851 https://kespa.com.my/ (retrieved on 10 August 2024)

respective business operations. This is in contrast to Singapore and Indonesia, whose laws clearly outline the advancement of security personnel's careers. Regarding the professional path of their security officers, their laws are extremely explicit. The security guards are left in a precarious situation, unsure of what the future holds for them should they decide to stay in the industry. This has caused the industry's shortage of manpower to aggravate as talented individuals have left to pursue careers in other industries.

According to Mr. Ali, there is a severe shortage of locals who are eager to serve as security guards. As a result, the industry is forced to rely on foreign workers. For a variety of reasons, including inadequate training before being assigned to a job site, the locals have no interest in becoming security guards. The security guard also faces the challenge of working long hours without sufficient rest. The Employment Act's requirements for overtime allowance payment are not met, requiring security guards to work around the clock blatantly against human rights. The Act also fails to mention additional financial rewards or health benefits. In addition, no contribution to the Employee Provident Funds (EPF) and Social Security (SOCSO) is a common practice amongst the business operators. It is believed that there is no guarantee of job prospects, coupled with social stigma due to lack of acknowledgement for the profession among society's members, which has shied away job seekers from applying to join the industry. Becoming security guards will always be their last option. Mr. Ali restates that security guards pay and perks are not commensurate with those in other sectors.

Most business owners deliberately let their security guards be ignorant of their legal rights pursuant to the laws in Malaysia so they may easily take advantage of the naive and innocent security guards. According to Mr Ali:

In order to make these security guards easier to be manipulated and less likely to protest, companies purposely let the guards to stay ignorant of their legal rights as employees and to retain their foolishness…the security guards are victims to the circumstances… they are helpless…the employers have no interest to educate them… in fact employers wish to keep the security guards to be ignorance.

This has led to a big number of security guards leaving the industry. The disgruntled security guards quit their jobs and joined the gig economy, working as delivery dispatchers for Food Panda[852] or Grab[853] drivers.

The establishment of a legal system that protects the security guards' well-being, where they are paid appropriately, and where the working hours are manageable enough to allow them to get sufficient rest can address the issue of a shortage of talented individuals in the local private security industry, as talents would not have been attracted to migrate to Singapore.

When asked about his thoughts on the utilisation of advanced technology instruments and robots in the workforce to solve the acute manpower shortage problem, Mr. Ali agreed that as a developing country, the industry needs to switch to using advanced technology tools in addition to people. However, security guards need to have appropriate training before they can operate the equipment to its greatest effect. To accomplish this ultimate goal, all relevant parties must collaborate to develop the appropriate security guard training programs and systems. Mr. Ali recalled a personal incident he had at MOHA's headquarters in Putrajaya where the security staff had to manually record the visitors' personal information since they were unable to operate the facial recognition machine. Ironically, based on his own observations, Mr. Ali notes that the clients, in particular the government agencies and government-linked companies (GLC), appear to be more receptive to and willing to have human security guards perform the duty rather than sophisticated, high-tech equipment, especially at the entrance, where they appear to prefer having humans perform the recording tasks rather than machines.

The market is extremely competitive, with businesses prepared to undercut rivals in order to secure contracts. Security guards suffer because companies lower their pay when the number of secured contracts is reduced. In order to guarantee that the security guards' salaries and other benefits are not compromised, the government is urged to set up clear policies and procedures to stop companies from acting unethically when attempting to obtain contracts. Mr. Ali pinpointed the primary challenges impeding the sector, which require resolution for its growth. The regulators are faced with an unmanageable scenario due to the excessive number of licenses issued. Those

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852 https://www.foodpanda.com/ (retrieved on 28 July 2024)
853 https://www.grab.com/sg/ (retrieved on 28 July 2024)

who have worked for the government as senior officials in the field of public security are granted licenses. The majority of license holders are not professionals in the business world who have the requisite skills or drive to manage a company. Therefore, they 'sublease' or 'franchise' their licenses to other parties. The license holders only get fixed revenue and are unaware of any further developments regarding the company.

The regulators are required by law to do their duties. Enforcing compliance with the law is essential to guarantee that legitimate license holders are operating their businesses legally. As seems to be the case these days, MOHA must fulfil its responsibility to verify any information provided by industry respondents and refrain from simply accepting it at face value. The Labour Department (Jabatan Tenaga Kerja or JTK) is a government agency empowered to investigate any complaint raised by employees. When a security guard attends JTK's office to voice a grievance, JTK should adopt a more proactive and accommodating stance rather than pressuring the affected security guards to the point where they give up and lose faith. This is the typical situation that security guards who are not KESPA members encounter, according to KESPA's records and observations.

5.4.2 Malaysian United Security Guard Association (MUSGA)

An interview was conducted with Malaysian United Security Guard Association (MUSGA) president, Mr. Mohd Nizam Hamzah, in order to gain insight from him.[854] MUSGA was founded by security guards who believed that uniting in an association would improve their future and help them from being oppressed. The ultimate aim of MUSGA is to assist its members and work together to strengthen and improve the dignity of security guards so that they are thereafter able to change the public's perception of the career of security guards.

Nowadays, the public has a more favourable perception of being a security guard than it did a few years ago. People then perceived that security guards had low pay compared to other professions and were not guaranteed a bright future. Young people nowadays seem more interested in entering the sector compared to a few years ago. More than 30 percent of new applicants, whenever there is an opening, are those

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854 https://musga2u.blogspot.com/2019/08/catatan-untuk-pengawal-keselamatan.html#more (retrieved on 19 August 2024)

who are 30 years old and below. Mr. Nizam, who serves as Guard Supervisor at Smart Force Security Services Sdn Bhd, [855] confirmed that more than half of their security guards are those who are below 30 years old, but they were looking for those with tertiary qualifications.

Youths are more likely to choose to become security guards because there are few careers that may provide a good wage since the introduction of the minimum wage laws [856] and because the work in other sectors is extremely stressful and demanding. Another reason that attracts young people to apply for security guard jobs is the fact that overtime pay is given for the additional working hours, which is guaranteed under the law. Young people from rural areas frequently migrate to major cities in search of employment, but their career options are increasingly limited. As a result, many of these migrants elect to work as security guards.

Those days, youngsters would typically choose security guards as their last option. The pattern has shifted, and now people are more forthcoming about their jobs, possibly as a result of industry improvements in compensation and life demands

Young talents are needed to fill the vacancies in the industry. However, based on Mr. Mohad Nizam's view, the hiring of foreigners has taken away job opportunities that should have been filled by locals. This practice must cease immediately to allow locals to meet the demand. This trend is simply continuing. Thus, policymakers and industry players need to act boldly to maintain this momentum.

Being a security guard allows one to work without continual supervision from superiors, which has given the opportunity for the youngsters to play with their cell phones. This circumstance is among the things that have been shown to inspire youngsters to apply to work as security guards. According to Mr. Nizam's observations, young people who have taken the risk of becoming security guards will normally stay in that role. They are unlikely to change employers unless there is a more attractive income or for any other reason. Complacency in one workplace is crucial to retaining the security guards. Thus, it is necessary to preserve and develop these talents. To retain these young talents in the sector, employers and regulators need to take an essential role. Programs need to be designed with this in mind in tandem with the aspiration and desire of the youths.

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855 Smart Force Security Services Sdn. Bhd., Jalan Sri Permaisuri 9 38 Kuala Lumpur, +60 391727200

856 the Minimum Wages Order 2022 ('Order') gazetted on 27 April 2022. The increase of the minimum wage to RM1,500 will be effective as of 1 May 2022

Specific laws should be introduced to attract more young people to become security guards. Laws that protect the rights and welfare of security guards can guarantee their personal safety while performing their duties, and their future through a clearer career pathway should be enacted and enforced, as this approach will attract young talents to join the industry. The industry has started to change to operate daily routines using advanced technologies. The usage of sophisticated robotic high-tech equipment is prevalent in the industry, and young talent may pick up the skills far more quickly than older people. Therefore, in order to lure young talent to the sector, the industry must embrace more radical measures along with government support. Integrating high-tech equipment into daily operations will result in a decrease in staff force, which will ultimately mean fewer foreign employees. Reducing the number of foreign employees in the nation will address numerous sociocultural and economic problems and safeguard currency exchange.

In response to the question of why numerous other security guard companies lament that it is hard to find locals to work as security guards, Mr. Nizam believes that this is because of the companies' bad reputation for not paying overtime and salaries in accordance with the law. Furthermore, many businesses continue to harbour the belief that young people lack the commitment necessary to complete the tasks assigned to them, which deters young people from applying for available positions. However, many companies are more interested in employing foreign nationals as security guards because they are free from local responsibilities like family issues at home that must be resolved right away and involvement with neighbourhood activities that require the involvement of local workers. This will lead to necessitating emergency leave and various other holidays, which complicate and conflate the employee's schedule routine.

5.4.3 Federation of Malaysia Security Industry Employee Association (MySEC)

Commander (R) Qadirsyah Abdullah was interviewed to share his personal opinions about the security guard industry in Malaysia based on his more than thirty years of experience in the field. He is a founding member of MySEC and currently holds the position of president.[857] The main goal of the establishment of MySEC is to

[857] (Registration number PPM 003-01-03012013)

guarantee the welfare of security guards by combining all the security guard associations and unions in Malaysia. There are 15 registered associations with the Registrar of Societies in Malaysia under one confederation to become a strong body in order to voice the views and concerns of security guards to be heard and taken appropriate action by the authorities.

The current legal framework needs to be improved, which should pay attention to the welfare of the security guards who form the basis of the industry. The current laws neglect and disregard the well-being of security guards, encouraging irresponsible employers to manipulate them for the benefit of their business. In addition, there are no clear legal provisions regarding the appointment, training, and development of security guard positions. This situation has given space to irresponsible employers to manipulate security guards who are mostly uneducated.

In contrast, neighbouring countries, such as Indonesia, have determined the qualifications of a person before he can be recruited to serve as a security guard under their laws. The term 'Satpam', which Indonesia uses to replace the widely used word 'jaga', has positively impacted this career. Career tiers are also mentioned in the relevant law, which has given certainty to the career development of a security guard in Indonesia.[858] This situation is believed to be able to attract the interest of young people to join this industry and eventually to eliminate the dependency on foreign labourers. In Malaysia, the role of security guards is not new; in fact, it has existed since the country's establishment, if not before. Another term is "*Jaga*"[859] a title or role that is highly associated with the Malaysian community. Originally, this role was a lay service position. Academically excluded groups and military retirees should be able to hold a post at the lowest level of the public sector that has an unappealing appearance [860].

A salary scheme with various attractive remunerations needs to be introduced if the industry in Malaysia wants to attract young people to join the industry. The employer should be more responsible for paying the salary and all overtime payments made by the security guards without any delay or wilful default in making the payments

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858 (Gada Pratama, Gada Madya and Gada Utama)

859 "Jaga" is defines as "a guard; sentry; to guard or watch" - https://www.collinsdictionary.com/dictionary/english/jaga

860 Hamzah, H. D. (2006). Malaysian safety guard toward dignifying it. Perajurit Magazine, August 2006, 22.

that should have been made. Delayed salary payment with unclear deductions is a common complaint among security guards. Lack of adequate training given to the security guards before being assigned to duty causes them to be unclear about the scope of their duties and roles in the field. Based on MySEC's observations, employers deliberately do not provide adequate training to their employees in order to reduce operating costs. This situation would not happen if the provisions of the law were clear and strictly enforced.

MySEC is organising a campaign to urge the government to introduce a new law that is more comprehensive to be implemented by the industry, starting from the selection, training, and development of work in this industry, that is adapted to the salary scale and scope of work according to the rank of security guards. Until today, there is no dedicated government agency that oversees the development of this industry. Complete data related to this industry cannot be obtained considering the unavailability of an agency specifically responsible for that purpose. The lack of complete data makes it difficult for any interested party to formulate any form of direction for the purpose of improving the industry as a whole.

5.4.4 Persatuan Industri Keselamatan Malaysia (PIKM)

PIKM is a non-governmental organisation registered under the Societies Act 1966.[861] It plays a crucial role in the management and advancement of security guard services, as it was established to represent and champion the interests of the security industry in Malaysia, as well as to improve the standard and quality of security services in this country.

PIKM is the sole organisation recognised by MOHA as the coordinator and monitoring body of all its members licensed by MOHA to conduct private security business. MOHA mandates that all license holders must register as members of PIKM before receiving clearance to commence business operations.[862] The organisation consists of security control companies registered and licensed by MOHA. As such, it is imperative that all members follow the rules that PIKM has established.

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861 https://www.pikm.my/ (retrieved on 12 August 2024)
862 Para 12 Pekeliling Agensi Persendirian Bilangan 4 Tahun 2010

A face-to-face interview session was conducted with 2 office bearers of PIKM for Session 2023-2025, namely the chairman, Datuk Muhammad Ubaidullah bin Enam @ Iman (Anirass Gaya Security Services Sdn Bhd), and the honorary secretary, Habibullah Bin Datuk Haji Ahmad (Class A Security Sdn Bhd). They were also the directors and shareholders of PSCs licensed by MOHA. Interviews were conducted at the PIKM office in Kelana Jaya to gain their insight as PIKM office bearers and licensees who run private security businesses. To obtain a more thorough and in-depth understanding of PIKM, face-to-face discussions were held with Mr. Jeff Noor Jettey (General Manager) and Mr. Ahmad Ramdan Bin M. Yusof (Senior Manager - Development and Training). Both were PIKM salaried officers responsible for overseeing the day-to-day operations of PIKM's management.

5.4.4.1 Datuk Mohammad Ubaidullah bin Iman -President

The Private Agencies Act of 1971 is an old law that has never been amended since it was first passed. The provisions in the Act are no longer relevant given how the sector is currently developing, which is shifting towards the usage of technologies. The Act is also extremely frail when it comes to enforcement. It imposes a maximum fine of RM10,000.00 or a three-year imprisonment that is deemed insignificant and does not deter industry players.[863] It is regarded as overly frivolous and light. According to PIKM records dating back to 1971, no company has ever been fined or punished under the Act.

Datuk Ubaidullah contends that the Act specifies that the Minister of MOHA has the authority to carry out all of the provisions in the Act that can eventually be delegated.[864] The Enforcement and Control Unit (Unit Penguatkuasaan Dan Kawalan) was created to fulfil the minister's duties under the Act. However, this is only available in MOHA's office in Putrajaya and cannot be found in any other state. This has made maintaining control and enforcement challenging.

PDRM is tasked to conduct the screening procedure for potential security guard candidates, which is a prerequisite for hiring. Datuk Ubaidullah believes having a strong educational background will improve one's ability to function at work. However, the

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863 Section 14 Act 27- General Penalty
864 Section 2 Act 27- Definition.

Act remains mute over the hiring procedure. The lack of definition in the Act has left the profession in the dark. The Act ought to be more comprehensive. It is necessary to be clear about the industry's direction. Although the MOHA Chief Secretary's circular[865] outlined the prerequisites for security guard recruitment, it falls short in that it does not outline the necessary academic background. The Act does not explicitly acknowledge individuals holding a Malaysia Skills Certificate (Sijil Kemahiran Malaysia).[866] Unfortunately, the truth is that the major players in the industry just hire people 'from the side of the road without going through the appropriate screening procedure.

According to Datuk Ubaidullah, the susceptibility of government officials to changing positions and ranks requires official modifications of the delegation of ministerial functions. Powers should be delegated to a designated department rather than to the person named in the delegation letter. As a result, any individual holding a position in a department with a mandate is required to carry out the mandate to guarantee that bureaucracy can be minimised and that any planned activities do not get disrupted because of the shifting of elected officials.

Regarding the question of whether or not to hire foreign workers for security guard positions, Datuk Ubaidullah believed that most of the foreign workers are employed in big cities, particularly in public areas like malls. Locals have little interest in working in these environments because they feel embarrassed if they encounter friends or family. They are afraid of the public mocking. Therefore, swift and audacious action must be taken to rectify this misconception to encourage locals to pursue careers as security guards, which in turn will reduce our dependency on foreign labour.

First, MOHA should prioritise the structure of PSCs' business models. MOHA has a disorganised and chaotic mechanism in place to regulate this industry. The issued regulations consist of fragments and lack clarity. Datuk Ubaidullah said:

MOHA is like a house where the industry players are the children who are not properly supervised, the children can come and go as they choose through any doors or windows of the house.

The way businesses operate has evolved with the use of complex and cutting-edge equipment. Sole reliance on conventional methods is no longer sufficient. The

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865 Para 22 Pekeliling Agensi Persendirian Bilangan 4 tahun 2010

866 https://www.dsd.gov.my/ms/perkhidmatan/sijil-kemahiran-malaysia-skm (retrieved on 1 July 2024)

industry players cannot disregard this reality. Accordingly, PIKM has partnered with Universiti Teknologi Malaysia (UTM) to develop programs that enhance the training modules for the security industry, aiming to improve the proficiency of private security guards through the combined use of manpower and technology in the tandem model.

In addition, security guards need to become more competent. To be able to carry out their jobs more effectively, they need to be qualified. PIKM, in collaboration with SIRIM Berhad,[867] has developed a code of practice for private security agencies that outlines the prerequisites and screening process before one becomes a security guard in simple terms in order to accomplish this goal. Still, the intended code of practice requires support and collaboration from MOHA.

Singapore is actively working to realise its goal of enhancing sustainability through a tripartite concept involving government agencies, industry players, and employees. The Malaysian government ought to take firm measures to strengthen this industry and make it more resilient for the benefit of the nation. The current competitive environment in which PSCs must compete with RELA and the auxiliary police for the same business opportunities makes the security guard industry extremely vulnerable.

5.4.4.2 Habibullah bin Dato' Hj Ahmad – Honorary Secretary

As the honorary secretary, Mr. Habibullah was also asked to share his knowledge of the profession, along with his recommendations and PIKM, to strengthen this sector of the economy. His perspective as an honorary secretary was deemed crucial since he documented and maintained PIKM meeting minutes that addressed the organisation's present state and future course. All PIKM correspondence with the authorities was through his review and notes. According to Mr. Habibullah, the Private Agencies Act of 1971 focuses mainly on companies. Act 27 makes no explicit mention of security guards, who are at the core of this sector,[868] requiring businesses to use the MOHA Secretary General's circular as guidance when hiring and training security guards.

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867 formerly known as the Standard and Industrial Research Institute of Malaysia, is a corporate organization owned wholly by the Malaysian Government, under the Ministry of Trade and Industry.

868 (preamble Private Agencies Act 1971 – Act 27)

MOHA introduced a platform known as eSIMS,[869] supposedly to speed up and update the process of selecting and appointing security guards. This platform is responsible for determining whether or not the applicant has a criminal history by entering their ID card number and birthplace. Although there are columns that require some personal information, such as the applicant's physical condition, including weight and height, the information can be ignored, and the application can still be processed. Candidates who are 55 years of age and above should fill out their educational history and health status. Nevertheless, the application can still be processed without the information being properly keyed into the system. Ironically, the platform is not working as it should.

Mr. Habibullah went on to say that the issuance of licenses should be reevaluated. The majority of licenses were granted to 60-year-old retired senior government officials who lacked significant business experience. They appeared to be too inexperienced to manage businesses that demanded a high level of dedication and an in-depth understanding of business structures. This has led to the act of leasing licenses to third parties.

MOHA is aware that creating a career path in this industry is important to make a career in this field more attractive and secure for the future, but MOHA does not take more active and effective steps for that purpose. Particular attention must also be paid to MOHA's administrative and managerial issues, which frequently revolve around and are unsuccessfully resolved after the assignment of new officers. MOHA should collaborate with other ministries and agencies to achieve this goal.

At PIKM itself, a plan to change the security guard's uniform to a more attractive form that shows a more professional appearance is being carried out. The image highlighted by the security guard will be more attractive and highlight the authority of a security guard, but all these plans require MOHA approval and must be gazetted. This industry must seamlessly adapt to recent advancements in accordance with IR 4.0, which has permeated all industries. Human resources are no longer the exclusive source of support for the security industry. There are PIKM members who have so far begun utilising cutting-edge technology, such as drones, in their daily operations. This turned out to be quite successful since using drones allows for more labour efficiency, while they are capable of covering larger patrol areas.

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869 https://esims.moha.gov.my

5.4.4.3 Jeff Noor Jettey – General Manager

Mr. Jeff Noor had nearly thirty years of experience as PIKM's general manager. He witnessed the industry's evolution throughout time, making his knowledge invaluable. Mr. Jeff believes that, according to Maslow's view, people want the protection of their lives and belongings. Thus, the protection of people and property is a major responsibility of the private security guard sector. Consequently, there will always be a need for private security services. Thus, stronger and more comprehensive laws need to be enacted for this purpose. The current version of Act 27, which is in effect, is out of date and does not address the issues that exist in the context of private security, which is crucial for society as a whole.

The provisions of Act 27 are vague and unclear, with many contradictions in the implementation and daily operations. The regulations state that the Chief of State Police is given enforcement powers, but in reality, this task has been taken over by MOHA. Resource constraints at MOHA have made enforcement at the state level impossible and caused the industry to not be properly controlled by the authorities.

Act 27 does not contain any provisions that aim to foster the growth of this industry. The Act does not address the recruitment and training of security guards, as well as provisions that protect the well-being and safety of security guards. This situation has led to the abuse of the security guards. He asserts that the Act does not constrain MOHA, the licensing authority, in its role as a regulator. There has been an unorganised license issuance process since licenses are issued in accordance with the circular and occasionally at the minister's whim. It is unclear what the licensing applicants' backgrounds and credentials are. Also, limitations must be placed on the quantity of licenses granted when necessary. Having lesser license holders might give better and higher-quality services, and PIKM and MOHA could easily supervise them.

It is necessary to pass a more complete and robust law that protects security guards, who are the backbone of this industry, in addition to businesses. This industry should be assisted to adapt the use of advanced technology in line with the current development that has moved to the use of more sophisticated equipment. Security guards need to be trained to become more tech-savvy so they can meet the needs of the market. The government and industry players must recognise the contribution of the security guards through various approaches, as this will further attract young talent to join the industry.

5.4.4.4 Ahmad Ramdan bin M. Yusof – Senior Manager Development and Training

Mr. Ramdan served as PIKM's Senior Manager for Development and Training for over a decade. He was consulted for the training of both new and experienced security guards. Mr. Ramdan believed the Private Agencies Act of 1971 needs to be immediately revised to reflect the complex business and socioeconomic developments of today. PIKM had expressed its views on the Act's review in 2018, but no action has been taken since. PIKM has been in constant contact with MOHA on this topic. The Act is silent as to the protection granted to the security guards. This has been one of the deterrents for the local youths from joining the industry, as they are exposed to crime and violence when performing their work. The absence of a clear compensation plan and a clear career path exacerbates the situation.

Mr. Ramdan, who oversees training at PIKM, emphasised that PIKM lacked the authority to screen security guards that security companies send for training. The relevant employers were in charge of the filtering procedure. Regardless of their physical or health situation, as long as they were sent by their company for training under PIKM and passed the MOHA no prior criminal record filter, PIKM was forced to accept them. Due to this flaw, PIKM accepted physically disabled and obese people for training, and PIKM training and development had to enroll them for the training. PIKM should be empowered to reject any candidate who is considered unfit to undergo the training programme

We were stunned and speechless when we saw the respondents with such physical conditions were sent by their employers to attend the trainings… we have no authority to reject them… should we have given the power… I would definitely reject such candidates as obviously they are not fit to undergo the training what more to serve as security guards on the field.

Accordingly, PIKM should be granted specific authority to screen security guards sent by their employers for training at PIKM, ensuring that only suitable candidates are sent for training. This provision must be provided in the Act. In order to ensure that the training conducted by PIKM is relevant to the current situation and requirements, PIKM works with various parties and agencies, including higher education institutions such as Universiti Teknologi Malaysia (UTM), to identify the needs that are shared by all industry players and security guards.

The Malaysian Productivity Council (MPC) and PIKM had a discussion on the importance of the private security services industry. Private security services are currently classified as other sectors under the MPC classification, while other sectors, like hospitality or agriculture, are classified as clearly sectored. In this field, security guards often feel intimidated and see themselves as stepping stones to more desirable positions. Thus, public perception needs to be rectified so people should not assume that this work is inferior.

5.4.4.5 Summary and conclusion of the respondents from PIKM

As the gatekeeper to the industry, PIKM has important responsibilities to fulfil to guarantee that the security sector meets its ultimate goal. The following is a summary of the responses from PIKM:

1. The Private Agencies Act 1971 (Act 27) is outdated and archaic. The Act requires major revision and amendment to cover both the business and the security guards. Robust and comprehensive laws must be drafted for the benefit of the industry and nations.
2. All the respondents from PIKM believe that the license issued must be controlled, and if need be, the number reduced for better management and quality service providers.
3. MOHA should reconsider issuing licenses to retired senior government officials, as most of them have no passion, energy, or knowledge to run the business. Licenses should be given to those who are passionate, have adequate capital, and know how to run the business.
4. MOHA should create a dedicated department as a one-stop centre to resolve issues encountered by industry players. Instead of delegation to specific named personnel, authority should be delegated to a particular department, as this will eliminate bureaucracy.
5. A clear career path and remuneration must be drawn to make this industry more appealing to the local talents, particularly the youth. The industry cannot rely on foreigners to serve as security guards, as this involves the security of public life and assets.
6. The industry must adopt the use of sophisticated technologies and equipment, which has swept across all industries. In this instance, the government must play

its role to promote the use of high-tech in the industry, as this will be more effective and, at the same time, eliminate our dependency on foreign labourers.

7. Public perception must be corrected, and engagement with the public must be widened to expose their unruly thoughts toward the private security guards.

5.5 Standard and Industrial Research Institute of Malaysia (SIRIM)

Standard and Industrial Research Institute of Malaysia (SIRIM) Berhad is a business entity under the Ministry of Trade and Industry (MITI) that is fully owned by the Malaysian governmet.[870] It serves as the centre for quality and standards, as well as an advocate for technical innovation in Malaysian business. Given that PIKM and SIRIM have worked together to develop a PIKM standard, Code of Practice for private security agencies, it is believed that a more thorough assessment from SIRIM representatives was required in order to ascertain SIRIM's perspective on the service practices provided by security guard companies in Malaysia.

SIRIM plays a crucial role in establishing and maintaining service standards for private security services in Malaysia. Some key aspects of how SIRIM contributes to this sector include:

1. SIRIM QAS International provides certification based on compliance with various international standards, such as ISO 9001:2015 for Quality Management Systems and ISO 45001:2018 for Occupational Health and Safety Management Systems. Specifically, the ISO 18788:2015 standard is tailored for management systems for private security operations, ensuring that security firs adhere to best practices in service delivery and operational safety.
2. SIRIM conducts thorough audits to assess compliance with these standards. This process helps identify areas for improvement within security companies, ensuring that they meet legal and client requirements. For instance, Prozas Security underwent a two-stage audit by SIRIM, which involved documentation reviews and on-site evaluations, leading to the identification and resolution of nonconformities.
3. SIRIM Academy offers a range of training courses aligned with international management system standards. These programmes are designed to enhance the skills and knowledge of security personnel, thereby improving the overall

[870] https://www.sirim.my/services/standards-quality (retrieved on 8 September 2024),

service quality in the private security sector. The process carried out will be able to ensure that the company implements high standards for the benefit of both parties, namely, service providers and customers. With the existence of a standard that needs to be followed by the industry, we will be able to solve many issues that arise between the parties involved.

4. SIRIM also provides consultancy services to assist security companies in implementing quality management systems and best practices. This guidance can help firms align their operations with the required standards, ultimately enhancing service delivery. As a leading resource centre for standards and quality, SIRIM supports the private security industry by providing access to technical knowledge and resources. This includes information on compliance with technical barriers to trade, which can be crucial for security firms operating in a competitive market. By promoting the adoption of established standards and providing training, SIRIM encourages security companies to adopt best practices that can lead to improved service standards and client satisfaction. Under this pretext, PIKM has enlisted SIRIM's services to establish an industry-wide standard.

Through these initiatives, SIRIM significantly contributes to the enhancement of service standards within the private security services sector in Malaysia, ensuring that firms operate efficiently and effectively while maintaining high levels of safety and quality. PIKM and industry players should establish closer cooperation with SIRIM to achieve better service standards.Ms. Siti Hadijah Hassan was a senior executive who served SIRIM Academy Sdn Bhd for more than 10 years.[871] She was directly involved with PIKM to draft the standard PIKM code of practice for PSCs. Her direct involvement placed her in a key role in forming the code of practice, which has the potential to change the standards that should be applied by the private security industry in Malaysia, where none are currently established or utilised. She provided a detailed explanation of SIRIM's scope of work. Ms. Siti Hadijah and her team believed that a

[871] A subsidiary of SIRIM Berhad which core business is to provide services in developing standards and training and consultancy focused on enhancing skills and competencies in various sectors, including quality management and technology. It offers a range of training and consultancy services, including courses, workshops, and e-learning, aimed at improving organizational performance and compliance with international standards

more recent form of legal framework needs to be established immediately to achieve the standard proposed through PIKM's Standard, Code of Practice for Private Agencies.

Security guards should be recognised as the first line of defence due to their role in dealing with any criminal behaviour. They are the first person to try to curb any criminal behaviour before the arrival of the police for further action. Thus, MOHA needs to correct its recognition of security guards as the third line of defence. The use of a more appropriate term to replace the word security guard needs to be seriously thought about because the term security guard that is used now is found to be inappropriate and refers to a career that does not receive good recognition from the community.

In addition, the Act needs to be updated by including clear qualifications from the academic and physical aspects of a person who can be accepted as a security guard. The standard for selecting security guards will be able to change the public's perception of this career and further produce more competent guards. A clear career path within the industry must be provided under the standard. This will attract young local talents and retain talent. Throughout the period of the study, Ms. Siti Hadijah observed and found that most of the security guards were unqualified and physically unfit to serve as security guards. A stricter selection process needs to be used by this industry to get a better service quality standard. A stricter selection process is also necessary for the purpose of screening shareholders and company directors to ensure that the goal of creating an industry with a high standard can be achieved. Ms. Siti Hadijah is of the opinion that all security guards must have a minimum level of academic achievement before they can be selected to hold positions as security guards. A minimum level of education is necessary to ensure that the standards that the industry wants to apply will be well accepted. This approach is in line with the practice used by the government, which stipulates that all civil servants must have at least a Sijil Pelajaran Malaysia (SPM) certificate before being accepted as a public servant.[872] In line with changes to the national education policy and increased access to upper secondary education, the minimum qualification for entry into the civil service has been raised to the SPM. As a result, 11 service schemes that previously required the Pentaksiran Tingkatan Tiga (PT3) or Penilaian Menengah Rendah (PMR) would be upgraded to service schemes

[872] https://www.thestar.com.my/news/nation/2024/09/14/minimum-qualification-for-entry-into-civil-service-raised-to-spm (retrieved on 14 Sept 2024)

requiring SPM qualifications. Hence, the industry should emulate the approach adopted by the government.

Ms. Siti Hadijah further asserted that any form of standard that is introduced to any industry, as long as it is not raised to become a regulation that has the force of law, will not bind industry players. The standard introduced is simply something that is used to facilitate the management of a company and subsequently attract more customers following the use of standards that can attract the interest of some customers who emphasise service standards. Unfortunately, most of the customers who get the services of security guards are due to decisions made by third parties, for example, financial institutions or goldsmiths, where there is a requirement set by the insurer that stipulates that the security guards must be on the premises if they want to obtain protection under the insurance policy issued.

SIRIM has suggested to PIKM that all members of PIKM must abide by the standard introduced by PIKM. The standard is made compulsory as a bylaw of the association. Failure to comply with the bylaw may lead to dismissal or removal as a member of PIKM, which will cause the member to cease operation. Unfortunately, this suggestion is not viable due to the restriction in the constitution of PIKM and the Society Act 1966 (Act 335). Hence, the standard will remain as guidance for its members, and any adoption of the standard will be on a voluntary basis.

5.6 Ministry of Education (MOE) and Ministry of Human Resources (KESUMA) (TVET Units)

One of the main forces behind sustainable development is thought to be TVET, which is becoming more and more popular. TVET, by definition of UNESCO, is a combination of formal, informal, and non-formal learning that provides young people with the knowledge and skills required for work that is intended to address multiple demands (economic, social, and environmental), as stated in the 2030 Agenda. TVET is now receiving more attention. The demands include supporting equitable, inclusive, and sustainable economic growth. There is also a need to help transitions to green economies and environmental sustainability and help youth and adults acquire the skills required for employment, decent work, and entrepreneurship. To put it another way,

TVET is a method that emphasises skill development during training to get employees ready for jobs in companies.[873]

Additionally, TVET is highly regarded in the strategic and operational priorities of the G20, the OECD, and international organisations like UNESCO, ASEAN, SEAMEO, and ILO. TVET systems require constant reform and revitalisation, as the Shanghai Consensus illustrates, if they are to fulfil their immense potential to influence development.[874] Malaysia is determined to work with many related parties to plan and certify that human capital development can be executed.[875] According to a study's findings, the most important elements in the creation of a cooperation framework are skill development, learning impact, partnership management, and partnership development. The study highlights the significance of teamwork in enabling successful workplace, education, and technology (WET) integration for a country's workforce growth.[876] Developing a favourable image of TVET will convince a variety of stakeholders of its importance for the nation, which underscores the importance of the strategy and promotion of TVET empowerment. It is time to rethink the idea that vocational education creates competent human capital development.[877]

Considering Malaysia's persistent high demand for private security services, it is essential that we place a strong emphasis on the accessibility of TVET to the industry to equip and empower people working in this field to tackle problems that will only get harsher in the near future due to the complexity of the socio-economy of the nation.

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873 Subedi, B. S. (2012). Prospects and Challenges of TVET Teacher Education in the Context of Nepal. Technical and Vocational Education and Training Development, 20.

874 Paryono, P. (2017, September). The importance of TVET and its contribution to sustainable development. In AIP Conference Proceedings (Vol. 1887, No. 1). AIP Publishing.

875 R., Foong, L. M., & Ismail, A. A. (2019). TVET in Malaysia. Vocational education and training in ASEAN member states: Current status and future development, 109-132.

876 Rashidi, R. (2013). Evaluation of collaboration between public training institutions and private industries and its importance in improving the quality of training delivery in TVET in Malaysia. TVET-Online. Asia, 1, 1-18.

877 Omar, M. K., Rauf, M. A., Ismail, N., Rashid, A. M., Puad, H. M., & Zakaria, A. (2020). Factors on deciding TVET for first choice educational journey among pre-secondary school student. European Journal of Molecular & Clinical Medicine, 7(3), 609-627. In Malaysia, the Technical and Vocational Education and Training (TVET) system involves seven ministries that oversee public TVET institutions. These ministries include:

- Ministry of Human Resources (MoHR)
- Ministry of Education (MoE)
- Ministry of Youth and Sports (MoYS)
- Ministry of Regional and Rural Development (MoRRD)
- Ministry of Agriculture and Agro-Based Industry (MoA)
- Ministry of Works (MoW)
- Ministry of Defence (MINDEF)

Accordingly, the current study interviewed representatives from the Ministry of Education (MOE) and the Ministry of Human Resources. They were directly involved in creating the TVET curriculum; thus, this study sought their opinions on how these ministries can incorporate the private security sector into the frameworks for curriculum development that they have developed and will continue to develop.

5.6.1 Ms Rahmah Sa'id - Principal Senior Assistant Director

Ms. Rahmah Sa'id, a principal senior assistant director,[878] emphasised the significance of implementing TVET to guarantee that Malaysians can use advanced and high-tech tools effectively. Students need to be prepared with the knowledge and skills needed to fulfil the demands of the industry. As of right now, all of MOE's TVET programmes are built around industry standards and industrial foundations. As an illustration, one of the courses provided at vocational colleges is drone piloting for pest management and fertilisation, which enables the use of drones in the agricultural industry. In the near future, this course will be extended to include the poultry industry. The industry stakeholders have collaborated in the development of this course. These courses were, in fact, introduced as a result of recommendations and construction assistance provided by leading industry Infographics who approached the ministry, offered suggestions, and helped construct these courses.

According to Ms. Rahmah, the ministry welcomes suggestions from the industry for courses that could be added to educational institutions under its jurisdiction. These courses could be relevant to the industry, provided that they follow the MOE's curriculum guidelines. Therefore, in order to further leverage the industry, the private security industry is invited to suggest any suitable curriculum or courses to the MOE. Industry respondents can collaborate with MOE to develop a framework that works for both parties. Ms. Rahmah further acknowledged the need to use advanced technology to simplify and speed work in the future, which will drastically reduce the use of labour with more efficient work results. However, it needs to be operated by a person who is competent and trained to operate the equipment. For that purpose, employees must be trained with the necessary expertise. With the use of modern technologies, which may

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878 TVET Curriculum and Program Development Cluster Vocational Education and Training Division of the Ministry of Education Malaysia

decrease the working force, the country can become less dependent on foreign labour, which could decrease the number of crimes committed by foreign workers who are brought in to fill labour shortages across numerous industries.

Undoubtedly, the utilisation of sophisticated and cutting-edge instruments will become prevalent across all industries. Exam records and other sensitive areas are the only places where the MOE itself has deployed CCTV to preserve confidentiality. To guarantee the highest level of confidentiality, it has been suggested to utilise facial recognition equipment. To guarantee that the officer can use the advanced technology without jeopardising secrecy, the officers should receive extensive training and knowledge of the laws, including the Personal Data Protection Act.[879]

Ms. Rahmah is of the view that an institution provides explicit training to those who are not interested in academics but are more inclined to operate equipment in order to meet the needs of the labour market in various sectors, including the security industry. A sizeable portion of SPM (Sijil Pelajaran Malaysia) graduates in 2022 chose not to pursue a higher education. An estimated 390,000 of the 560,000 SPM leavers chose to enter the job market over pursuing further education, according to reports. Just about 170,000 people indicated a desire to continue their studies.[880] A considerable proportion of those who do not intend to pursue higher education after completing their SPM may be persuaded to join the institution.

5.6.2 Ms Roselina Ismail - Principal Assistant Director

The second respondent was the Principal Assistant Director from the TVET Curriculum and Program Development Cluster, Vocational Education and Training Division of the Ministry of Education Malaysia, Ms. Roselina Ismail. The MOE's TVET Department is equipped to train labourers to meet business demands, but the question remains as to whether companies will be willing to pay TVET graduates more. PSCs were unwilling to offer TVET graduates' training and talents from many MOE-endorsed institutions a higher wage scale. The public's perception of TVET graduates is that they are not intelligent individuals; rather, they are just skilled workers who are

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879 The Personal Data Protection Act (PDPA) 2010 (Act 709) regulates seven key principles that govern the lawful processing and protection of personal data. The main objective of this Act is to regulate the processing of personal data in commercial transactions by Data Users and protect the interests of Data Subjects.

880 https://www.bernama.com/en/bfokus/news.php?id=2180599 (retrieved on 31 July 2024)

not entitled to higher pay. During the interview, Ms. Roselina voiced her disappointment with the public's perception that TVET is often considered an institution for individuals who lack academic aptitude or are not academically inclined. In reality, individuals who possess the skills required to operate sophisticated technology are considered more fluent. Unfortunately, the public remains sceptical and disparages TVET graduates. This is made worse by the government's, business communities, and Malaysian society's overall failure to recognise technologists and specialists in the field of tech. For example, the government rarely acknowledges the winners of national and international skills competitions.[881]

In contrast to developed nations, we do not value skilled labour. Malaysians tend to haggle for jobs performed by a group of skilled individuals who lack a high level of education. In contrast to professionals with advanced academic qualifications like lawyers, engineers, or architects, members of the public are willing to pay the higher scale charge since they are regarded as intelligent individuals with advanced qualifications. In order to enhance the value of TVET and combat the stigma and unfavourable view of TVET in Malaysia, all important TVET stakeholders should be carefully considered and put into action. TVET offered by MOE in various institutions offers courses at various levels, ranging from certificate to bachelor's degree. Beginning at the lowest level, Level 1, the graduate is competent and hands-on enough to start working on the tasks allotted to them. Level 2, on the other hand, is where they are regarded as semi-skilled workers. In contrast, at Level 3, graduates can have supervisory responsibilities, and at Level 4, their position can be managerial. Nonetheless, more research should be done on curriculum design and instructional design technologies, particularly in TVET.[882] Therefore, TVET must be treated not only for those who are not academically inclined. TVET can serve as a platform to get past this obstacle and equip the workforce to handle the demand for workers with the necessary training to operate the devices.

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881 Aziz, F. A., & Subramaniam, N. (2023). TVET in Malaysia: Current Situation, Challenges and Recommendations. Penang Institute. https://penanginstitute. org/publications/issues/tvet-in-malaysia-current-situationchallenges-and-recommendations.

882 Abd Hamid, H. B., Piahat, T. B., Lail, N. A., Haris, A., & Hassan, M. F. (2023). Shades of Gray TVET in Malaysia: Issues and Challenges. Sciences, 13(6), 2152-2167.

According to Ms. Roselina, while companies and whole industries are still struggling with 4IR, Industry 5.0 is already well on its way.[883] Malaysia must now rely on sophisticated, modern equipment to carry out the task of providing security services instead of relying on foreign labourers to meet its labour needs. The public must be equipped and prepared to welcome the next revolution. The workforce must be well-equipped to face the challenges and cutting-edge technology in their day-to-day operations in the near future. However, Ms. Roselina, based on her observation, believes PSCs are not keen to invest in high-tech equipment. Even though they acknowledge the benefits of technology, they still prefer to use cheap labour in Malaysia. This attitude has resulted in a reliance on cheap foreign labourers who are brought into the country to meet market demands.

5.7 Department of Skills Development KESUMA

Two chief assistant directors from the KESUMA Skills Development Department were available for interviews for their insightful opinions.

5.7.1 Dr Ts Sulaiha Binti Ali - the Chief Assistant Director Skills Development Department

Dr. Ts. Sulaiha Binti Ali, the Chief Assistant Director of the Skills Development Department of KESUMA, was one of the study interviewees. She provided an in-depth explanation of her direct participation in the occupational framework (OF) drafting programme, Dr Ts Sulaiha Binti Ali, the Chief Assistant Director Skills Development Department is one of the interviewee from KESUMA and She has provided an in-depth explanation of her direct participation in OF drafting programme, which was divided into the administrative and support service activities for the security and investigation operations under division 80. The topic has a profound connection to the research.

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883 The concept of Industry 5.0 is a relatively new one. According to the European Union Industry 5.0 'provides a vision of industry that aims beyond efficiency and productivity as the sole goals, and reinforces the role and the contribution of industry to society.' and 'It places the well-being of the worker at the centre of the production process and uses new technologies to provide prosperity beyond jobs and growth while respecting the production limits of the planet.' It complements the Industry 4.0 approach by 'specifically putting research and innovation at the service of the transition to a sustainable, human-centric and resilient European industry. Industry 5.0 reflects a shift from a focus on economic value to a focus on societal value, and a shift in focus from welfare to well-being.

However, as unarmed guard services accounted for the majority of the service, the attention remained on them as the main focus of this study.

Based on OF, it came to light that the following serious problems faced by industry needed to be solved right away:

i. Insufficient number of skilled workers
ii. Insufficient number of certified workers
iii. Insufficient number of competent workers
iv. High dependency on foreign labour
v. Underpayment of wages leads to high turnover
vi. Talent Gap amongst graduates
vii. Adaptation to technological changes
viii. Poor facilities and amenities for workers

The committee further acknowledges that the industry should introduce a better designation for the industry workers based on their academic qualifications, experience and skills. It is anticipated that doing this will give the worker a distinct professional path. As a component of the career path, the industry is suggested to adopt the level below by OF.

Level 1 Assistant Security Officer
Level 2 Security Officer
Level 3 Security Supervisor
Level 4 Security Executive
Level 5 Security Manager

Every job designation level must have a job scope, and the package of benefits offered must be compatible with the work function and the employee's background, education, and experience. Young talent will be drawn to the profession by this since they can see their potential career path. Concurrently, this will resolve the problem of over reliance on foreign labour.

The proposal to implement five tiers of rankings in Malaysia's private security service would be consistent with the structure used in Singapore and Indonesia. With the guidance of this strategy, newcomers to the industry would have a more defined career path and be aware of the opportunities for advancement, responsibilities, and benefits.

OF released in 2024, according to Dr. Ts Sulaiha, is not a static document and is still open to input from all stakeholders, particularly the industry players themselves,

for the improvement of this industry going forward in compliance with current regulations and market need. The Skills Development Department in particular at KESUMA is open to considering proposals from the public if they are feasible, and they will do everything within their power to ensure that such remarkable ideas are carried out by KESUMA.

KESUMA has very limited jurisdiction as provided under existing legal provisions. KESUMA designed OF based on its research and direct involvement in matters related to human resources needed by the country after getting views from stakeholders concerned, especially industry players. KESUMA can merely submit a series of proposals from studies conducted. KESUMA does not have any legal authority that allows it to force the parties involved to comply with the findings obtained from the study that has been carried out. Other ministries, including MOHA, which is in charge of supervising private security services, ought to take the lead in adopting the conclusions of the KESUMA-conducted OF and enforcing the recommendations made within the legal framework under their jurisdiction. Dr. Ts. Sulaiha emphasised that public awareness of the importance of the role played by private security guards is crucial. The society's negative stigma that security guards are made up of those who have no skills needs to be corrected. Even so, before this perception can be corrected, workers from this industry must be trained and exposed to the appropriate skills.

5.7.2 Dr. Zool Hilmi Bin Mohamed Ashari

Chief Assistant Director, Dr. Zool Hilmi Bin Mohamed Ashari, was responsible for developing the National Occupation Skills Standards (NOSS) for security assistants.[884] NOSS is a document that describes the skills needed by a worker in Malaysia at a particular employment level to accomplish particular tasks. NOSS is a career-based programme that was created by a group of competent industry experts who execute the task and adhere to the career structure of a certain profession. It has been used to assess the skill level of the workforce, serve as a guide for outlining responsibilities and the scope of work, and evaluate employee performance. By doing

[884] https://www.skillsmalaysia.gov.my/index.php/en/service/noss#:~:text=The%20acronym%20NOSS%20stands%20for%20National%20Occupational%20Skills,certain%20level%20of%20employment%20to%20achieve%20specific%20skills (retrieved on 18 August 2024

so, it will be easier and less costly to retrain employees and improve productivity, innovation, and competitiveness.

Dr. Zool believed that because various ministries' jurisdictions are governed by the laws currently in effect, it worsens the situation when there is a lack of collaboration among the ministries and agencies concerned about making NOSS a legal requirement. The NOSS and OF programs remain administered by KESUMA and are the main drivers of the corporate community's efforts to raise working standards. The industry is at liberty to either embrace or not adopt the structure and standards set out by KESUMA. There is no legal requirement that forces the industry to comply.

Graduates from training facilities approved by KESUMA are qualified to work as security assistants and awarded Malaysian skills certificates (Level 1). From 1993 until July 2024, 500 women and 1583 men earned this certification. However, based on KESUMA's records, those who have earned a Level 1 skill certificate issued by NOSS KESUMA do not serve as security guards in the field; instead, they hold positions such as supervisors or officers in the security department of large companies.

A new law needs to be enacted and put into effect so that anyone who wishes to work as a security guard should be required by law to fulfil certain requirements in order to receive a Level 1 skill certificate from NOSS KESUMA. The legislation that stipulates that at least a level 1 skill certificate issued by NOSS is a prerequisite for employment as a security guard may guarantee the calibre of work performed by security guards. Excellent security guards will be produced if high standards are followed in accordance with the established guidelines. The security officers could then request a pay increase commensurate with their level of experience. The level of living for security guards and their families will rise with a greater wage.

Courses regulated by NOSS will periodically be revised with recommendations from the industry in accordance with the way the industry, sociocultural, and economic factors are developing at the moment. To continue enhancing the course structure provided for the benefit of the industry, industry respondents via PIKM should collaborate more closely with NOSS KESUMA. According to Dr. Zool, security guards of today should be knowledgeable about how to use complex security technology. NOSS KESUMA can engage with industry players to create an appropriate course framework to fulfil the need for the use of sophisticated equipment by security guards to perform their duties. The use of the latest, modern, and sophisticated security

equipment will significantly reduce the use of manpower, thereby eliminating dependence on foreign labour.

The salary scale enjoyed by the security guards is also impacted by the industry's acknowledgement of graduates holding Malaysian skills certificates. The Malaysian skills certificates issued by KESUMA are currently regarded by the Public Service Department (JPA) as on par with academic qualification certificates. Graduates with Malaysian skill certifications ought to receive distinct recognition, as individuals possessing skills ought not to be accorded the same status as those with academic qualifications.

5.7.3 National Institute of Safety and Health (NIOSH) training department

Mr. Mohamad Redwan Shah Bin Masri, fondly known as MRSM amongst his colleagues, served as Senior Manager of the Programme Development Division of NIOSH.[885] He took the time to share his insights into the security industry in Malaysia. MRSM was involved in collaborating with PIKM to design a course for security guards. His insights are invaluable, given his direct involvement with the industry.

Security guards receive training from NIOSH in preparation for the Certified Security Guards (CSG) course. MRSM believed that the allotted time was quite constrained and insufficient because the course covered three topics in three hours: occupational health and safety laws, accident management and prevention, and hazard risk control in the workplace. Stakeholders should prioritise this issue, given that NIOSH's limited training slots only provide a cursory overview of the necessary instruction for course participants. As a result, the security guards lack the knowledge they need to acquire in order to carry out their responsibilities in an efficient manner. The course given should not only be more in-depth but should be broken down according to the level of rank held by the security guards involved, such as level one for ordinary security guards, level two for supervisory guards, and level three for the manager level.

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[885] The National Institute of Occupational Safety and Health (NIOSH) in Malaysia is an agency under the Ministry of Human Resources, primarily focused on promoting occupational safety and health (OSH). NIOSH plays a vital role in research, training, and consultation to enhance workplace safety standards across various industries. Key Functions of NIOSH among others are:

NIOSH is not authorised to assess the suitability of the security guards sent by their companies for training. The physical state of security guards who, in MRSM's opinion, were unfit and improper to be security guards for a variety of reasons had to be accepted by NIOSH. NIOSH has the resources and tools required to provide security guard training. Qualified instructors can train security guards to handle cutting-edge equipment more effectively and safely. NIOSH may acquire equipment and knowledge from other government agencies or from other accessible parties if there is no equipment or competent trainer available for that purpose.

Industry players must make use of NIOSH's resources and expertise. However, they have been confined to the existing three-hour training. The industry recognises that it cannot deny the utilisation of technologically advanced tools for its daily operations. Security guards need to be trained to handle state-of-the-art equipment safely and efficiently. The availability of security personnel with advanced equipment and operating skills will reduce the need for foreign labour. MRSM draws comparisons with Singapore and Indonesia. The two nations have more comprehensive legal systems that address employment, education, appointments, and career advancement for their private security industry. It is really unfortunate that Malaysia still lacks a similar framework. A structure of this kind is necessary in addition to the public perception of the profession to draw in locals to the field.

5.8 Researcher and Expert Panellist Directly Involved in Drafting the Occupational Framework (OF)

The study interviewed two panel experts who were part of the working committee that had been given the responsibility by KESUMA to complete the full OF report. Associate Professor Dr. Zainudin Ibrahim, the Head of Delivery and Learning Development (CIDL) at the Office of the Vice provided valuable insights based on their professional experience and involvement as panellists in the OF KESUMA working committee. In an effort to identify and assess the gaps in the security industry that require immediate attention, KESUMA Skills Development Department (Jabatan Pembangunan Kemahiran (JPK)) has taken proactive measures by bringing together specialists from a range of fields to get their views to strengthen the industry.

5.8.1 Associate Professor Dr Zainuddin Ibrahim – Head of Delivery and Learning Development Office of Deputy Vice Chancellor (Academic and International) UiTM

Dr. Zainuddin believed that the legislation governing the security guard sector in Malaysia needs to be amended to provide a more precise description that represents the calibre of professionalism in the field. First, the name for the security guard position is not stated in Act 27 specifically. The majority of the community refers to them as 'Pak Guard,' a term that implies they work in a lowly and demeaning capacity. Fixing this problem within the act itself is the direct way to address this issue. A more respectable designation must be adopted since using a more appealing one would alter the views of everyone involved, including those in the industry and community members, elevating the status of this profession to the point where it is no longer mocked. The term should highlight the charisma of this job and eventually attract more young people, retired soldiers, and police to join this industry.

This industry must be given the same importance as the military and police in terms of designation and ranking. A more thorough scope of work must be developed in accordance with the level and position held, and the compensation must be commensurate with the tasks assigned. In addition, adequate training in line with their scope of duties and rank should be provided to ensure they can carry out their duties effectively. To ensure that all security guards receive a more effective, structured, and organised training programme. Additionally, consideration should be made for a company name that more accurately reflects the company's involvement in offering security services. Some PSCs use names that are inappropriate for their security guard business.[886] There must be a proper guideline made for that purpose.

The industry cannot avoid using state-of-the-art equipment, which is widely used in it. The industry's attempt to adopt the newest technology instruments has been hampered in some way by the high-cost element. The government must intervene to help the industry start utilising these technologies; since innovations are developing so quickly, it is not appropriate to wait for prices to come down before doing so. For the security staff to properly operate this technology, they need to receive training. Humans

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[886] Merbuk Indah Services Sdn Bhd, Ayu Edisi Sdn Bhd, Empayar Jutamas Sdn Bhd, Tropical Quantum Sdn Bhd quoted as a few examples

have limitations when it comes to carrying out their jobs. These constraints can be addressed with the help of sophisticated equipment, but people need to be trained to use the tools effectively.

According to Dr. Zainuddin, clients should only hire authorised security guard companies registered with PIKM. He noticed that many clients were unconcerned about whether the company they hire is a member of PIKM. Thus, awareness campaigns need to be enhanced to make the public aware so that they can identify companies that are certified or not. In addition, a significant number of unlicensed PSCs are offering security guard services throughout the country, operating without government supervision. Some of these companies have even ventured to dress in the uniforms of PIKM members. When compared to legal security businesses, which exclusively assign security guards to certain activities, clients prefer employing the services of unlicensed PSCs since they offer lower prices and can perform many tasks as requested. This breaks the law and causes losses to numerous parties. The correct mindset for hiring security personnel should be fostered. Members of the public will feel compelled to alert the authorities to any illegal security service providers operating in their area. This strategy will result in the eradication of illegal PSCs, who are currently quite prevalent.

Dr. Zaidnuddin believed that it is impossible for the industry to stop using foreign security guards because this industry still needs foreign labour due to an acute shortage of locals to fill the demand. These foreign employees, however, must be restricted to performing security guard work and cannot assume any administrative or supervisory roles. To ignite young locals' interest in pursuing the profession, a defined career pathway and compensation ranges need to be established. Lack of a defined career pathway will cause society to believe that a job in this industry has no guarantees for future success.

Dr. Zainduddin admited that the OF did not highlight the legal provided to their security officers under the Singapore Security Industry Act of 2007, which clearly protects security officers in the course of their work to guarantee their well-being. There is no attempt to elevate the OF to other ministries that oversee the industry because of legal restrictions that are limited to the responsibilities of the individual ministries. The OF was created solely to guide the industry without any legally binding provisions that the industry must adhere to.

Although the OF recognises the need of improving security guards' well-being because they are the key actors in the industry, the issue has not received enough

attention. In order to guarantee that the security guards' well-being is maintained and that they would give their best effort for the benefit of all parties, the framework must handle this issue

5.8.2 Mr Paramjeet Singh

Mr. Paramjeet was a business owner with over 50 years of experience in the field. He shared his opinions on how to draw in local talent for the industry. The key components included a clear career progression and a pay structure appropriate for the skill level and illegal operators who neglected commitments to pay security guards' salaries and benefits.

According to Mr. Paramjeet, the majority of security guards were not properly trained. This prevented them from performing their jobs to a high standard. There is also a severe dearth of training offered to security guards now. To improve the quality of security guards, a centralised training program, similar to that used by RELA, where a central organisation provides training with its own curriculum and training standards, must be developed before they can be deployed to the field. Better-calibre and more competent security guards who live up to customer expectations will be produced by centralised training with an appropriate guided curriculum and syllabus. They also lack a sense of pride and belonging to their career. The situation is worsened by their uniforms, which do not show their strength and ability while carrying out their duties, unlike RELA members, firefighters, and immigration officers, who wear uniforms that show their ability and power.

The welfare of these security guards is provided for under various laws, but they should be enforced to protect the interests of the security guards. Legislators should consolidate the provisions of law that improve the welfare of security guards into a single, specific statute, instead of leaving them scattered. Generally, most consumers are eager to use illegal PSCs due to the low price offered by the companies. They are prepared to offer lower prices than registered companies, since they are not subject to regulatory requirements such as EPF and SOCSO contributions. Legislative measures requiring users to be held accountable if they hire PSCs not registered with PIKM must be enacted. Consumers ought to face the legal consequences. The new provisions, which are to be introduced, should make it mandatory for consumers to verify the legitimacy of any company they plan to recruit. Failure to comply with this requirement

will hold customers responsible. This strategy will curtail illegal businesses. Legitimate companies will be subject to stricter supervision by regulatory enforcement agencies to better protect the security guards employed.

It is recommended that the government implement a policy requiring all security guard businesses operating in Malaysia to get the Responsible Business Alliance (RBA) certification [887] prior to being granted permission to operate. The business must then obtain an ISO 18788 certificate [888] after it has been in operation for a while. An extension of the company's operating license may be denied for noncompliance with ISO 18788 and RBA certification requirements. Having these two certificates will help the regulatory bodies' auditing processes of the companies, which will assist the companies in maintaining strict compliance with business ethics and conduct in accordance with international standards.

Mr. Paramjeet further opined that the existing training and training syllabus need to be improved; a more thorough study for this purpose needs to be carried out in more detail. Career progression needs to be emphasised, which gives pride in the profession. To promote pride in the profession, career advancement must be prioritised, which can be seen in Singapore and Indonesia. Moreover, Mr. Paramjeet believes that requiring a minimum level of education, such as Sijil Pelajaran Malaysia (SPM), as a prerequisite for employment as a security guard is inappropriate,[889] taking into account the fact that many people do not have the minimal educational background required to work as security guards. Fit and proper is the most crucial requirement for a candidate.

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887 The RBA Code of Conduct outlines standards that ensure safe working conditions, fair treatment of workers, and environmentally sustainable practices. aims to promote ethical business practices and ensure compliance with a uniform code of conduct across various industries. The current version of this code, version 8.0, became effective on January 1, 2024. One of the key components of the RBA certification is the Validated Assessment Program (VAP), which involves comprehensive onsite compliance verification conducted by independent, third-party auditors. These assessments include document reviews, interviews, and site visits. Findings from these audits are categorized by severity, requiring corrective actions to address any identified non-conformities. RBA certification is a structured approach to ensuring ethical practices in supply chains, focusing on labour rights, environmental stewardship, and corporate responsibility. It involves rigorous auditing processes and provides significant benefits for companies committed to sustainable practices

888 ISO 18788 is a crucial standard for organizations in the security sector, promoting best practices and ensuring that security operations are conducted ethically and effectively. ISO 18788:2015 is an international standard that provides a framework for establishing, implementing, operating, monitoring, reviewing, maintaining, and improving a Security Operations Management System (SOMS). This standard is specifically designed for organizations involved in conducting or contracting security operations, ensuring that these operations are carried out professionally and in compliance with legal and human rights standards

889 In contrast to every other respondent who believed that security guards have to possess at least SPM, Mr. Paramjeet holds a totally different opinion

Those who are fit and proper can receive adequate training. This industry requires people who are proficient in operating sophisticated equipment due to the utilisation of innovative and sophisticated technology equipment. Educational achievement does not ensure proficiency with sophisticated technology; thus, sufficient training is essential.

Finally, the local security issue should be handled by locals who understand and appreciate local culture and norms. Having trained security guards who can operate advanced security technology will lessen the dependence on foreign security guards in a sector that should be manned solely by locals. Relevant stakeholders need to adopt a more stringent approach as remedial actions and concentrate on the negative perceptions of the public toward the profession of security guards and have the security guards' current outfit changed.

5.9 Ministry of Home Affairs (MOHA)

Two senior officers from the Public Safety and Order Department (Bahagian Keselamatan dan Ketenteraman Awam), MOHA, Ms. Emmylia Catena Lee and Ms. Siti Hawa binti Lah, participated in the interview and shared their insightful opinions on maintaining internal security and public order.[890]

KESUMA is responsible for the issues pertaining to the security and well-being of the security guards under various laws.[891] e-Sims is a platform that is being improved

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[890] Key Functions:

1. Law Enforcement: The department is tasked with enforcing various laws related to public safety, including the Prevention of Crime Act, the Police Act, and other related statutes.
2. Public Order Maintenance: It oversees the management of public gatherings and assemblies to ensure they are conducted peacefully, as governed by the Peaceful Assembly Act.
3. Crisis Management: The department plays a crucial role in managing crises and emergencies, coordinating with other agencies to ensure public safety during such events.
4. Preventive Measures: It implements preventive measures against crime and violence, including initiatives related to community policing and crime prevention programmes.
5. Policy Development: The department formulates policies and strategies aimed at enhancing public safety and order, ensuring they are aligned with national security objectives.

Coordination with Other Agencies: It collaborates with law enforcement agencies, local governments, and other stakeholders to ensure a comprehensive approach to public safety

[891] These are some of the key statutes that fall under the purview of KESUMA as it works to empower the Malaysian workforce through labour laws, social security, skills development and industrial relations.

1. Employment Insurance System Act 2017.
2. Occupational Safety and Health Act 1994
3. Industrial Relations Act 1967
4. Trade Unions Act 1959
5. Human Resources Development Act 2001
6. Minimum Wages Order
7. Workers' Social Security Act 1969

to better coordinate the management of security guard recruitment. Currently, it is acknowledged to be relatively slow and only integrates with the national registration department. Nevertheless, active efforts are underway to connect it with the PDRM database. PDRM's D4 is required to vet all PSCs' applications.[892] Numerous companies held the Public Safety and Order Department accountable due to PDRM's tardiness in responding to security companies' applications. The significance of D4's involvement has resulted in a backlog of applications submitted by PSCs. Between 5,000 and 7,000 backlog applications were stalled at D4 at one point. For reasons related to national security, e-SIMs cannot be readily merged with D4's record. Due to D4's delay in approving the security guard company's application, the authorisation that ought to have been granted prior to a person being appointed as a security guard was not issued as a prerequisite requirement set forth by MOHA. Since the application had already been made through the e-SIMS system, the employer considered it justification and did not wait for the approval certificate before employing someone to work as a security guard. As long as employers can demonstrate that applications were submitted using the e-Sims online application system, they will not be held accountable if law enforcement checks the security guards' certificates of clearance. MOHA agrees that the private security sector in Malaysia has to be updated and improved but believes that issues that are deemed more chronic should be given priority and calls for prompt government intervention.

The Minister of Law and Institutional Reform, Datuk Seri Azalina Said, announced that up to 3000 outdated laws will be amended because it is essential to evaluate laws that are no longer suitable for the digital age, and the government should consider reviewing these laws.[893] Unfortunately, according to Ms. Emmylia and Ms. Hawa, Act 27 is not included in the list. Act 27 is omitted from the list due to the fact that, until today, the proposed amendments to Act 27 have not yet been finalised by MOHA to be brought to the cabinet for discussion. In addition, MOHA had convened several workshops with stakeholders to examine issues that require more thorough amendments to Act 27. However, the amendment remains centred on company supervision, and it does not intend to address issues pertaining to security guards, such

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892 D4 is one of the divisions under the Royal Malaysian Police Headquarters (PDRM) responsible for operations, intelligence and records.

893 https://www.nst.com.my/news/nation/2024/08/1090444/over-3000-outdated-laws-need-be-reviewed-azalina (retrieved on 6 September 2024)

as providing legal protection for them. For that aim, they believed the provisions of the current law to be adequate.

Both Ms. Hawa and Ms. Emmylia confirmed that as of August 2024, the government had awarded 1165 licenses, which is an excessive number that complicates monitoring and encourages dumping. The number also indicated that the presence of too many players in an industry can lead to several adverse impacts, including economic inefficiencies, increased competition, and negative social consequences. They believe that Act 27 ought to be changed to incorporate more extensive provisions by examining comparable Singaporean and Indonesian laws. Clear legal measures that support the security guards‘ well-being will encourage locals, especially the young people, to venture into the field. Somehow, both the senior officers believed that these provisions do not necessarily need to be reflected in the Act; they can be made through the circular issued by the Chief Secretary of MOHA, as currently practiced.

According to the two top MOHA officials, one of the primary causes of the PSCs' noncompliance with the laws governing the industry was the lack of enforcement and monitoring by the Department of Enforcement. The enforcement's manpower shortage is crucial, as it has approximately 700 staff all over Malaysia who are responsible for enforcing all statutes under the jurisdiction of MOHA.[894]

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[894] some of the key laws under MOHA's jurisdiction:
Acts Under Ministry of Home Affairs
1.Secondhand Dealers Act [Act 189]
2.Extradition Act 1992 [Act 479]
3.Sedition Act 1948 [Act 15]
4.Security Offences (Special Measures) Act 2012 [Act 747]
5.Corrosive and Explosive Substances and Offensive Weapons Act 1958 [Act 357]
6.Public Order (Preservation) Act 1958 [Act 296]
7.Explosives Act 1957 [Act 207]
8.Prevention of Crime Act 1959 [Act 297]
9.Arms Act 1960 [Act 206]
10.Firearms (Increased Penalties) 1971 [Act 37]
11.Preservation of Public Security Ordinance 1962 (Sabah)
12.Preservation of Public Security Ordinance 1962 (Sarawak)
13.Private Agencies Act 1971 [Act 27]
14.Dangerous Drug Act (Special Preventive Measures) Act 1985 [Act 316]
15.House To House And Street Collection Act 1947 [Act 200]
16.Abduction and Criminal Intimidation of Witnesess Act 1947 [Act 191]
17.Peaceful Assembly Act 2012 [Act 736]
18.Minor Offences Act 1955 [Act 336]
19.Deoxyribonucleic Acid (DNA) identification Act 2009 [Act 699]
20.Protected Areas and Protected Places Act 1959 [Act 298]
21.Police Act 1967 [Act 344]
22.Registration of Criminals and Undesirable Persons Act 1969 [Act 7]
23.Dangerous Drugs (Forfeiture Of Property) Act 1988 [Act 340]
24.Registration of Adoption Act 1952 [Act 253]

The circular issued by MOHA is clear that only Nepalese ex-soldiers can be employed as security guards,[895] but due to the difficulty in finding this group, it is admitted that there are many who are not ex-soldiers serving as security guards in Malaysia. The constraints faced by the industry and the MOHA enforcement department have caused many companies to violate this regulation. While acknowledging that there are Nepalese who abuse work visas and permits and other nationalities and that there are illegal immigrants who work as security guards, MOHA does not view this as a serious or persistent problem that requires immediate attention due to the difficulties the enforcement department encounters. This statement, however, contradicts the general view, especially among industry players who believe that the appointment of foreigners other than Nepalese who are qualified to be security guards can be a threat to national security.[896] Drastic elimination of foreign labour utilisation will have an adverse impact on economic growth because Malaysia is still largely dependent on foreign labour. The Malaysian government is currently considering allowing refugees registered with the United Nations High Commissioner for Refugees (UNHCR) to work legally in the country. This initiative is aimed at addressing the

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25.Adoption Act 1952 [Act 257]
26.Births and Deaths Registration Act 1957 [Act 299]
27.Law Reform (Marriage and Divorce) Act 1976 [Act 164]
28.Societies Act 1966 [Act 355]
29.National Registration Act 1959 [Act 78]
30.Immigration Act 1959/63 [Act 155]
31.Passports Act 1966 [Act 150]
32.Printing Presses and Publication Act 1984 [Act 301]
33.Printing of Qur'anic Text Act 1986 [Act 326]
34.Offenders Compulsory Attendance Act 1954 [Act 461]
35.Prison Act 1995 [Act 537]
36.National Anti-Drugs Agency Act 2004 [Act 638]
37.Drug Dependants (Treatment And Rehabilitation) Act 1983 [Act 283]
38.International Transfer of Prisoners Act 2012 [Act 754]
39.Film Censorship Act 2002 [Act 620]
40.Anti-Trafficking In Persons and Anti-Smuggling of Migrants Act 2007 [Act 670]
41.Malaysia Volunteers Corps Act 2012 [Act 752]
42.Prevention of Terrorism Act 2015 [Act 769]
43.Special Measures Against Terrorism in Foreign Countries Act 2015 [Act 770]
44.Registration of Guests Act [Act 381]
45.Registration of Births and Deaths (Special Provisions) Act 1975 [Act 152]
46.Malaysian Border Security Agency Act 2017 [Act 799]
47.Malaysian Maritime Enforcement Agency Act 2004 [Act 633]
This is not an exhaustive list, but it covers some of the most significant laws that fall under MOHA's purview.

895 surat pekeliling agensi persendirian bil. 2 tahun 2006 (private agency circular letter no. 2 years 2006),

896 https://thesun.my/local-news/illegal-foreign-security-guards-pose-national-security-risk-EP12952503#google_vignette (retrieved on 8 September 2034)

employment needs of nearly 200,000 refugees and asylum seekers from various countries. However, the proposed work permits would be restricted to unskilled labour in sectors classified as dirty, dangerous, and difficult '3D' jobs. The workload that focuses on issues that are considered more important has caused efforts to improve the legal framework for the private security industry to be increasingly sidelined. To reduce reliance on foreign labour, it is necessary to constantly equip the industry with usable infrastructure, such as cutting-edge technology and machines, and to employ qualified and competent individuals who can handle this machinery.

5.10 The Royal Police of Malaysia (*Polis DiRaja Malaysia (PDRM)*)

An interview was conducted with ACP Dr. Parusuraman Subramanian, Assistant Director of the Support Resources Coordination Division - Crime Prevention, PDRM. The PDRM Crime Prevention and Community Security Department is the department responsible for overseeing the private security industry. Dr. Paru was among the working committee that developed the OF for the security guards under the KESUMA initiative, which aimed to identify the current needs of the private security industry in Malaysia.

More than 52 years have passed with no amendments made since the Private Agencies Act 1971 (Act 27) was gazetted in 1972, despite the industry's rapid growth. Dr. Paru emphasised that the Act should be amended, if not completely reenacted, to address the outdated Act. In contrast, laws in Singapore and Indonesia are adaptable and have been amended based on the current circumstances. According to Dr. Paru, Act 27 has a serious inconsistency that has led to anarchy in the administration and oversight of Malaysia's security guard industry. For instance, Section 9 of Act 27 states that the Commissioner of Police or Chief Police Officer must issue a letter of authorisation before any company is allowed to hire anyone as a security guard, while Section 18(b) gives the minister the authority to enact any regulations pertaining to the application for a letter of approval. In reality, and as of right now, the minister authorised the secretary general of MOHA to provide the letter of authorisation. The function of PDRM, which is specifically addressed in Section 9, has been disregarded.

Police officers are protected by both the Penal Code and the Police Act 1967 (Act 344).[897] However, security guards are not explicitly protected under Act 27, as

[897] Part VI stipulates the duties and powers of police officers

there are no such provisions in the Act. Instead, they are only covered by general acts that apply to all civilians, such as the Penal Code. Conversely, Singapore implements particular measures[898] to safeguard the well-being and rights of its security officers to ensure the highest level of professionalism among its security guards.

Act 27 is silent on the requirement of educational background, level of physical condition, and other prerequisites that must be satisfied by anyone intending to work as a security guard. However, the requirements are established through the MOHA Chief Secretary's circular[899] but are not strictly adhered to. The circular also makes no mention of minimum academic achievement. Any candidate should be required by law to have completed the SPM at the very least. Power should be given to PDRM to carry out the vetting processes to ensure strict compliance, as this will lead to producing better quality security guards supplied to the industry.

In response to the question of whether or not we should forbid the employment of foreign nationals as security guards, Dr. Paru believed that, given the severe labour shortage, Malaysia is not prepared to deny the use of foreign nationals as security guards. Furthermore, research demonstrates that foreign security guards exhibit greater work ethic and discipline, demonstrating a strong commitment to service compared to locals. Unless locals can demonstrate the same level of discipline as foreign security guards, Malaysia will still require foreigners to work in this industry.

Only ex-servicemen from Nepal are eligible to work as security guards in Malaysia, according to MOHA regulations. However, in practice, most of the guards from Nepal are not former soldiers as required by MOHA, since there is no rigorous oversight by the pertinent government institutions. The use of foreigners other than Nepalese to serve as security guards has also resulted from the poor monitoring by the appropriate agencies. The current structure of training programs for security guards in Nepal is insufficient to prepare them for their roles; hence, it is necessary to improve them. The biggest barrier is frequently cited as being the language, which has led to a number of incidents of miscommunication between them and the general public that have resulted in fights and injuries.[900]

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898 Division 2 sections 17 A-17F Private Security Industry Act 2007

899 Para 2 – Private Agency Circular No. 4 years 2010 (Para 2 – Pekeliling Agensi Persendirian Bil. 4 tahun 2010)

900 https://www.todayonline.com/world/asia/mma-fighter-and-nepalese-security-guards-viral-video-remanded-malaysia#:~:text=KUALA%20LUMPUR%20%E2%80%94%20Three%20Nepalese%20security

In response to the question concerning whether a clear career pathway might be a factor in luring young people into this field, Dr. Paru believed that a career path by itself is not a guarantee of luring young people into this field. In addition to creating a conducive work atmosphere, public perception of this profession needs to change. In addition to work-life balance, which is, after all, the primary factor that influences youth employment decisions, good benefits and salary packages are also highly significant. To obtain more accurate information, a more thorough study is required to be performed by the relevant stakeholders for this purpose. Act 27 needs to be comprehensively amended by including specific provisions that improve the well-being of security guards and protect them from any form of verbal or physical threats and harassment. The security guards should be given special powers that enable them to carry out their duties more effectively, such as the power to arrest people who commit crimes within the area under their care. The Act must reflect this provision vividly to enable the security guards to perform in accordance to the authorities granted to them.

In the long term, the use of sophisticated equipment will be a necessity for security guards. To enable them to handle modern high-tech equipment, they need to go through specific and rigorous training. The use of this high technology must be supported with the cooperation of related parties such as the PDRM, the Public Service Department (JPAM), firefighters, hospitals, local authorities, and so on, through a direct online connection such as CCTV, which is directly connected and accessible by the parties concerned. A special agency that acts as a one-stop centre that manages all matters related to security guards, including licensing matters, needs to be established immediately to avoid duplication of authorities and duties. Similar to Singapore, where all matters related to the security industry are under the purview of PLRD.

Lastly, according to Dr. Paru, security guards should project a sense of elegance and sophistication to the public, emphasising the profession's significance and distinct personalities. To properly represent their professional abilities as a renowned profession, the current uniform needs to be revised. Taser guns are a modern and effective security tool that security guards should use since they will deter criminals. The legal framework must be altered to make it possible for these proposals to be implemented in order to guarantee that this intention can be fulfilled. To ensure that the

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%20guards%20and,UEP%20Subang%20Jaya%20%28USJ%29%20on%20Monday%20%28July%2017%29. (retrieved on 20 August 2024) https://www.malaysiakini.com/news/537526 (retrieved on 20 August 2024)

equipment is used appropriately, adequate training in its operation should also be stressed.

5.11 UiTM Auxiliary Police and UiTM Police Academy

An interview was conducted with the Chief of the UiTM Auxiliary Police Police Station, DSP/PB Zakaria Ishak, to give insights on auxiliary police from the outset and their professional development within the force.

The policies used by the UITM auxiliary police, particularly with regard to the hiring process and career path, could serve as a model for the legal framework regulating the private security sector. Auxiliary police have a similar role to private security guards, whose primary responsibility is to protect people and property in the areas they serve. They are governed under the Police Act of 1967.

The process of conception and selection is essential since it will serve as the cornerstone for someone to become an auxiliary police officer at UiTM. The vacant position of auxiliary police for UiTM is advertised by UiTM Auxiliary Police through the Public Service Department (Jabatan Perkhidmatan Awam, JPA) for public members to apply. UiTM auxiliary police are divided into four grades, depending on their academic standing. Sijil Rendah Pelajaran (SRP), Penilaian Menengah Rendah (PMR), and Pentaksiran Tingkatan 3 (PT3) are prerequisites for grade KP11. But in order to get KP19, candidates need to finish Sijil Pelajaran Malaysia (SPM). The minimum requirement for grade KP29 (Junior Officer) is Sijil Tinggi Pelajaran (STPM) or a diploma. KP41 (Professional Management Group) is the last level of inception, and eligibility requires a bachelor's degree. Naturally, their position and pay scale will depend on their grade.

PDRM conducts the selection process in stages to determine if the candidates are physically fit to be hired. The body mass index (BMI) of the applicants must fall between 19 and 26. Males should be at least 157 cm tall, while females are 152 cm tall. They should not be intellectually or physically disabled or colourblind, and above all, have no criminal history. Physical and health checks are carried out by PDRM and the medical officers of UiTM. Once applicants clear the physical and medical check-up, they will be invited for an interview before a panel of interviewers of UiTM auxiliary police before an employment offer letter is issued. They then have to attend a two-week introductory course module that covers marching, the university's structure, and the

rules that apply to and regulate the university. The course also covers traffic flow management and crime prevention strategies. After completing the two-week course, if they are still interested in continuing their profession as auxiliary police at UiTM, they will be sent to the PDRM police training centre for further training. They must undergo the same training as the PDRM police cadets. Upon completion of the advanced training, they will be awarded the rank as of their inception. The rank for KP11 is Constable, for KP19 is Sergeant, for KP21 is Junior Inspector, and for KP41 is Inspector. There are several opportunities for career advancement in the auxiliary police force, but they are subject to vacancy. Within the force, there are two avenues for employment advancement; the first one is known as Khas untuk Penyandang (KUP). The second route is referred to as the appointment-based advancement path. The incumbent needs to have served in the force for at least 13 years with a spotless record and the department head's approval in order to be eligible for promotion.

Following the Ministry of Higher Education's (MOHE) plans for digitalisation in all public universities, the UiTM auxiliary police have launched U Apps. The app is available for all applications within the scope of its authority without requiring applicants to visit the office in person. QR scanning is being used for e-hailing service access and recording. Another platform called e-spark was created for all UiTM faculties, units, and departments that want to submit requests to the auxiliary police force for assistance. The auxiliary police who conduct patrols on the campus now use the QR report application, in which any complaints and information obtained during patrols will be directly sent via smartphones and can be accessed by all relevant parties. Hence, the follow-up action that needs to be taken can be done immediately. At the Puncak Alam campus, a drone unit has been established and is currently in use. The force is dispatched to attend rigorous and intense training to make sure they understand how to use the equipment and technologies. In order to make sure that they are knowledgeable about operating, maintaining, and complying with drone-related legislation, drone operators were sent to PDRM for training. It is obvious that using drones produces better work quality and outcomes because they can cover areas that are isolated or not accessible to humans.

When asked about his views on private security services in Malaysia, DSP/PB Zakaria indicated that he believed the industry's issues originated with the hiring process for security guards. It is carried out without rigorous filtration in a catch-load manner. Security guards lack good discipline. They received no adequate training

before or throughout their employment. Based on his observation, DSP/PB Zakaria regrets to notice that most of the security officers on duty appear untidy and sloppy at first impression. The public does not appreciate them because of their unkempt appearance. Perhaps these are insufficient uniforms that their employers have furnished them with. Officers who are clean and tidy while on duty project a positive impression of their profession and will win the public's respect. In light of this, the UiTM Auxiliary Police Department, under the stewardship of DSP/PB Zakaria, puts emphasis on the officers' appearance.

Consequently, DSP/PB Zakaria believes that a factor in the industry's inability to draw in locals was the low pay range for security guards. Employers' lack of emphasis on the welfare of their security guard employees is another contributing reason. Other issues include difficulties obtaining leave, inadequate medical care at panel clinics, injury compensation, and no yearly bonus. The problem has been made worse by an unfavourable work environment with lengthy workdays and little time for recuperation. Compared to the auxiliary police, sufficient personnel are assigned to key locations like the main entrance gates. There are four employees stationed there. They only work one eight-hour shift every day with an hour break in between. Two employees rotate through the guardhouse, with one person handling administrative duties while the other person takes a break. It is essential that business leaders shift their mindset from maximising profit by limiting expenses. Security guards need to receive the appropriate training. Enhancing their knowledge is necessary, as workers with better knowledge will be more productive and focused.

According to DSP/PB Zakaria, it is imperative that security guards be given authority that is expressly stated in the legislation. According to Regulation 25 of the National Registration Regulations 1990, the only people who are permitted to check and hold a person's Mykad are registration officers from the National Registration Department (JPN), police officers, customs officers, members of the armed forces who are on duty, and public officers who have been given permission by the Director General of the National Registration Department. The public will respect security guards more if they are granted the same authority as other personnel as authorised under the said regulations while they are on duty. This is why the laws should allow security guards to exercise this authority. Perhaps instead of the current restriction on the security guards' authority to make public arrests alone, the law should allow them to arrest any suspect, with similar authority granted to the police. Private security guards

should be required to take continuing education classes during their employment, just like auxiliary police, to make sure they stay updated with the latest developments in the country, particularly in their workplace. The private security can adopt the approaches practiced by the auxiliary police force of UiTM, with some adjustments in terms of the selection criteria, and thereafter emulate the career path applied by the auxiliary police of UiTM.

5.12 Malaysia Crime Prevention Foundation (MCPF). (*Yayasan Pencegahan Jenayah Malaysia*)

MCPF[901] was founded as a non-governmental/non-profit organisation. It is the first chapter of the Asia Crime Prevention Foundation to be founded outside of Japan, with its headquarters located in Tokyo, Japan. MCPF seeks to increase public participation in government and other interested parties' efforts to prevent crime and to raise public knowledge of crime prevention at all times. Additionally, the MCPF seeks to improve the efficacious approaches to both deterring crime and treating criminals. The ultimate goal is for the nation to be one of peace, stability, and zero crime. Therefore, in order to understand how private security guards fit into the overall mission of MCPF, their opinion is essential.

Datuk Kamarudin Ali, EXCO member of MCPF and a retired senior police officer[902] was interviewed to discuss potential amendments to the legal framework that might facilitate the growth of the private security sector and help fight crime. Datuk Kamarudin believed that MCPF could implement several strategic initiatives to enhance the service standards of private security services in Malaysia by focusing on improving training, supervision, and collaboration within the private security sector.

MCPF can advocate for the establishment of standardised training programs for security guards. This would ensure that all guards receive comprehensive training in areas such as emergency response, conflict resolution, and customer service. Collaborating with existing security companies to develop these programs could enhance the quality of training across the industry. Encouraging ongoing education and training for security personnel can help them stay updated on the latest security practices and technologies. Thus, MCPF could facilitate workshops and seminars that

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901 Registration No. PPM-002-14-11011993

902 police Commissioner, owner of a private security firm called Unoplex Sdn Bhd

focus on new security technologies, legal updates, and best practices in the industry. Adoption of modern technologies must be strongly encouraged. The use of modern security technologies, such as surveillance systems, mobile applications for real-time reporting, and incident management software, can significantly enhance the effectiveness of security services. MCPF can provide guidance on the integration of these technologies into existing security frameworks. The security guards must be trained properly to embrace modern technologies.

MCPF can promote the implementation of robust supervision systems within security companies. This includes regular audits and evaluations of security personnel's performance through random spot checks and feedback mechanisms. Effective supervision can help maintain high service standards and address issues of unprofessional behaviour among guards. In addition, establishing partnerships between PSCs and local law enforcement can enhance communication and response strategies. MCPF can facilitate these partnerships to ensure that private security services are aligned with public safety objectives. Organising forums and conferences for security industry stakeholders can foster collaboration and knowledge sharing. MCPF can play a pivotal role in bringing together security companies, law enforcement, and regulatory bodies to discuss challenges, share best practices, and develop collective strategies for improving service standards.

Stricter licensing requirements for security companies can ensure that only qualified personnel operate in the field. MCPF could work with the MOHA to develop a certification process that includes background checks and training assessments for security personnel. This requirement must be reflected explicitly in the framework, and the enforcement agencies must play a role in ensuring strict compliance. By focusing on these areas, Datuk Kamarudin believed the standards of private security services in Malaysia can be elevated and lead to a safer environment for all citizens.

5.13 Use of high tech in the security industry - an essential need

Malaysia's reputation as a safe and secure travel destination for tourists and corporations and its strategic location have resulted in government measures to the country's steadily increasing security and investigative sector recently. The usage of sophisticated technologies like AI, facial recognition, and cybersecurity is growing, and this is one of the many technological upheavals that the sector is facing. The industry

is expected to grow in the security and investigation services sector, among other diverse industries, as it continues to undergo digital transformation. Despite challenges like growing competition and the need to stay current with emerging technologies and industry trends, the industry's future is bright. Security companies must stay informed about new developments in the business and adjust to growing trends and technologies in order to stay competitive.[903] Security professionals in Malaysia need to master this technology to ensure they can manage, analyse, and deal with security threats and criminal incidents more effectively.[904] In today's rapidly evolving security landscape, security professionals in Malaysia need to master cutting-edge technology solutions to ensure they are able to manage, analyse, and deal with security threats and criminal incidents more effectively. The finding was in line with the findings from the interviews conducted with the senior official from MOE and KESUMA.

5.14 No Regulatory Impact Assessment (RIA) on the Occupational Framework

OF, by KESUMA, serves as a cornerstone for professionalising, standardising, and organising the wide range of roles that fall under these important categories. This framework provides a structured pathway for career progression and skill development by clarifying the abilities, skill sets, and qualifications required to thrive in different aspects of security and investigative operations. Through the establishment of precise norms and standards, this framework improves the quality of workers hired, trained, and employed in this industry, while also promoting consistency and proficiency. It emphasises the value of lifelong learning, flexibility in the face of changing threats, and the blending of theoretical understanding with real-world experience, therefore adding to the production of a more capable and productive labour force better suited to tackle the complex issues that are related to private security.

OF does not make reference to the Regulatory Impact Assessment (RIA), which signifies that it will not be submitted for legislative consideration and eventual passage into law. RIAs are crucial instruments for assessing the possible effects of proposed

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903 Javaida, M., Haleema, A., Singh, R.P., Suman, R., Gonzalez, E.S. (2022). Understanding the adoption of Industry 4.0 technologies in improving environmental sustainability. Sustainable Operations and Computers, 3, 203-2017.

904 Anwar, A. Q., Ahmad Fuad, A. F., Ahmad, M. S., Said, M. H., & Kamis, A S. (2023). Development of a conceptual framework of private maritime security company of Malaysia. Australian Journal of Maritime & Ocean Affairs, 15(1), 12-24.

legislation to make sure that legislators are aware of the costs, advantages, and dangers associated with different regulatory choices. In the absence of an RIA, legislators are informed about the effects of regulatory changes by the important evidence that RIAs offer. It is challenging for Parliament to decide on the proposed law in an informed manner without this assessment. RIAs improve the regulatory process's accountability and openness.[905]

The lack of RIA could indicate that the plan has not been thoroughly examined, which would make it more difficult for stakeholders to hold decision-makers accountable for the potential impacts of the regulation. Without a comprehensive assessment of the proposed regulation's impacts, there is a higher risk of regulatory failure, which can lead to unintended consequences that may harm the economy or specific sectors.[906] RIAs often involve consultations with stakeholders to gather input on the proposed regulations. The lack of an RIA may indicate that stakeholders have not been adequately consulted, which can result in resistance to the proposed legislation when it reaches Parliament.[907]

In summary, the absence of an RIA suggests that a proposal might not be prepared for legislative consideration because it lacks the necessary analysis to justify and implement it effectively. The committee members involved in the occupational framework have confirmed what the KESUMA officers have stated: that the OF is only intended to serve as industry guidance. It is not intended to be presented to lawmakers in order for it to have any kind of legal force through the introduction of a legal framework. It seems that the effort carried out by KESUMA in introducing the OF is more of an activity at the ministerial level without any clear impact on the framework or the legal framework that other ministries need to follow. This attitude of working in silos is very detrimental to the country. It should be that all the agencies and ministries involved need to concentrate their energy and efforts towards reaching the same goal. The entrenched mentality of working in silos and the pervasive bureaucracy are still

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905 https://documents1.worldbank.org/curated/en/905611520284525814/Global-Indicators-of-Regulatory-Governance-Worldwide-Practices-of-Regulatory-Impact-Assessments.pdf (retrieved on 12 August 2024)

906 https://www.oecd-ilibrary.org/governance/government-at-a-glance-2017/regulatory-impact-assessment_gov_glance-2017-56-en;jsessionid=8CRErMXhcLIaM_xFUhFHi0Y4acJiWvvVQCCEOgIf.ip-10-240-5-68 (retrieved on 12 August 2024)

907 https://www.azmilaw.com/insights/regulatory-impact-analysis-ria-and-law-practice/ (retrieved on 12 August 2024)

present in some government agencies.[908] This is evident in the case of the OF developed by KESUMA, which required significant financial resources and a great deal of time to complete but ultimately served just as a guide for business respondents without any legal requirements.

5.14.1 Regulatory Impact Assessment (RIA)

In 2017, the World Bank surveyed 750 multinational investors and corporations in developing countries to identify key parameters of investment decisions. The key parameters identified were the legal and regulatory environment, low tax rates, and low costs of labour and inputs. Seman and Majid found that regulatory divergences generate significant trade and other economic and administrative costs.[909] While regulatory divergences may reflect legitimate differences in preferences across jurisdictions, they may also be the unintentional result of regulators working in silos without considering state and regional requirements. States' interventions in regional economic activities will burden not just businesses but also states' regulatory operations. The Special Taskforce to Facilitate Business (Pasukan Petugas Khas Pemudahcara Perniagaan [PEMUDAH]) receives regulatory concerns from businesses. Established in 2007, PEMUDAH aims to reduce government bureaucracy in business. PEMUDAH addresses sloppy decisions or unfair treatment resulting from poorly implemented policy or regulation and from inconsistencies in enforcement. PEMUDAH is a platform for consultation between the business and the government. It can help the government to ensure a conducive policy and regulatory environment that supports business and civil society, while stakeholders require laws and policies that are transparent, consistent, and current.[910]

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908 https://theedgemalaysia.com/node/726269 (retrieved on 16 September 2024

909 Seman, A. and M. Majid (2019), 'Good Regulatory Practice in Malaysia', in Intal, P. and M. Pangestu, Integrated and Connected Seamless ASEAN Economic Community, Jakarta, ERIA, pp. 234–241.

910 Kusek, Peter and Silva, Andrea Antonia Lim, What Investors Want: Perceptions and Experiences of Multinational Corporations in Developing Countries (March 28, 2018). World Bank Policy Research Working Paper No. 8386, Available at SSRN: https://ssrn.com/abstract=3152086

5.15 Conclusion

The study interviews aimed to capture a broad spectrum of viewpoints to understand not only the common themes that emerged but also the nuanced differences that reflect individual circumstances. The respondents in this study ranged from industry experts to everyday individuals. They provided valuable anecdotes and reflections that enriched our analysis. By synthesising these varied insights, key trends and patterns that inform the study's conclusions were identified. This ensured the findings were not merely theoretical but grounded in real-world experiences.

A number of techniques were used to guarantee the validity of the information obtained from interviews. The triangulation approach uses several data sources or techniques to cross-verify findings, improving dependability by offering a more thorough understanding of the topic under study. The interviews also provided the results, interpretations, and conclusions to confirm the data's accuracy and allow for elaboration or clarification of their experiences, which further enhanced the data.

Enough time was spent with respondents to foster trust and acquire a better understanding of their experiences. This aided data collection and the comprehension of context. The study was open and honest about how these might affect the research results at every stage. The project ensured transparency by documenting all research procedures and choices, enabling external verification of the research process.

5.15.1 Archaic law- amendment is inevitable

From the interviews, there was unanimity about the flaws of the current legislation. All 21 respondents from a range of backgrounds, including the regulators, business operators, academicians, and security guard associations, all firmly believed that the current legal system was outdated and urgently needed to be amended. All respondents expressed a strong belief that the laws now in place were out of date and did not take into account the realities or values of modern society. Current laws were regarded as stiff and inflexible, unable to adapt to contemporary situations like societal shifts and technological breakthroughs. Some statutes were no longer adequately handling contemporary challenges or fulfilling their intended purpose, according to respondents.

In addition, the respondents highlighted a number of detrimental effects brought about by the outdated judicial system. The security guard associations brought up the issue of outdated laws frequently reinforcing inequality, particularly among the security guards, who are from underprivileged groups. The complexity of archaic legislation might obstruct access to justice by making it challenging for people to comprehend their rights or handle the legal system. Respondents expressed a strong desire for legislation that better reflects modern ideals and technological advancements. The majority of those surveyed demanded changes that advance justice and equity.

MOHA officers (Ms. Emylia and Ms. Hawa) stated that the complexity of current legislation, particularly in areas as complex as finance, hindered significant revisions, despite their firm belief that the Private Agencies Act 1971 was outdated and needed revisions, if not repeal. Policymakers may choose to maintain the status quo rather than risk the unintended consequences of new legislation because they may find it difficult to fully understand how changes would impact the system as a whole. Various stakeholders, such as political organisations and industry lobbyists, frequently exert considerable pressure on regulatory agencies. This impact may cause policymakers to be reluctant to change laws that could upset long-standing interests or cause public outrage, particularly if earlier changes were made in response to particular emergencies rather than after careful consideration.

There are significant procedural requirements for amending laws. Unless there is a strong cause to do so, authorities may be discouraged from seeking modifications due to the lengthy and resource-intensive nature of this process. Regulators must present compelling arguments when recommending modifications to current legislation. They might decide to steer clear of the political and administrative difficulties that come with such modifications if there is not enough proof or public support for an amendment. In summary, the reluctance to amend existing laws is influenced by concerns about regulatory overreach, the complexity of current regulations, political pressures, administrative burdens, and the need for clear justifications for change. These factors create an environment where regulators may prefer stability over riskier alterations to the legal landscape.

5.15.2 Foreign security guards – should they be eliminated?

Industry stakeholders are increasingly in agreement about the elimination of foreign security guards in Malaysia's security sector. This viewpoint was motivated by worries about illicit employment practices, national security, and the need for a more professionalised workforce. The existence of unauthorised foreign security guards operating in Malaysia is a serious problem that industry professionals have brought to light. These people frequently did not undergo the necessary screening, which could endanger national security. Only Nepali nationals should be hired under government laws, according to PIKM, which has issued warnings about the risks connected to unregulated foreign labour in security posts. Datuk Mohammad Ubaidillah Iman pointed out that if recruiting procedures are not strictly enforced, the security service is compromised.

The employment of foreign nationals in the security industry is governed by explicit restrictions set by the MOHA. Only Malaysian citizens and retired Nepali soldiers are allowed to serve as security guards, under MOHA's circular. But because these rules have not been strictly enforced, illicit employment has flourished. Regarding the use of immigrants, particularly Nepalese, as security guards, respondents were split. According to PIKM, PDRM, and Mr. Paramjeet, this industry needed foreign workers to work as security guards because locals, particularly the younger generation, were not interested in entering this field. In addition, it was discovered that these foreign security guards were more dedicated, obedient, and diligent in their performance of their jobs and demonstrated greater resilience in the face of job constraints. Employers frequently cited low pay and unfavourable working conditions as reasons for their inability to recruit local personnel. As a result, notwithstanding the risks involved, there is now a dependence on foreign labour. MUSGA president, Mohd Nizam Hamzah, stated that many firms were prepared to disregard regulatory requirements in favour of cheaper labour, which lowers the quality of security services rendered since the regulations are not well executed.

The call to eliminate the use of foreign security guards in Malaysia stems from concerns about national security, illegal employment practices, and the overall integrity of the security industry. Approximately 50,000 foreigners were reportedly working illegally as security guards in Malaysia, despite regulations allowing only Malaysian citizens and specific Nepali nationals to be employed in this capacity. This illegal

employment undermines the safety and security of various environments, as these guards often lack proper vetting and training. The presence of unvetted foreign guards poses significant risks to national security. Without proper background checks, there is a danger that individuals with criminal records or malicious intent could be employed in sensitive positions, potentially leading to espionage or other criminal activities.

Many security companies operated without adherence to the established regulations, which can lead to a proliferation of rogue agencies that prioritise profit over safety. The lack of compliance compromises the quality of security services provided. The reliance on foreign guards often results in a decline in service quality. Local guards may be more familiar with the cultural context and specific needs of the communities they serve, leading to more effective security measures. The employment of foreign guards can also have economic repercussions, as it may limit job opportunities for local citizens. Addressing wage issues and improving working conditions may encourage more locals to enter the security industry.

The study respondents proposed several immediate measures to address these concerns, with short- and medium-term effects in mind. First, strict enforcement of employment regulations must be complied with. Authorities should enhance inspections and penalties for companies that employ illegal foreign workers. Incentives could be provided for companies that hire local citizens as security guards. Training and development should be implemented, encompassing comprehensive training programs for local guards, which can improve service quality and ensure they are equipped to handle various situations effectively. Public awareness campaigns should be promoted widely, as raising awareness about the importance of hiring local guards can foster community support and trust in the security industry, as stressed by Datuk Kamaruddin of MCPF. By focusing on these areas, Malaysia can enhance its security framework while ensuring that the well-being of its citizens is prioritised within the private security sector.

5.15.3 Private Agency Act 1971 fails to promote well-being of security guards

The Private Agencies Act 1971 in Malaysia faces criticism for its ineffectiveness in promoting the well-being of security guards. This legislation, which governs the private security industry, was seen as outdated and insufficient to address contemporary challenges faced by security personnel. All respondents from the security

guard's union and association highlighted the lack of protection for security guards when performing their duties. The Act does not provide specific legal protections for security guards against physical harm. Recent calls from the Malaysia Security Industry Association highlighted the need for revisions to include provisions that safeguard guards from violence, as incidents of attacks were reportedly increasing but rarely documented. All the respondents unanimously agree that the Act was outdated and required immediate amendment. The Act, which was established over 50 years ago, has many sections and regulations within the Act that no longer reflect current realities or challenges in the security industry. The Act must be updated to better protect security guards and ensure their rights are upheld.

KESPA's president, Mr. Mohd Ali, highlighted wage discrepancies. Security guards often receive pay that does not align with the minimum wage set by the government, leading to economic vulnerabilities. This situation is exacerbated by illegal employment practices, where unregistered guards work for lower wages, undermining the industry's integrity. The issue of occupational safety was also highlighted by the respondents. Employers are legally obligated to provide safe working conditions and protective equipment. However, compliance was inconsistent. Inspections by the Occupational Safety and Health Department often revealed outdated or unsafe equipment being used, putting guards at risk during their duties.

The Private Agencies Act 1971 requires urgent reform to better serve and protect security guards in Malaysia. Critical issues like physical safety, fair wages, and effective regulatory enforcement remain unaddressed by the current framework. Without these changes, the well-being of security personnel will continue to be compromised, posing risks not only to them but also to public safety and industry integrity.

5.15.4 Uniform and training

20 of 21 of the respondents[911] expressed that the security guards' uniforms did not adequately convey the crucial role that guards play in maintaining public comfort and order. They believed the uniforms were inappropriate from a variety of

[911] Except for Ms Emmylia of MOHA as she believes the current uniform is good and should be retained

perspectives, including colours and patterns. They advised that security guards' uniforms be updated with colours and patterns that emphasise their authority and function as well. The uniforms should make the public feel more confident and secure and instill fear in prospective offenders.

Besides the uniform, training should also be reviewed. By adding more curriculum pertaining to the knowledge that security guards should possess, the training that is provided to them needs to be upgraded. For this reason, the training provided to RELA members may serve as guidance. Security guards should receive additional training to make sure they are completely equipped and prepared to handle any situation they may encounter on the job.

5.15.5 Clear career progression may attract local talent

All 21 respondents, especially officials from KESUMA, echoed that the clear career pathway in the private security industry could significantly attract local talent. Having structured growth opportunities could enhance job satisfaction and improve overall retention rates. Similar to Singapore, the industry can define entry-level positions by outlining initial responsibilities and expectations. For example, an entry-level security guard serves as the foundation for a career in security and allows individuals to gain essential experience. The industry would benefit from the clear criteria outlined for promotions within the organisation, including required qualifications, experience levels, and performance metrics. Transparency in promotion processes can motivate employees to strive for advancement. A clear career pathway is significant in attracting local talent, as a well-defined career pathway can make the private security industry more appealing to local talent by showcasing opportunities for growth and development. This is stressed by officials from KESUMA and members of the OF committee. Having a clear career path will increase job satisfaction amongst the security guards, as employees are likely to feel more satisfied with their jobs when they see a clear path for advancement and understand how their contributions impact their career trajectory. In turn, it will reduce turnover rates. By investing in employee development and providing clear pathways for progression, organisations can reduce turnover rates, saving costs associated with hiring and training new staff.

The industry should switch and implement PWM that outlines salary increments tied to skill acquisition and career advancement. This model can encourage individuals

to seek additional training and certifications, confident in the financial rewards for their efforts. In addition, offering specialisation pathways, such as CCTV operations, close protection, or cybersecurity, allows individuals to develop niche skills that can lead to higher-paying positions and more fulfilling careers. All security guards should be required to undergo comprehensive training programs that cover essential skills, legal knowledge, and emergency response tactics. Certifications from reputable institutions, such as NIOSH or SIRIM, can enhance employability and credibility. They should also be encouraged to pursue ongoing education through workshops, seminars, and advanced courses in areas like crisis management or risk assessment. This commitment to lifelong learning helps security professionals stay relevant in a rapidly evolving industry. Moreover, establish mentoring initiatives where experienced professionals guide newcomers through their career journeys. This support can help new entrants navigate challenges and identify growth opportunities. Leadership development programs that prepare security personnel for management roles, such as security manager or operations director. These programs should focus on developing both technical skills and soft skills necessary for effective leadership. The industry player should provide career mapping tools that help employees visualise their potential careers within the organisation. These tools can highlight various roles, required skills, and potential salary ranges at each level.

By implementing these strategies, the private security industry in Malaysia can create an environment that not only attracts local talent but also fosters long-term careers for security professionals.

5.15.6 Legal framework in Singapore and Indonesia – should we adopt

Adopting laws similar to those practiced in Singapore and Indonesia could significantly enhance the well-being of security guards in Malaysia. Both countries have established comprehensive frameworks that prioritise the rights and safety of security guards, which Malaysia could benefit from by implementing similar measures. However, except for all 4 respondents from PIKM, who are well-informed about the provisions and practices in Singapore and Indonesia, the rest seem unaware of such laws. Despite this, all participants agree that the beneficial provisions used in these two jurisdictions could be adopted and applied in Malaysia.

In Singapore, security officers must obtain a license that requires completing compulsory training modules, including incident response and threat observation. Malaysia could implement a similar licensing system that mandates specific training courses for security guards, ensuring they are well-prepared for their duties. Additionally, Singapore's regulations include strict guidelines on the hiring process, ensuring that only vetted individuals can work as security personnel. Malaysia should strengthen its regulations to eliminate illegal employment practices, particularly concerning foreign workers, which currently pose risks to national security.

Both Singapore and Indonesia have provisions that protect security personnel from physical harm while on duty. Malaysia should revise the Private Agencies Act 1971 to include explicit legal protections for security guards against violence and harassment, addressing the rising incidents of attacks on them. Furthermore, ensuring that security guards receive fair wages is critical. In Singapore, there are clear guidelines regarding minimum pay for security personnel. Malaysia should enforce compliance with minimum wage laws specifically for security guards to prevent wage discrepancies that lead to exploitation.

In order to obtain protection and justice, Malaysian security guards currently have to rely on a variety of legal rules in numerous legislative structures, which would be complicated, time-consuming, and costly. To address this issue and guarantee the security guards' well-being is preserved, a more comprehensive legal framework contained in a single law must be created as practiced in Singapore and Indonesia.

Implementing health and safety regulations similar to those in Indonesia, which emphasise the physical well-being of security personnel, would help ensure that guards work in safe environments and have access to necessary protective equipment. Establishing a system for regular security company audits can help ensure compliance with labour laws and safety regulations. This practice where the authorities actively monitor the industry to maintain high standards is common in Singapore. Providing support systems such as counselling services or hotlines for guards facing harassment or stress can improve their mental well-being. This approach is part of the broader strategy seen in several countries, including Indonesia, where employee welfare is prioritised. The benefits of adopting these provisions from Singapore and Indonesia are proven to be advantageous to both the industry and the nation at large, as they would enhance safety. Clear legal protections would reduce incidents of violence against security guards.

Moreover, increased job satisfaction through fair wages and proper training leads to higher retention rates. Strengthening regulations would also enhance the credibility of Malaysia's private security industry. A well-regulated industry with clear career pathways will attract more local talent, which will ultimately reduce reliance on foreign labour. By adopting these measures from Singapore and Indonesia, Malaysia can create a more robust framework that not only protects its security guards but also enhances the overall effectiveness and reputation of its private security industry.

5.16 Thematic findings and the thories

5.16.1 Routine activity theory

According to routine activity theory (RAT), founded by criminologists Lawrence E. Cohen and Marcus Felson in 1979[912]. They proposed that crime is the result of three factors coming together in both location and time: a suitable target, a motivated offender, and the lack of a skilled guardian. Rather to concentrating only on the intentions of offenders, RAT suggests that crime happens as a result of possibilities created by ordinary activities. When capable guardians such as law enforcement, security guards, or onlookers are present, they prevent convergence; motivated offenders seek out possible crimes; suitable targets lack protection like value or visibility. Therefore, the presence of security guards within the vicinity would deter the criminal to commit their criminal act.

Patterns in victimisation risks associated with lifestyle and activity locations,[913] such as increased crime in unsecured public areas or during regular movement between home, work, and leisure nodes, are revealed by empirical investigations using RAT. Thematic studies reveal recurrent themes of opportunity structures that facilitate offences when guardians fail, such as in drug scandals or cybercrime. Research demonstrates how everyday routes increase hazards outside of residential areas and connects RAT to more general criminology concepts, such as crime pattern theory.

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912 Glen Kitteringham, Lawrence J. Fennelly 2020,Chapter 19 - Environmental crime control,Editor(s): Lawrence J. Fennelly,Handbook of *Loss Prevention and Crime Prevention* (Sixth Edition),Butterworth-Heinemann

913 Miethe, T. D., Stafford, M. C., & Sloane, D. (1990). Lifestyle changes and risks of criminal victimization. Journal of Quantitative Criminology, 6(4), 357-376.)

By prioritising situational prevention above offender reform, such as strengthening guardianship in high-risk routines, RAT influences policy. It highlights regulatory limitations in protecting appropriate targets, such as business premises, in comparative contexts such as Southeast Asian private security. Critics point out that while it forecasts trends like post-World War II crime increases due to changes in lifestyle,[914] Routledge. its macro focus ignores small-scale factors.

5.16.2 Rational choice theory

Rational choice theory (RCT) in criminology posits that offenders make deliberate decisions to commit crimes after weighing perceived benefits against costs, such as risks of detection or punishment.[915] RCT views criminals as rational actors who assess opportunities using bounded rationality, considering factors like rewards (financial gain, thrill), risks (arrest, sanctions), and alternatives. Key choices include whether to offend, target selection, offending frequency, and desistance, often framed by hedonistic calculus prioritizing personal utility.

Empirical applications reveal offenders often perceive low risks in high-reward scenarios, like unguarded targets, aligning with situational crime prevention strategies. Studies highlight patterns where informal sanctions such as shame, peer disapproval would deter more effectively than formal ones, and technology alters calculations by increasing surveillance risks. Critiques note RCT overlooks emotional or structural influences but supports generality across psychopathy levels with varying effect sizes.

5.16.3 Crime pattern theory

Crime pattern theory (CPT) explains crime distribution through offenders' routine movements, where activity spaces—nodes (home, work), paths (routes between them), and edges (boundaries)—intersect with opportunities, creating predictable hotspots.[916].

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914 van Dijk, J. (2013). It is not just the economy: Towards an alternative explanation of post-World War II crime trends in the Western world. In The Routledge handbook of European criminology (pp. 109-124).

915 Collins, M. E., & Loughran, T. A. (2017). Rational choice theory, heuristics, and biases. The Oxford handbook of offender decision making, 6, 10.

916 Reyns, B. W. (2024). Crime pattern theory, rational choice theory, and routine activities theory. Understanding crime prevention, 27-54

CPT integrates routine activity theory and rational choice by mapping how daily routines generate crime templates, with offenders exploiting familiar areas lacking guardianship. Key concepts include awareness spaces from repeated paths and networks influencing decisions, emphasizing non-random, opportunistic patterns over uniform distribution.

CPT builds on routine activity theory's convergence model and rational choice's decision-making within spatial constraints, forming environmental criminology's triad for analyzing opportunity structures. In Southeast Asian contexts like Malaysian private security regulation, it identifies guardianship gaps along commercial paths, supporting comparative reforms via pattern-based licensing and patrols. Thematic research underscores policy shifts toward situational controls over offender-centric approaches.

5.16.4 An overview of the research questions and the interview

The respondents' insights reveal that Malaysia's regulatory framework under the Private Agencies Act 1971, supplemented by recent 2025 amendments and voluntary codes like PIKM-KDN/SIRIM 1:2022, offers moderate effectiveness in promoting security guards' well-being through mandatory licensing, training requirements such as Certified Security Guard certification, security screening, minimum wage compliance, and provision of uniforms, equipment, and housing standards per the Workers' Minimum Standards of Housing and Amenities Act 1990. However, gaps persist in explicit protections against abuse, excessive overtime limits, and comprehensive health/safety measures, with challenges like financial constraints leading to inadequate in-service training and supervision, potentially exposing guards to exploitation despite prioritization of local hires ratio over foreigners. To enhance this, respondents advocate adopting Singapore's Private Security Industry Act amendments, which introduce specific criminal offenses and stiffer penalties for assaulting or harassing guards treating attacks on them more severely than on the public alongside enforced overtime caps under the Employment Act to boost physical and mental well-being. From Indonesia, elements of Police Regulation No. 4/2020 could be integrated, such as formal tiered trainings such as Gada Pratama up to Gada Utama, police-supervised certification with Membership Identity Cards (KTA), and elevated professional status

granting legal protections and benefits, ensuring standardized competencies and authority that elevate guards' societal recognition and job security.

Recent reforms prioritize Malaysian employment, with over 118,000 unarmed guards registered. Malaysia should emulate the laws of Singapore which emphasized and enhanced abuse protections and overtime regulations to reduce workplace hazards. While Indonesia has practiced the mandatory police-affiliated certification for better skills and legal standing.

These adaptations could address respondent-noted shortcomings, fostering a more robust framework aligned with international standards like ISO 18788.

CHAPTER 6
FINDINGS AND RECOMMENDATIONS

6.1 Introduction

The current study discovered significant shortcomings in Malaysia's legal framework governing private security services. The overall conclusion drawn from this analysis was that the existing legal structure is archaic and loose and requires significant improvement to meet contemporary security needs effectively. Many outdated provisions with vast security needs have led to inefficiencies in regulatory enforcement and compliance, making it difficult for PSCs to operate effectively within a coherent legal structure. In addition, the regulatory framework lacks stringent oversight and enforcement mechanisms, resulting in inconsistencies in the application of laws. This laxity allows for varying standards of service among private security providers, undermining public trust and safety.

In contrast to Malaysia, both Singapore and Indonesia have established more robust regulatory frameworks for private security services. For example, Singapore's approach includes comprehensive licensing requirements and a well-defined set of operational standards that ensure accountability and professionalism within the industry. Indonesia has also made strides in enhancing its regulatory measures, focusing on improving the quality and reliability of private security services. The findings indicated an urgent need for legislative reform in Malaysia. This includes revising existing laws to incorporate modern practices, establishing clearer guidelines for the operation of PSCs, and enhancing training requirements for personnel. Such reforms would not only improve service quality but also align Malaysia's regulatory framework with international best practices. The research emphasises that the current regulatory framework for private security services in Malaysia is inadequate to address the complexities of modern security challenges. The findings underscore the necessity for comprehensive reforms aimed at updating laws, tightening regulatory oversight, and enhancing operational standards.

Learning from the experiences of neighbouring countries like Singapore and Indonesia can help Malaysia develop a more effective regulatory environment that ensures public safety and fosters confidence in private security services. This critical

analysis serves as a call to action for policymakers to prioritise the modernisation of the legal framework governing private security services, ultimately leading to a safer society.

6.2 Key Challenges Faced by Private Security Services in Malaysia

Private security services in Malaysia face several key challenges due to the current outdated and insufficiently robust legal framework. The existing laws governing private security services, such as the Private Agencies Act 1971, have not evolved to address modern security needs. This outdated framework fails to incorporate advancements in technology and changes in societal expectations regarding private security services. As a result, PSCs struggle to operate effectively within a legal structure that does not reflect current realities.

There is a notable absence of stringent oversight mechanisms to ensure compliance with existing regulations. This lack of oversight and enforcement can lead to substandard practices within the industry, where some PSCs may operate without adhering to necessary protocols, thus compromising public safety. For instance, the loose regulatory environment exacerbates the inadequate training that many private security personnel receive. The lack of comprehensive training programs hampers the ability of security staff to handle complex situations effectively, particularly in high-stress scenarios such as protests or emergencies.

PSCs must navigate a complex landscape of compliance laws that include data protection and anti-money laundering regulations. The challenge lies in ensuring that all personnel are adequately trained to meet these compliance requirements while also providing effective security services. The perception of private security personnel can be negatively affected by incidents involving heavy-handed tactics or a lack of professionalism. The private security market in Malaysia is increasingly competitive, with many firms vying for contracts in a sluggish economy. This competition can lead to price undercutting and a race to the bottom in terms of service quality, further complicating efforts to maintain high standards within the industry.

The challenges faced by private security services in Malaysia are deeply rooted in its archaic legal framework that requires significant reform. Addressing these issues through legislative updates, improved training programs, and enhanced regulatory oversight is crucial for fostering a more effective and trustworthy private security

sector. By learning from best practices in neighbouring countries like Singapore and Indonesia, Malaysia can develop a more robust regulatory environment that meets contemporary security demands effectively.

6.3 Findings and recommendation

The study urged an in-depth review of current legislation to identify laws that need to be amended or repealed. The results of these interviews highlight the urgent need for legal reform, with the researcher emphasising that lawmakers must acknowledge the shortcomings of current legislation and take proactive steps to modernise it. The study respondents recommended that stakeholders, including community representatives, legal professionals, and those impacted by the laws, be involved in the reform process to ensure that new laws are just and efficient. Legislative changes should incorporate case studies and empirical data to ensure they align with real-world needs. By addressing these issues, lawmakers can develop a more responsive, equitable, and just legal system that meets the evolving needs of society.

To facilitate comprehensive reform, it is suggested that MOHA and PIKM carry out a legal audit of existing laws to identify those that need to be repealed or amended. Public consultations or town hall meetings should be organised to gather input from the community and ensure that their needs are addressed. It is also recommended that new legal frameworks be tested in smaller areas before full deployment to confirm their effectiveness. These steps will help develop a legal framework that reflects modern societal values and concerns. Moreover, the evolution of cultural norms that have rendered many laws obsolete or out of sync with modern morals and standards should be acknowledged. For instance, laws concerning civil rights, gender equality, and family structures must account for the dynamics of contemporary society.

In addition, there were concerns about marginalised communities. The study respondents believed that legislative frameworks must be more inclusive and sensitive to the interests of all individuals to ensure fair access to legal resources and representation. The report also highlighted that existing laws often result in inefficiencies, such as prolonged court cases and complex bureaucratic processes, which erode public confidence in the legal system. These inefficiencies discourage people from pursuing justice. In short, the current laws are seen as outdated and ill-suited for today's rapidly changing world. Addressing these issues through deliberate

legal reform could improve the legal system's efficiency, advance social justice, and better protect citizens in the modern era.

6.3.1 Urgent Need for Legal Reform

The security industry in Malaysia is now dealing with a number of issues, including poor pay, dependence on foreign labour, and insufficient worker rights. Legislative reform that addresses these problems can greatly increase the allure of security jobs for Malaysians. Security guards are not specifically protected by the Private Agencies Act 1971, making it outdated. There is a necessity to amend this act to provide improved working conditions and more robust protection against physical assaults for guards. Lack of protection puts them in danger and makes security employment less appealing to locals who might value job security and safety. Thus, a clear legal framework that supports the welfare of security guards is needed. To encourage local involvement in the security guard industry in Malaysia.

In Malaysia, a large number of security guards get paid less than the minimum wage despite the implementation of the Minimum Wage Policy. This fuels employee discontent and excessive turnover. Illegal employment practices worsen this problem by undercutting fair compensation for local guards and hiring foreign workers at cheaper wages. Because of low pay and unfavourable working conditions, PSCs face difficulty drawing in locals. A legislative framework that requires equitable pay and benefits may increase the desirability of these positions.

Clear rules for companies about the safety and well-being of their employees will be provided by a reformed legislative framework. Occupational safety rules mandate the provision of safe working conditions and efficient protective gear. This would protect present employees and draw in fresh talent that values workplace safety. Security guards' job satisfaction would be greatly increased by enacting laws that guarantee fair compensation that is in line with living wages. Local workers are more inclined to contemplate careers in this industry rather than looking for work elsewhere when they believe they are being fairly compensated for their effort.

A comprehensive legislative framework can help the security sector become more professional by defining certification procedures, training requirements, and defined career paths. The reputation of security positions may be improved by this professionalisation, increasing their appeal to prospective local hires. Therefore,

reviving Malaysia's private security industry requires establishing a clear legal framework that prioritises security guards' welfare. Malaysia can improve working conditions for local workers by implementing legislative changes to address problems, including poor pay, insufficient protections, and reliance on foreign labour. In addition to increasing job satisfaction and safety, these adjustments would make the industry as a whole safer and more professional.

6.3.2 Recommendations to Enhance Well-Being of Security Guards

Specific legal provisions should be introduced in the amended Private Agencies Act 1971 to improve the security guards' safety and well-being in Malaysia. The Act ought to contain clear provisions requiring security guards to take precautions against bodily harm. This can entail mandating that employers offer training on how to manage potentially hazardous circumstances and appropriate safety gear. Reporting incidents should be mandatory. Employers should be legally required to notify the police of any violence against guards. This would guarantee that such occurrences are properly reported and handled. To encourage protection for security guards, Sections 17A–17F of the Singapore PSIA 2007 might be adapted and added to the Malaysian Private Agencies Act 1971.

The proposed legislation ought to incorporate clauses that empower security guards to pursue legal action against companies that violate pay standards or fail to offer a secure workplace. The framework should further provide a structure to create a forum where security personnel can request recompense for harm they have suffered while on duty, including pain and suffering, medical costs, and lost wages. In furtherance, the Act should give PSCs more stringent licensing standards to make sure they follow moral hiring procedures, do not take advantage of foreign workers, and do not participate in unlawful employment practices. Establish explicit sanctions, such as fines or license revocation, for businesses that break these rules in order to discourage unethical behaviour in this industry.

In addition to provisions for overtime pay and other perks, the amendment act should guarantee that all security guards earn at least the government-set minimum salary. Regulation of working hours must be put in place with rules that set a maximum number of hours that security guards can work in order to guarantee that they get enough rest and do not put in unreasonably lengthy shifts, as currently practiced by

UiTM's Auxiliary Police Department. Also, security guards must complete standardised training programs, including emergency response, dispute resolution, and legal rights, as part of their training and certification requirements. They would be more equipped to deal with a variety of scenarios as a result. Only after completing the required training and earning their certification can they work in the industry. Accordingly, the training curriculum currently provided to PIKM has to be reviewed and updated. To reflect the current demands of the industry. MOHA and PIKM should establish a working committee to examine improving the training curriculum with assistance from other relevant government organisations and higher education institutions.

In addition to making security employment more appealing to local workers, such reforms would help make the security sector as a whole more accountable and professional. These adjustments are crucial for resolving the present issues that security guards face while maintaining public safety and confidence in the industry. In short, Malaysia may greatly enhance the safety and working conditions of security guards by adding these particular legal provisions to the Private Agencies Act 1971.

6.3.3 Legal Protection for Security Guards

The Singapore Private Security Act 2007[917] includes explicit rules regarding the protection promised to security guards. This provides them with comfort while carrying out their job. However, there are no comparable provisions in Malaysia except the Private Agencies Act 1971. Numerous laws in Malaysia provide protection for security guards. It is critical that lawmakers give careful consideration to the legal provisions that promote the safety and well-being of security guards in Malaysia, just like any other law enforcement agency.

6.3.4 Clear Career Path and Remuneration to Attract Local Talents

Low pay, few opportunities for career advancement, and dependence on foreign labour are some of the issues facing the security industry at the moment. By implementing legal changes to solve these problems, the government can make the area

[917] Section 17A-17F Private Security Industry Act 2007

more desirable for prospective local recruits. For example, an established career path and structured compensation that complies with the country's legal requirements can attract local workers to Malaysia's private security profession.

PWM, as practiced in Singapore, provides employees with a clear path for career advancement by defining the progression from entry-level jobs, such as security officers, to supervisory roles like security supervisors and management positions, such as chief security officers. This strategy should include promotional criteria based on performance and further training. At every stage of the career path, specify the requirements for continuing education and certification. This approach guarantees that security guards have the necessary abilities and expertise, increasing their marketability. This goal might be based on OF developed by the KESUMA working committee.

Legally enforced minimum wage standards should consider living expenses. This should include provisions for bonuses, overtime pay, and annual raises based on performance. Such actions would make security employment affordable for local personnel. Offering financial incentives to employees who pursue further training or certifications is a good way to promote skill development. Employers could, for example, offer incentives or pay increases to guards who complete specific training programs to motivate them to advance their skills. The government may offer alluring packages for companies and security guards to pursue skill development through a number of entities, including the Human Resources Corporation.

The Act should incorporate regulations requiring companies to ensure a safe workplace, including access to insurance and health benefits. This would ease worries about workplace safety and advance security guards' general well-being. The Act should also specify grievance redress procedures and contain provisions protecting workers from wrongful termination. For many prospective employees, job security is an important consideration when contemplating working in the security industry.

In order to encourage security firms to hire locals rather than foreign labourers, the government should create incentives for doing so. Companies that show a commitment to hiring Malaysians may be eligible for tax reductions or subsidies. Industry players and PIKM, in particular, should start initiatives to inform prospective hires about the advantages of working in the industry, highlighting career growth opportunities and competitive remuneration packages. By instituting a clear career path and structured remuneration within the legal framework governing Malaysia's private

security industry, the government can effectively attract local talent to this sector. These enhancements would improve job satisfaction among existing employees and foster a more professionalised workforce capable of addressing contemporary security challenges. Such reforms are essential in creating a sustainable and effective security industry that benefits both workers and the community at large.

6.3.5 Use of High-Tech in the Industry

Rising operational costs and a shortage of personnel are problems affecting the private security sector. By using fewer workers for routine monitoring tasks, companies can reduce labour costs while preserving or even increasing their effectiveness by implementing high-tech[918] solutions. For example, the integration of AI and ML into security systems is another significant advancement. By evaluating vast amounts of data to identify patterns and foresee potential security breaches, AI may significantly accelerate response times. For instance, AI-powered surveillance systems can identify suspicious activity in real time that human operators might overlook. This predictive power not only enhances security right away but also makes proactive measures possible to prevent issues before they arise.

Nevertheless, a number of tendencies are becoming apparent with the adoption of technical developments. As threats change, combining digital and physical security measures is more essential. This connection ensures a comprehensive defence against both physical and cyber threats. New problems accompany emerging technologies. Training in cybersecurity, crisis management, and the usage of cutting-edge technology like AI and IoT devices will be necessary for security staff to handle contemporary security concerns. PSCs and law enforcement organisations may work closer together in future security operations, sharing resources and data to improve community safety.

Industry experts concur that private security should adopt advanced technology rather than relying solely on conventional labour techniques. By incorporating cutting-edge instruments like drones, artificial AI systems, and automated surveillance

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[918] The term ‘high-tech,’ which is short for ‘high technology,’ particularly refers to the most cutting-edge, sophisticated technology that is currently on the market. It is distinguished by complexity and innovation and frequently incorporates novel materials, scientific techniques, or engineering innovations. Electronics, aircraft, biotechnology, and robotics are examples of high-tech industries that mostly depend on research and development (R&D) to provide innovative goods or services. Because they enable new capabilities and handle difficult global challenges, high-tech solutions are typically sophisticated, constantly evolving, and have a substantial impact on society.

technologies, the sector may enhance operational effectiveness and adjust to the ever-changing danger landscape. In addition, automated systems can monitor locations that are difficult to reach. Therefore, security companies will need to make training and technological investments as these developments take place in order to be on the cutting edge of security solutions.

The laws pertaining to the private security sector in Singapore and Indonesia make this situation quite evident. The Malaysian government should implement similar strategies to ensure the sector's steady growth and the preservation of national security.

6.3.6 Dependency on foreign security guards.

Leaders in the industry contend that removing foreigners from security positions could improve national security and encourage a more skilled workforce. Malaysia can create a strong security industry that can handle contemporary difficulties by prioritising the hiring of locals and enhancing working conditions, such as providing competitive pay and improved training. Another crucial element in increasing security operations' efficacy and efficiency without depending on foreign labour is the incorporation of technology. There is a general consensus among stakeholders that, in order to strengthen national security and enhance service quality, Malaysia should give top priority to removing foreign workers from its security sector. By upholding current laws and supporting local talent with higher pay and training initiatives, Malaysia may establish a more secure atmosphere while encouraging a professional workforce capable of addressing contemporary security challenges.

6.3.7 Existing Uniform Need to be Reviewed

Uniforms serve as a visual identity, making it easy to identify security guards. This is important because it enables people to find someone who can help them in an emergency. Security guards should wear uniforms that define their function. Since they are crucial to preserving safety and order, their attire is crucial in demonstrating their professionalism and authority. Not only can a well-designed uniform increase visibility, but it also gives the public confidence that security measures are in place.

Security officers' uniforms are essential to their positions as authority Infographics; they are more than just a piece of apparel. Uniforms are essential to

security personnel's efficacy because they improve recognition, establish authority, project professionalism, promote brand identification, and ensure functionality. Because of this, security guards must wear uniforms that make it obvious what their roles and responsibilities are in the community.[919]

Wearing a uniform can discourage criminal activities because it conveys authority. Since a uniformed guard conveys that security is on the lookout and active, it frequently deters potential criminals from committing crimes. From public gatherings to business offices, this deterring effect is noteworthy in a variety of settings. Both the individual guard and the security firm project a more professional image when they wear uniforms. The public and clients are more likely to trust a security firm that presents a professional image, which shows that it takes its duties seriously. The security industry's overall reputation may benefit from this professionalism.

Since the general public's perception of security guards is not particularly favourable and does not adequately convey the significance of their position, the current uniform needs to be looked into and improved. Experiences with the strict clothing code are revealed by the research findings, suggesting that the uniform promotes hierarchical empowerment and symbolic communication. Wearing the uniform suppresses individuality while maintaining the appearance of uniformity.[920]

Moreover, practical components like several pockets for carrying gear, sturdy materials for weather protection, and reflective materials for visibility during night shifts are frequently incorporated into the design of security uniforms. These useful components guarantee that guards are outfitted to carry out their responsibilities efficiently and comfortably.

Scholars' popular definitions of uniforms highlight the intention to control and regulate human bodies and minds through clothing, stemming from an emphasis on the military's entirely uniform environment. Both military training and the use of uniforms as symbolic identifiers are influenced by the goal of gaining external, disciplined control over members. Uniforms may serve different purposes in less regimented or

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919 https://prouniforms.com/everything-you-need-to-know-about-security-guard-uniforms-a-safety-caution/#:~:text=Since%20your%20security%20staff%20is%20the%20public%20face,visibility%20in%20low%20light%20or%20during%20night%20patrols. (retrieved on 10 October 2024)

920 Bunyawanich, S., Järvelä, M. L., & Ghaffar, A. (2018). The Influence of Uniform in Establishing Unity, Hierarchy, and Conformity at Thai Universities. Journal of Education and Training Studies, 6(7), 28-37.

rigorous settings. In reality, collaborative policymakers may have diverse goals when imagining the roles of their uniforms in complex bureaucratic systems.[921]

6.3.8 Training Modules for Security Guards Need to be Revamped

Training modules that are thorough and well-organised are essential to creating capable security guards. In addition to giving guards the abilities they need, proper training improves their general performance and situational adaptability. PIKM, in collaboration with PDRM, provided 20 hours of training to security guards and several related government agencies. However, the time was not enough to teach them the skills they needed to perform their duties in the field. More studies are required to make sure that the security guard training program and framework are more thoroughly developed and updated to reflect the current security environment.

Basic knowledge, such as risk assessment, threat identification, crime prevention,[922] and security procedures, should be covered in the first training session. Effective patrolling, vulnerability identification, and handling of suspicious activity are all skills that guards need to acquire. In addition, security guards must get training in CPR, first aid,[923] evacuation techniques,[924] and emergency protocols. This knowledge equips them to deal with a variety of crises, including natural catastrophes and medical crises.

Moreover, understanding legal obligations is essential. Liability concerns, trespassing regulations, and individual rights ought to all be covered in training to ensure guards are acting legally. Resolving conflicts and providing excellent customer service both depend on effective communication. As the frontline employees of a company, security guards need to be able to communicate effectively.[925] Guards should

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921 Hertz, C. (2007). The uniform: As material, as symbol, as negotiated object. Midwestern Folklore, 32(1/2), 43-56.

922 https://www.bossecurity.com/2015/12/29/do-security-guards-prevent-crime/#:~:text=One%20of%20the%20main%20reasons%20people%20install%20any,there%20to%20observe%2C%20and%20to%20help%20deter%20crime. (retrieved on 10 October 2024)

923 Yang, M., Chai, S., Kang, M., Fang, F., Zhou, Y., Wan, W., & Peng, Y. (2021). Security Guards' Knowledge, Attitude and Practice of Cardiopulmonary Resuscitation-the Status Quo and Influencing Factors in China.

924 Arteaga, C., Park, J., Morris, B. T., & Sharma, S. (2023). Effect of trained evacuation leaders on victims' safety during an active shooter incident. Safety science, 158, 105967.

925 Attan, A., Shamsudin, S., Noh, N. M. A. M., Mahmood, N. H. N., & Ahmad, Z. (2017). Proposing a Comprehensive Training Needs Approach for the Communication Skills Training of Security Guards. LSP International Journal, 4(2).

receive training in both verbal and nonverbal communication skills so they can engage with the public in a professional manner.

Cultural sensitivity and diversity training should be part of training programs to get guards ready for dealing with people from different backgrounds and to encourage inclusivity and respect. Security guards must be trained to adapt to multiculturalism since Malaysia is a multicultural society.[926] Doing so will prevent any negative occurrences brought on by cultural insensitivity. By using role-playing and simulations to incorporate real-world circumstances, guards may apply their knowledge in authentic settings, strengthening their learning and boosting their confidence. Studies have shown that by immersing learners in genuine, real-world situations, this approach allows them to explore other viewpoints and interact with the material to gain new insights and create new meaning.[927]

A well-designed training program guarantees that security guards have the abilities needed to carry out their responsibilities efficiently. This proficiency translates into improved emergency and security crisis management. Security guards who receive training feel more confident and are able to make quick decisions under pressure. By their very presence, confident security guards are more likely to discourage illegal activity. A positive perception of the security industry is influenced by well-trained security guards. The public's trust and satisfaction are increased by their professionalism, which is important for client relationships. Thorough training lowers businesses' legal obligations by ensuring that security staff adhere to industry norms and regulations.

Continuous training equips security guards to handle emerging issues as security risks change, such as increasing criminal trends and technical developments in security systems. Developing skilled security personnel who can successfully defend persons and property requires well-designed training programs. These programs, which cover a wide range of subjects from emergency response to fundamental security ideas, not only improve individual abilities but also make the environment safer in general. In terms of safety, professionalism, and public confidence in security services, investing in thorough training is a wise strategic move.

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926 Embong, A. R. (2002). Malaysia as a multicultural society. Macalester International, 12(1), 10.

927 Berry, L. A., & Kowal, K. B. (2022). Effect of Role-Play in Online Discussions on Student Engagement and Critical Thinking. Online Learning, 26(3), 4-21.

6.4 PIKM's Role to Improve the Standard and Quality of the Private Security Services in Malaysia

PIKM can play a crucial role in enhancing the services of PSCs in Malaysia. There are various key ways in which PIKM contributes to the improvement of private security services. In particular, PIKM should advocate for higher industry standards and practices among private security providers. PIKM should promote adherence to best practices and help ensure that security companies operate at a level that meets both national and international expectations, thereby improving service quality. This aim can be achieved through training and professional development since one of PIKM's primary functions is to facilitate training programmes for security guards.

PIKM can enhance the skills and competencies of security staff and ensure they are better equipped to handle various security challenges effectively by providing access to professional development opportunities. PIKM should adopt a more proactive role by engaging with policymakers to influence the development of regulations that govern the private security sector. By participating in discussions on legislative reforms, PIKM helps shape a regulatory environment that is conducive to the growth and professionalism of private security services.

In an era where technology plays a significant role in security operations, PIKM should encourage PSCs to adopt innovative solutions, such as digital surveillance systems and data protection measures. This push towards modernisation helps firms stay competitive and responsive to evolving security threats. PIKM provides a platform for PSCs to network and collaborate with each other as well as with other stakeholders in the security industry. This networking fosters knowledge sharing, partnerships, and collaborative initiatives that can enhance service delivery. With the increasing complexity of compliance laws in Malaysia, PIKM assists PSCs in understanding and adhering to relevant regulations, such as the Personal Data Protection Act (PDPA), criminal laws, and anti-money laundering laws. This support helps firms mitigate legal risks and enhance their operational integrity.

In addition, PIKM works to build public trust in private security services by promoting transparency and accountability within the industry. Initiatives aimed at raising awareness about the role and importance of private security contribute to a more positive public perception, which is essential for the industry's growth. Through its multifaceted approach, PIKM significantly contributes to improving the services

provided by PSCs in Malaysia. By advocating for higher standards, facilitating training, influencing policy development, promoting innovation, fostering collaboration, addressing compliance issues, and building public trust, PIKM plays an essential role in shaping a more professional and effective private security landscape in the country.

6.5 KESPA and Security Guards Association to improve the service quality and enhance members' well-being

KESPA advocates for the establishment and enforcement of industry standards and regulations that govern private security services. By working together with other security guard associations, they can promote their well-being while enhancing the quality of services provided by security guards. For example, pushing for clearer guidelines helps ensure that security personnel operate under a consistent framework that promotes professionalism and accountability. In addition, KESPA offers training and certification programs for security guards to improve service quality. The initiative focuses on essential skills such as emergency response, conflict resolution, and legal compliance, ensuring that guards are well-equipped to handle various situations effectively. Associations like KESPA emphasise the importance of continuous professional development. They provide resources and opportunities for security personnel to enhance their skills and knowledge, which in turn improves the overall quality of service in the industry.

Recognising the demanding nature of security work, KESPA actively promotes the mental and physical well-being of guards. This includes advocating for better working conditions, access to mental health resources, and initiatives aimed at reducing stress and burnout among personnel. KESPA facilitates networking among security professionals, allowing for the exchange of ideas and best practices. This collaboration fosters a community where guards can share experiences, learn from one another, and collectively address challenges faced in their roles. Through public awareness campaigns, KESPA helps improve the perception of security guards in society. By highlighting their contributions to safety and security, these campaigns aim to foster respect for the profession and encourage better treatment of security personnel. KESPA should also work closely with law enforcement agencies to ensure that private security services complement public safety efforts. This collaboration helps establish clear

communication channels between private security and police forces, enhancing overall community safety.

The role of KESPA and other security guard associations is vital in improving both the quality of services provided by security guards and their overall well-being. Through advocacy, training, support for mental health, networking opportunities, public awareness campaigns, and collaboration with law enforcement, these organisations contribute significantly to creating a more professional and respected private security industry in Malaysia.

6.5.1 KESPA and 15 Other Associations Should Amalgamate – Grow Stronger

A single organisation can more effectively lobby governments and stakeholders for changes that benefit all members, such as improved working conditions and fair wages. However, combining forces would create a stronger, unified voice to advocate for better regulations, standards, and policies affecting the private security industry. The proposal for KESPA and the 15 other security guard associations in Malaysia to amalgamate into a single entity presents several advantages that could significantly enhance the representation and effectiveness of private security.

An amalgamated association can establish standardised training programs and operational procedures across the industry. This would ensure that all security personnel are trained to the same high standards, improving overall service quality and professionalism in the sector. A larger organisation could implement comprehensive programs focused on the well-being of security personnel, including mental health support, stress management workshops, and physical fitness initiatives. This holistic approach can improve job satisfaction and retention rates among security guards. Pooling resources from multiple associations could lead to more efficient use of funds for training, development, and advocacy efforts. This collective approach can enable better funding for initiatives aimed at improving the quality of security services and the welfare of security personnel.

In addition, an amalgamated association could lead to better negotiation power when discussing contracts, wages, and working conditions with employers and government agencies. With a unified front, the amalgamated association could more effectively address issues related to illegal employment practices within the industry. By advocating for stricter enforcement of hiring regulations, they can help reduce the

number of unvetted foreign security guards, thereby enhancing overall security standards. Amalgamation would facilitate greater networking opportunities among members, fostering collaboration and knowledge sharing. This could lead to innovative practices being adopted across the industry, enhancing service delivery.

The amalgamation of KESPA and other security guard associations into one cohesive body offers numerous benefits that can enhance both service quality and the well-being of security personnel in Malaysia. Being a single entity, they can launch more impactful public awareness campaigns to improve the perception of security guards in society, which can promote their roles in maintaining safety and security, and they can foster respect for the profession. Lastly, by presenting a unified front, these organisations can more effectively advocate for necessary changes in legislation, training standards, and working conditions, ultimately leading to a stronger and more respected private security sector.

6.5.1.1 Obstacles Face to Amalgamate

The amalgamation of KESPA and other security guard associations into a single entity presents several obstacles that need to be addressed for successful integration. Considering that each association may have its own specific goals, priorities, and operational philosophies, reconciling these diverse interests can be challenging, as members may resist changes that do not align with their established objectives or practices. Bringing them together may result in conflicts and misunderstandings among members, which could potentially undermine the effectiveness of the new organisation. Also, determining leadership roles and governance structures in a new amalgamated entity can be contentious, resulting in conflicts over leadership roles and decision-making processes that could impede the merger process.

Careful planning and negotiation are necessary to pool resources from multiple associations. Concerns may arise regarding the allocation of resources, particularly if some associations exhibit greater financial stability than others. Members of existing associations may be resistant to the idea of a merger due to concerns about losing their identity or influence within the new organisation. This resistance can manifest as reluctance to participate in discussions or initiatives related to the merger.

The process of merging organisations might involve navigating complex legal and regulatory frameworks. Ensuring compliance with relevant laws while forming a

new entity can be a significant hurdle. Effective communication is essential during any merger process. Miscommunication or lack of transparency can lead to confusion, mistrust, and misinformation among members, which can derail the amalgamation efforts. The private security industry in Malaysia faces numerous external pressures, such as illegal employment practices and regulatory challenges. These issues may divert attention from the merger process, making it difficult for the new organisation to focus on its core mission.

While the amalgamation of KESPA and other security guard associations could create a more powerful voice for advocacy and improvement in the industry, overcoming these obstacles is crucial for success. Addressing diverse interests, fostering a unified organisational culture, ensuring effective leadership, managing resources wisely, and maintaining clear communication will be key factors in achieving a successful merger that benefits all members involved.

6.6 TVET for Security Guards – A Way to Move Forward a Long-Term Solution

In today's security landscape, familiarity with technology is crucial. TVET serves as an excellent platform for developing well-trained future security guards equipped with essential technological knowledge. TVET programs focus on both theoretical knowledge and practical skills, ensuring that security personnel are well-prepared for real-world challenges. This dual approach enhances their ability to respond effectively to various security situations, from emergency response to conflict resolution.

TVET can incorporate training on modern surveillance systems, access control technologies, and cybersecurity protocols to equip security guards with the skills to operate advanced security equipment and respond to digital threats. By establishing standardised training across different institutions, TVET can ensure that all security personnel receive a consistent level of education and skill development. This uniformity can lead to higher service quality across the industry. Additionally, by aligning training curricula with industry demands, TVET emphasises employability and enhances the likelihood of securing jobs in the competitive security sector. TVET also allows existing security guards to stay updated on the latest practices and technologies in the field through its ongoing education and training opportunities. This commitment to

lifelong learning is essential in a rapidly evolving industry. TVET institutions can collaborate with PSCs and industry associations to develop curricula that reflect current market demands. Such partnerships ensure that training is relevant and practical, enhancing the overall effectiveness of the workforce.

Moreover, TVET programs often target diverse groups, including marginalised youth, providing them with vocational skills that enhance their employability. This empowerment contributes to social inclusion and helps break the cycle of poverty by offering pathways to stable employment in the security sector. By leveraging TVET as a foundational platform for training future security guards, Malaysia can significantly improve the quality of its private security services. The emphasis on technological knowledge, standardised training, continuous development, and social inclusion will not only enhance the skill sets of security personnel but also contribute positively to public safety and community trust in security services.

The interviews with MOE, SIRIM, and NIOSH in the current study revealed that these organisations are more than willing to explore the idea of collaborating with the security services sector to develop training programs for security guards to meet upcoming technological challenges. The primary challenge is ensuring the sustainability of the industry by addressing long-term labour shortages. A sustained approach for luring local young people to the industry is crucial, even though the recruitment of RELA members and retired soldiers might provide a temporary solution. A more robust approach must be adopted by the stakeholders concerned.

Collaboration with educational institutions, industry stakeholders, particularly PIKM, and security guards association is crucial to building educational partnerships, as well as providing opportunities for students to enter the industry through training programs or internships. The working committee's recommendation for an occupational framework under KESUMA's flagship program for career development initiatives should be adopted by the industry, as it would attract younger generations who are looking for growth and development and may find the industry more interesting if it offers obvious chances for career advancement.

6.7 Acute Labour Shortage Require an Immediate Solution

The acute labour shortage in the private security industry, exacerbated by several factors, including changing workforce dynamics and increased demand for

security services post-pandemic, requires immediate action. To address these challenges effectively without relying on foreign labour and to ensure that it thrives in accordance with market demand, the private security industry, with the government's support, can implement short-, medium-, and long-term strategies.

Given that the general public resists the idea of hiring foreigners to work as security guards, focus should be on recruiting from local populations, including retired military personnel and community volunteers like RELA members, who are already trained in safety and security protocol. Industry players could launch referral programs that incentivise current staff members to recommend eligible recruits to join the industry. Enhanced training and development programs should guarantee attractive financial packages and opportunities for advancement. In addition, having fully funded programs that offer comprehensive training and certifications in vital skills like emergency response and dispute resolution can make this profession more appealing to candidates.

Upskilling initiatives are necessary to increase the use of sophisticated devices in the workplace. Continuous training initiatives to assist current staff members in developing their abilities increase their value to the company and retention rates. A sense of appreciation and belonging among employees through team-building exercises and recognition initiatives should be fostered. As a temporary fix, competitive compensation packages may be implemented. In order to quickly recruit talent, employers may offer hiring incentives, such as competitive pay and bonuses for new hires. This approach has been effective in a number of industries with comparable shortages. In order to increase employment appeal, employers should provide advantages beyond salary, such as health insurance, childcare assistance, and mental health resources.

By focusing on these immediate actions, the private security industry can effectively address its labour shortages while building a sustainable workforce that does not depend on foreign labour. These strategies will not only help fill current vacancies but also create a more resilient labour market for the future.

6.7.1 Medium Term Solution – RELA Members

RELA, established by the Malaysian government, serves as a paramilitary civil volunteer corps aimed at assisting various agencies and conducting social activities. Its

roles encompass security duties, crowd control, and supporting law enforcement, making its members suitable for temporary security roles in the private sector. One of RELA members' primary responsibilities is to participate in security patrols, where they are taught to patrol and conduct surveillance to guarantee safety in specified areas. Because they have to manage big crowds during events or emergencies, they are trained in crowd control. They are also trained in emergency management because they regularly take part in community safety and disaster response activities.

Recruiting RELA as private security guards can be a viable medium-term strategy to alleviate the current labour shortage in Malaysia's security industry. This approach leverages RELA's existing structure and capabilities while addressing immediate staffing needs. With more than 3 million volunteers,[928] RELA can swiftly supply manpower to address pressing security requirements. The use of RELA members is more cost-effective, as this may save training and hiring expenses. Additionally, RELA members are very familiar with security protocols and are already used to working within legal frameworks and adhering to procedures akin to those needed in private security professions. Therefore, the industry gains numerous advantages by hiring RELA.

6.7.1.1 Recruitment of RELA members – the Obstacle

The obstacle to recruiting RELA members as security guards is the legislative regulation that controls the organisation. Its legislative framework and restrictions have outlined the roles and responsibilities of RELA members, who are primarily responsible for assisting with community safety and law enforcement efforts. Their main responsibilities are delineated in the Malaysian Volunteer Corps Act 2012 (Act 752), which outlines their tasks, including aiding in disaster relief and maintaining public order. According to the statute, members must receive training specific to their designated responsibilities, which may not include the specific requirements needed for private security roles. Therefore, their RELA membership may not align with the roles and duties of private security guards. This can limit their adaptability to different security environments.

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928 https://www.rela.gov.my/?page_id=2394&lang=en As of December 2024 a total of 3,113,964 registered RELA volunteers

Mandatory training for RELA members is limited to 10 days. This might not be enough time for the thorough instruction usually needed for private security staff. The discrepancy may raise questions about how equipped they are to handle security-related duties in the private sector. The Act imposes stringent legal requirements on RELA members, such as obeying orders from authorised personnel and following rules governing their behaviour. This hierarchy could make it more difficult for them to integrate into PSCs that follow various procedures and management structures. In addition, the Act's emphasis on voluntarism. RELA members are volunteers who are compensated for their work rather than being regular employees. This discrepancy may lead to issues with benefits and employment contracts when moving into the private sector.

Although recruiting RELA members as private security guards could be a temporary solution to labour shortages, the existing legal framework presents significant hurdles. These include restrictive roles, insufficient training for private sector demands, and the complexities of integrating volunteer-based personnel into a commercial environment. Moreover, variations in workplace culture and operational procedures could be another challenge for RELA members. Addressing these challenges will require careful consideration of both legal implications and operational requirements within the private security industry.

PSCs frequently follow different standards and procedures from RELA. RELA members may be reluctant to transition into a field characterised by volatility and challenging work conditions. In comparison to their existing voluntary allowances, many prospective recruits from RELA might discover that private security positions offer comparable or lower wages. The lack of competitive pay and the perception of fewer career options in the private security sector compared to other businesses may discourage RELA members from making a switch.

Despite MOHA's encouragement through circular No. 2 of the year 2010, which established guidelines for PSCs to hire RELA members as security guards, the response is rather ambivalent. The circular's strict requirements may be unappealing to business owners and RELA members. Therefore, for the benefit of the industry and the nation at large, all parties concerned ought to give this issue another serious review. On top of that, calculated actions like upgrading training programs, boosting public opinion, and providing attractive benefits packages should be taken in order to effectively utilise this resourceful talent pool and ensure a more stable workforce.

6.7.2 Medium Term Solution – Recruitment of Ex- Army Personnel

One practical solution to the labour shortage in the security sector is to hire former Malaysian Army personnel as security guards. The benefits of hiring former service members are primarily attributable to the training and discipline they acquired while in the military. Former service members frequently exhibit high levels of discipline, physical fitness, and situational awareness, which are qualities crucial for security positions. Their military training frequently covers crisis management and emergency response, making them well-suited for a variety of security roles.

Their training in threat assessment and situational analysis allows quick identification of possible dangers before they become serious. Since members of the military frequently collaborate closely with one another in a variety of units, military service therefore cultivates great collaboration competence. They also have leadership expertise, enabling them to effectively lead teams in high-security environments. Moreover, their familiarity with security equipment explains their possession of technical skills. They can apply their knowledge of numerous security technologies and equipment, including firearms, communication devices, and surveillance systems, to private security positions. The effectiveness of security operations can be improved by military training that covers emergency response procedures, such as medical emergencies and disaster response. As a result, they make settings safer by utilising their knowledge and skills. On top of that, many of them have knowledge of risk assessment and security procedures, which can improve the efficiency of security operations in civilian settings.

The retired army have a better understanding of law enforcement procedures, which is a fundamental comprehension of legal frameworks and law enforcement procedures that can be advantageous for security operations compliance. They can solve the labour crisis in the sector and improve operational performance by utilising these abilities. Their experience in organised workplaces may result in better regulatory compliance. Therefore, employing former service members improves public perception, as a company's reputation might be improved by hiring former military members because they are frequently seen as trustworthy and dependable people. This impression may enhance relationships with clients in the security sector.

In short, hiring former Malaysian Army personnel can offer quick staffing options while leveraging the abilities and discipline of former military personnel. The

large number of former military members looking for work following their service can offer a ready supply of applicants who are driven and keen to move into civilian positions. However, this recruitment method requires several important considerations.

6.7.2.1 Challenges to Recruit Ex-Army Personnel

Recruiting former army members presents several challenges. The primary issue is salary expectations. Considering their prior jobs and training, ex-military individuals may have greater salary expectations. It can be difficult to match these expectations with industry norms. Furthermore, transitioning to civilian roles might be challenging for some people who have served in the military. Despite having valuable capabilities, former military individuals would need more training to fulfil the expectations of civilian security positions [929] like customer service or use of technology. They might need more assistance and training to adjust to the various demands of private security employment. Additionally, security companies need to ensure that former military personnel fulfil all legal requirements for working in the private security industry, such as obtaining the required background checks and certifications. Finally, the high turnover rates in the private security sector can make it difficult to retain former military personnel who could look for more secure work elsewhere.

Next is cultural adjustment as a result of contextual change. The military operates in a structured setting with distinct hierarchies and procedures, whereas civilian companies frequently lack this structure. For example, nuances and subtleties in discussion are more widespread in civilian contexts; consequently, the straightforward communication style that is customary in the military may not translate well there. Hence, the less hierarchical and more ambiguous character of civilian occupations may be difficult for veterans to adjust to. Identity confusion may result after leaving a military position. It could be difficult for veterans to rediscover their feeling of purpose outside of the service. Reconnecting with family and creating a new social network can be challenging, particularly if family relationships have changed

[929] Sharma, M. R., Jain, D., & Sharma, V. (2021). Transition of Ex-Servicemen from Military to Civilian Society: Challenges and Prospects in Reintegration. Information and Communication Technology for Competitive Strategies (ICTCS 2020) ICT: Applications and Social Interfaces, 547-558.

while they we Former military individuals also confront employment challenges that call for translation skills because veterans frequently struggle to translate their military experiences and talents into civilian language, which can make job applications and interviews more challenging. Many veterans find the employment market competitive, and facing repeated rejection can be discouraging and frustrating. Such experiences may have a detrimental effect on their motivation and mental well-being. Army veterans may suffer from anxiety, sadness, or post-traumatic stress disorder (PTSD) as a result of war or service-related trauma, which can impair their capacity to function in civilian capacities.

Former military individuals also confront employment challenges that call for translation skills because veterans frequently struggle to translate their military experiences and talents into civilian language, which can make job applications and interviews more challenging. Many veterans find the employment market competitive, and facing repeated rejection can be discouraging and frustrating. Such experiences may have a detrimental effect on their motivation and mental well-being. Army veterans may suffer from anxiety, sadness, or post-traumatic stress disorder (PTSD) as a result of war or service-related trauma, which can impair their capacity to function in civilian capacities.[930] Military culture sometimes stigmatises asking for mental health treatment, potentially preventing veterans from receiving the necessary assistance during their transition. Other issues with work and mental health may be made worse by this financial strain. Many veterans face financial instability after leaving the service, especially those who previously held steady jobs with guaranteed benefits.[931]

There are several obstacles that veterans must overcome when transitioning from military service to civilian security positions, including issues related to identification, employment, mental health, financial stability, and cultural adjustment.[932] By addressing these problems with focused resources and support programs, former military individuals can have easier transitions into the civilian market, especially in the private security services industry.

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930 Minervini, G., Franco, R., Marrapodi, M. M., Fiorillo, L., Cervino, G., & Cicciù, M. (2023). Post-traumatic stress, prevalence of temporomandibular disorders in war veterans: systematic review with meta-analysis. Journal of Oral Rehabilitation, 50(10), 1101-1109.

931 Elbogen, E. B., Zeber, J. E., Vogt, D., Perkins, D. F., Finley, E. P., & Copeland, L. A. (2023). Financial status and well-being in recently separated military veterans. Military medicine, 188(7-8), e2181-e2188.

932 Pedersen, C. L., & Wieser, C. (2021). Veteran transition from military to civilian life: Towards a sociocultural framework for social support. Scandinavian Journal of Military Studies, 4(1).

6.8 KESUMA's Occupational Framework (OF) should be elevated as legal framework.

Private security requires reformation to improve as part of its workforce development. Among the agenda is establishing a formal industry framework that governs private security services to guarantee adherence to industry standards and safeguard employees and customers. Accordingly, KESUMA carried out an extensive study to work on OF as a new industry framework for private security services. In addition, this supports the Ministry's continuous efforts to create future skills frameworks for important industries, which are anticipated to integrate industry input and data-driven insights.

The working committee, consisting of specialists from various disciplines, ensures that the proposals align with this framework. Governmental organisations, training providers, and industry respondents are among the parties with whom the development process comprises consultations. This cooperative strategy seeks to provide a thorough framework that takes into account the industry's circumstances. In order to guarantee that private security services function within a legal framework that fosters safety and accountability, explicit laws should be established. Increasing public confidence in these services depends on this.

The programme is a component of the May 2024 announcement of Malaysia's National Human Resources Policy Framewo.[933] Topics covered by this framework include fair pay, employment welfare, and skills training across all industries, with a particular focus on vulnerable groups and the impact of technology on employment. This programme seeks to improve the well-being of persons working in the sector as well as the quality of services offered by utilising the expertise of a wide range of professionals and adhering to national workforce development strategies. One important stage in the professionalisation of the private security services sector in Malaysia is the implementation of a new industry framework.

OF undergoes recurring evaluations to adjust to evolving market dynamics and technology breakthroughs and guarantee its continued applicability. OF aims to improve workforce development in a number of industries, including private security. Since the OF places a strong emphasis on identifying the precise skills needed for

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933 https://www.humanresourcesonline.net/malaysia-s-national-hr-policy-framework-what-it-entails (retrieved on 12 April 2025)

different roles within the private security sector, skills identification and development are important components that might greatly benefit this industry. This encompasses the technical and soft skills necessary for successful security operations. In addition, OF places a lot of emphasis on keeping up with technological developments. To improve their operational effectiveness and response skills, PSCs can gain from training in digital tools, remote monitoring platforms, and data analytics.

OF emphasises training skills specific to the demands of the private security industry. This includes required training courses that raise industry professionalism. OF is also in favour of developing customised training curricula that cater to the demands and weaknesses of specific security personnel. This individualised approach enhances the overall quality of services by ensuring that training is both applicable and efficient. By emphasising skill development, security personnel can improve their employability and be prepared to meet industry demands. The framework facilitates access to a range of industry-recognised training courses and certifications. These courses assist people in obtaining the credentials, like Basic Licensing Skills, that security officers need to carry out particular tasks and develop in their professions. In addition, security staff are kept informed about industry trends and best practices through workshops and seminars, among other activities that promote ongoing professional development. This continuous education promotes a culture of flexibility and professional development.

OF places a strong emphasis on career pathways and advancement. The FSF seeks to give security personnel possibilities for promotion by defining career tracks. This includes acknowledging security guards as competent experts, which can raise industry retention and job satisfaction rates. Also, OF is intended to help people who want to move from other disciplines into the security industry. It expands the talent pool in the sector by offering mid-career workers training pathways and tools. OF provides organised career paths that describe different positions and the skills needed to develop. This enables security staff to plan their growth in accordance with their understanding of possible career paths, ranging from entry-level jobs to managing positions. It lays out the necessary competencies for various security-related employment roles, allowing people to pinpoint their areas of weakness and seek specialised training. To make sure that training programmes are current and in line with market demands, the framework encourages co-operation between governmental organisations, business leaders, and academic institutions. Effectively addressing talent shortages is made possible by this team effort.

The framework encourages workers to seek expertise in areas like risk management or security consulting by acknowledging the variety of specialisations within the security field. By elevating security professions above conventional views, this acknowledgement encourages a wider variety of employment alternatives. OF guarantees that security professionals fulfil the legal requirements for their positions by conforming to regulatory criteria. Adherence to these guidelines promotes professional legitimacy and trust, which opens doors for career progression. By offering clear career tracks, encouraging skill development, and acknowledging the changing nature of security tasks in a contemporary setting, the OF for Security successfully facilitates career advancement in the industry.

One important element of the OF is the use of data analytics to guide operational and training plans. This enables PSCs to quickly adjust to shifting market demands and threats. In order to prepare security companies to incorporate these advancements into their operations, the OF promotes knowledge of new trends, including automation, robots, and sophisticated surveillance systems. Private security services in Malaysia can improve their efficacy, professionalism, and flexibility in a setting that is changing quickly by putting these OF components into practice. Accordingly, OF equips security personnel for today's issues by highlighting the value of technology skills like cybersecurity and data analytics. In addition to enhancing job performance, this focus on technology generates new employment opportunities in emerging security-related industries.

Unfortunately, KESUMA's admirable efforts, which cost a great deal of money and time and involved numerous parties, have no legal standing. The study that was conducted with such a substantial investment is merely guidance for those involved in the industry. This scenario results from regulatory constraints that prevent the comprehensive study conducted by KESUMA with the assistance of specialists in a number of subjects from being enforceable as law. MOHA ought to acknowledge KESUMA's remarkable endeavours to elevate the private security guard industry. The results of the KESUMA study should be used by MOHA to update the out-of-date Private Agency Act 1971 (Act 27).

6.9 Singapore and Indonesian laws – we should adopt as part of reforms in Malaysia

As mentioned in chapter 4, the legislation of Singapore and Indonesia regarding private security services are far more comprehensive and robust since they emphasise the importance of this industry for the benefit of their respective nations. The status and working circumstances of security staff in Malaysia might be greatly improved by implementing the guidelines Singapore and Indonesia adopted for the protection and recognition of security guards. Security guards would have more job security and legal recourse if their privileges and protections were enshrined in Malaysian law. This could include safeguards against harassment, wrongful termination, hazardous working conditions, and career progression akin to Singaporean and Indonesian systems. Enforcing required certification and training programmes would guarantee that all security guards fulfil a minimum competency requirement. This strategy can raise public confidence in security services and increase service quality. Begin with the hiring procedure and move on to the security guards‘ protections, which are clearly outlined in their statutes.

Better working circumstances, such as equitable pay, benefits, and manageable hours, may result from legal recognition. This would assist retain current employees and increase the profession’s appeal to prospective hires. The job may become more recognised in society if security guards‘ roles are formally defined by law. This change has the potential to dispel misconceptions and improve security work’s standing as a respectable career choice. Legal frameworks can address issues security professionals may have in their employment by making it easier for them to access resources for career development, training, and mental health support.

6.9.1 Challenges to Legal Reform

Legislative hurdles are the ultimate issue faced by the industry in order to introduce new laws. New laws require political will and consensus among stakeholders, including government agencies, PSCs, and labour unions. Engaging stakeholders in discussions about the benefits of improved standards is essential. Raising awareness among the public about the importance of recognising security guards as professionals is crucial for garnering support for legislative changes. Besides that, both the public and

private sectors may need to make significant investments in order to implement new training initiatives and legal safeguards. Some PSCs may resist changes that increase operational costs or regulatory burdens. In addition to bettering their working circumstances, this project would raise the national average for security services. For implementation to be successful, potential obstacles must be addressed through public awareness campaigns and stakeholder engagement. Malaysia can improve the protection and recognition of security guards by implementing ideas akin to those in Singapore and Indonesia. Malaysia can adopt principles from Singapore and Indonesia, such as enhanced legal protections, standardised training requirements, and clearer authority for security guards. These changes would help professionalise the industry, enhance public trust, and ensure better safety outcomes across various environments.

6.9.2 Unique Legal Protections for Security Guards in Singapore or Indonesia

When comparing the legislative safeguards for security guards in Malaysia, Singapore, and Indonesia, it is clear that a number of distinctive features in the first two nations are absent from Malaysia. According to Singapore's PSIA 2007, all security guards must complete specialised training and acquire licenses before they are allowed to work. By guaranteeing a uniform degree of proficiency throughout the sector, this improves professionalism and responsibility. In Singapore, security personnel have more defined legal powers, which include the power to hold someone in custody under specific circumstances. Compared to the restricted authority of security guards in Malaysia, this legislative empowerment enables them to take decisive action in situations that call for prompt intervention. The fact that security officers is the occupational title given to security professionals in Singapore emphasises the significance of the profession as regarded by Singaporean law. Singaporean regulations, which include precise rules about pay, working hours, and rest intervals, offer enhanced job rights for security guards. These regulations ensure fair treatment of security personnel, a concept less clear in Malaysia.

Meanwhile, in Indonesia, the rights and obligations of security professionals are thoroughly outlined in Indonesia's Law on Private Security Services. This law encompasses more comprehensive regulations for operational standards, licensing, and training compared to Malaysia's Private Agencies Act 1971. Similar to Singapore, Indonesia mandates the completion of standardised training for all security staff to

ensure their qualification for their positions. The overall calibre of security services is improved by this criterion. Similar to Singaporean law, Indonesian law gives security guards specific authority to hold people who are suspected of committing crimes. They are able to respond to incidents with effectiveness thanks to this legal authority. Compared to Malaysia, security guards in Singapore and Indonesia have stronger and more extensive legal safeguards. Malaysia may greatly raise the credibility and efficacy of its security forces and guarantee greater protection for both employees and the general public by implementing similar ideas, such as required training, clear legislative authority, and improved employment rights.

6.10 Too Many Agencies Led to Weaker Enforcement

The Malaysian private security industry is regulated by multiple regulatory agencies such as MOHA, the Royal Malaysian Police (PDRM), and JIM. Such an arrangement has led to confusion and overlapping jurisdictional functions that complicate the enforcement of regulations. A fragmented regulatory environment is a result of the many legal frameworks under which each agency operates. These agencies' duties frequently overlap, which results in ineffective enforcement and monitoring. For example, the PDRM and MOHA both have licensing and regulatory duties, but their methods and procedures may be different, which leaves security companies and employees perplexed.

The absence of a cohesive command structure hinders effective oversight and compliance monitoring, resulting in poor communication among agencies. This fragmented strategy may result in gaps in industry-wide security provision and standard enforcement. There is a notable lack of communication between key enforcement bodies, which hampers effective monitoring and coordination efforts. This results in a disjointed approach to security supervision that can leave vulnerabilities unaddressed. The legislative framework often relies on a top-down approach, which can stifle grassroots initiatives and local adaptations necessary for effective security management at community levels.

Security staff certification and training standards vary due to the absence of a unified regulatory framework. This can erode public confidence in security services since customers would not be reassured of the calibre or dependability of the guards on duty. Industry players always face compliance issues. Security companies frequently

find it difficult to understand the complicated regulatory environment, which can result in inadvertent non-compliance with legal obligations. This circumstance puts businesses at risk of legal repercussions in addition to reducing operational effectiveness. For security companies looking for permits or licenses, the overlapping roles of different organisations may result in bureaucratic obstacles. For companies in the industry, this inefficiency can raise operating expenses and cause service delivery delays.

6.10.1 Proposed Regulatory Solutions:

The fragmentation of Malaysia's current legislative framework results in ineffective security supervision. To improve oversight, compliance, and overall efficacy in the private security sector, a more coordinated and integrated strategy is necessary. This can be solved by initiating a centralised regulatory body. Creating a single body to regulate the private security sector as a whole might improve accountability, reduce redundancy, and streamline procedures. Also, training programs must be standardised to ensure that all security guards satisfy basic proficiency levels. This would facilitate the implementation of consistent training and certification standards across all agencies and eventually improve the quality of service.

Also, a single-body agency can improve interagency communication, coordination, and information exchange between various regulatory agencies as well as more efficient regulation enforcement. Malaysia may improve the efficacy and dependability of its private security sector and, eventually, the safety and security of its population by tackling these systemic issues. Therefore, creating a unified regulatory organisation for the private security industry might improve coordination, expedite procedures, and guarantee the uniform application of standards by all participating companies. In addition, creating comprehensive legislation that incorporates the duties and obligations of all pertinent agencies could improve clarity and effectiveness in security oversight.

6.10.2 One stop centre for a better regulatory processes and enforcement

The security industry in Malaysia has been criticised for inconsistent training and certification standards among security personnel, leading to varied service quality

across providers. Security companies often struggle with navigating the regulatory landscape set by MOHA, which can lead to non-compliance issues and operational inefficiencies. In addition, there is general scepticism regarding the effectiveness of security services, primarily due to incidents involving poorly trained guards or unlicensed operators. The high turnover rates and difficulties in attracting qualified personnel are prevalent, exacerbated by low wages and poor working conditions. As a result, a one-stop centre for the filtration, approval, certification, and enforcement of private security guards in Malaysia could significantly address the challenges facing the industry.

6.10.2.1 Proposed One-Stop Centre Functions

Implementing a rigorous vetting process for all applicants is crucial, ensuring that only qualified individuals with clean backgrounds are certified as security personnel. This process could involve checks by the Royal Malaysian Police (PDRM) and other relevant authorities. Furthermore, offering comprehensive training programmes that meet national standards is essential, especially those covering key skills such as emergency response, conflict resolution, and customer service. In addition, providing a streamlined process for obtaining the necessary certifications and licences helps to reduce bureaucratic delays for both individuals and companies. Moreover, establishing ongoing training and assessment programmes ensures that security personnel remain updated on best practices and emerging threats in the security landscape. Finally, assisting security firms in complying with regulations and best practices through consultancy services can significantly improve overall industry standards.

6.10.2.2 Benefits of a One-Stop Centre

Formation of a one-stop centre will improve the service quality of the private security industry. The centre should be able to standardise training and certification, enabling clients to expect higher quality service from well-trained guards. The one-stop centre may promote a transparent approval process that can help rebuild trust in private security services among the public. Streamlined operations derived from the processes under the one-stop centre would be beneficial, as security companies will benefit from

reduced administrative burdens related to compliance and certification processes. Less bureaucracy involving the industry, as the processes are under one roof, may attract talent since improved working conditions and clear career pathways may attract more individuals to pursue careers in security. In conclusion, establishing a one-stop centre for filtration, approval, and certification could effectively resolve many issues currently plaguing the private security industry in Malaysia, leading to enhanced service delivery and greater public confidence.

6.10.3 Enforcement of laws by the regulators is vital

Strict enforcement of regulations by enforcement agencies is crucial for ensuring compliance within Malaysia's private security industry. Enforcing regulations helps maintain high standards for training and certification of security guards. Upholding regulations increases clients' trust in the qualified and capable security personnel, thereby enhancing the industry's reputation. The private security industry operates under several laws, including the Private Agencies Act 1971 and regulations set by MOHA. Strict enforcement ensures that security firms adhere to these laws, which govern licensing, operational standards, and conduct of security guards. This is essential for improving the overall quality of services provided and ensuring that personnel are adequately prepared to handle various security situations.

6.10.3.1 Challenges in Enforcement

The involvement of multiple agencies, such as MOHA, PDRM, and JIM, can lead to overlapping responsibilities and unclear lines of authority. This fragmentation can hinder effective enforcement because agencies may not coordinate well or interpret regulations differently. This can result in lapses in oversight and enforcement actions. The complex regulatory landscape can create bureaucratic hurdles that slow down enforcement actions, making it difficult for agencies to respond promptly to violations or non-compliance issues. The effectiveness of current enforcement agencies in regulating the private security industry in Malaysia is a multifaceted issue influenced by various factors, which include multiple regulatory bodies with different sets of inconsistent standards covering various areas. The complexity of regulatory requirements may create bureaucratic obstacles that slow down enforcement actions.

Security firms might find it challenging to navigate these processes, leading to deliberate or unintentional non-compliance. Enforcement agencies often face challenges related to manpower and funding, which can limit their ability to conduct regular inspections and effectively monitor compliance among PSCs.

6.10.3.2 Recommendations for Improvement

The one-stop centre empowers a centralised regulatory authority, which could potentially lead to progress. Establishing a single body responsible for overseeing the private security sector could streamline enforcement efforts and reduce confusion among stakeholders regarding compliance requirements. For example, Enhanced Training for Enforcement Agencies can provide specialised training for enforcement personnel on the specific needs and challenges of the private security industry. The agency can improve monitoring compliance by implementing a system of regular audits and inspections. This can help ensure that security firms consistently meet regulatory standards, thus enhancing overall industry accountability. In short, strict enforcement of regulations is vital for ensuring compliance within Malaysia's private security industry. However, to address challenges such as fragmented oversight and resource limitations essential for improving the effectiveness of these enforcement efforts, a one-stop centre agency can commit to the duty.

6.11 Use of Modern and Technological Equipment by the Industry Players as Long-term Solution.

As technologies continue to expand across all industries and lifestyles, the security sector cannot avoid utilising them in its day-to-day operations. The private security sector is changing with the incorporation of cutting-edge technology into day-to-day operations. According to the interviews conducted, all the respondents believed that using labour-intensive traditional methods was becoming outdated. The industry's move towards technology not only improves operational effectiveness but also tackles the changing security environment, which is marked by an increase in crime and increasingly complex threats. One of the strongest arguments for implementing advanced technologies in security operations is to increase the capacity for surveillance. Technologies such as robotics and drones are revolutionising the way security guards patrol vast regions. Drones can conduct aerial surveillance, offering invaluable real-

time video feeds to vast arenas or industrial complexes. Also, the use of autonomous patrol units and other robotics to handle basic monitoring duties frees up human guards, allowing them to concentrate on more complicated circumstances.

6.11.1 Government's Role to Support and Encourage the use of High Tech in the Industry.

The Malaysian government plays crucial role in promoting the use of advanced equipment in the private security sector and lessen dependency on traditional labour. The research by Albena Pergelova and Fernandi Angulo-Ruiz indicates that the competitive advantage of new enterprises is directly impacted by government guarantees and equity, while performance is only indirectly affected. It is recommended by the findings that policymakers concentrate on assisting newly established businesses in developing the skills they need to successfully compete in the market.[934] Government financing support is essential since it provides useful recommendations for innovation financing policies to promote the growth of the country's economy.[935]

The government can provide financial incentives or subsidies to PSCs that make investments in cutting-edge technologies like drones, surveillance systems, and monitoring tools driven by artificial intelligence. This would reduce the initial outlay of funds for businesses seeking to modernise their machinery. Businesses dedicated to incorporating high-tech solutions can receive tax reductions, grants, or subsidies to offset the costs of implementing these systems, thereby encouraging additional businesses to abandon labour-intensive practices.

The direct tax incentives grant partial or total relief from income tax payment for a specified period, while indirect tax incentives are in the form of exemptions from import duty and excise duty. To promote the adoption of new technology, governments around the world are contemplating different ideas to develop effective subsidy policies. The industry players may have been interested in switching to using robots and highly technological equipment to meet the market demand for private security services, but this idea has been shelved because the initial costs of acquiring robots and

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934 Pergelova, A., & Angulo-Ruiz, F. (2014). The impact of government financial support on the performance of new firms: the role of competitive advantage as an intermediate outcome. Entrepreneurship & Regional Development,

935 Wonglimpiyarat, J. (2013). The role of equity financing to support entrepreneurship in Asia—The experience of Singapore and Thailand. Technovation, .

highly technological equipment are very high. At the new technology infrastructure investment stage, governments can use investment subsidies to reduce the new technology firms' investment cost; at the market stage of promoting new technology, governments can use usage subsidies to reduce consumers' cost of using the service provided by the new technology firms. Investment subsidy and usage subsidy can entice the new technology firms to increase the infrastructure investment level to further improve the market penetration of the new technology.

In addition, regulations that require the use of specific technology, such as CCTV systems linked to police control centres, can be put in place to guarantee that all security companies maintain a minimum standard of efficacy and service quality. This is in line with current programs that use technology to improve public safety. For PSCs, the government could impose licensing rules that compel the use of particular technology tools or systems. Through research and development funding, governments could provide funding for research and development of high-tech security solutions, including robots. This could help to advance the technology and make it more affordable and accessible to businesses. In addition, this could include creating standards and guidelines for the use of robots in security services, as well as providing economic and legal protections for the industry players that use robots in their business operations. This would ensure that all operators meet the minimum technology requirements. The government should adopt a more aggressive approach in encouraging industry players to substitute their dependency on human security personnel with robots and high-tech devices. Government backing will inspire the sector to innovate more.

The efficacy and efficiency of the security robots are proven, in addition to demonstrating their ability to meet security requirements that certain human security guards are unable to. Security robots may solve some of the guards' limitations. One potential benefit of the security robots demonstrated in this study is their ability to operate around-the-clock, their punctuality, their ability to reduce and even document acts of bribery, and their ability to reduce the likelihood of endangering human life. Security robots are a more dependable option when it comes to monitoring and are safer

when doing hazardous activities in hazardous environments, but they still submit to humans for actual action.[936]

The government might start joint funding initiatives for pilot projects that test cutting-edge security technologies in practical environments to demonstrate their efficacy and encourage broader adoption. It should Promoting collaborations between government agencies, higher learning institutions, and PSCs can help with resource pooling and information exchange. In Malaysia, this can be achieved through various agencies under the Ministry of Science, Technology, and Innovation (MOSTI) and the Ministry of Higher Learning Education (MOHE). For Budget 2022, the government of Malaysia has allocated a total of RM 423 million to the said ministries to intensify research and development. Through public-private partnerships, governments could collaborate with private companies to develop and implement high-tech security solutions. This could include joint funding, research, and development efforts to create more effective and efficient security systems. These partnerships can result in comprehensive security solutions that address community safety issues and make use of cutting-edge technologies.

Public opinion on the use of cutting-edge security technologies can be changed, and businesses and consumers can be encouraged to adopt these innovations by launching public awareness campaigns that emphasise the benefits of high-tech security systems, such as improved safety, efficiency, and lower costs. By putting these strategies into practice, the Malaysian government may lessen its need for conventional labour models while simultaneously encouraging the private security sector to employ high-tech equipment. This strategy not only improves national security but also makes the workplace more appealing to local employees, which eventually results in a more efficient and professionalised security industry.

Overall, government incentives could play a significant role in promoting the usage of robots in private security services. By offering financial incentives, regulatory support, research and development funding, and public-private partnerships, governments could encourage businesses to adopt high-tech security solutions and reduce their reliance on human guards. In Malaysia, tax incentives, both direct and

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936 Espinas, M. F. C., Roguel, K. M. G., Salamat, M. A. A., & Reyes, S. S. G. Security Robots vs. Security Guards. https://www.researchgate.net/profile/Ma-Fevy-Espinas/publication/309558445_Security_Robots_vs_Security_Guards/links/58172f8d08aeb720f6897b16/Security-Robots-vs-Security-Guards.pdf

indirect, are provided for in the Promotion of Investments Act 1986, Income Tax Act 1967, Customs Act 1967, Excise Act 1976, and Free Zones Act 1990. These acts cover investments in the manufacturing, agriculture, tourism (including hotel), and approved services sectors, as well as research and development, training, and environmental protection activities.

6.11.1.1 Tax Incentive to encourage the use of modern high-tech

To promote the use of robots in addition to human security guards, the government could offer corporations exemptions from or reduced rates of corporate income or profits tax. The critical role that tax incentives play is pivotal in promoting technological adoption and innovation in the industry. This is because tax reduction is a key factor in encouraging enterprises to innovate and invent technologically.[937] Employing tax incentives is also made more common by participation in industrial collaboration, educational attainment, and favourable tax incentive attitudes. Numerous modifications most nations have made to their tax incentive programs in order to make them more attractive and generous.[938] As a result, it is critical to develop tax laws that consider the workings of the business community and industry dynamics in order to generate efficient tax incentives that foster creative sector expansion.[939]

In order for the private security services to start using robots developed in Malaysia, the government should incentivise universities and the corporate sector to engage in robot research and development (R&D) that can be used for the industry. The two primary strategies for advancing high-quality development are strengthening businesses' capacities for technological innovation and encouraging scientific and technological professionals to be self-sufficient and self-improving. The OECD identifies three key trends: (i) an increasing number of OECD, (ii) non-OECD nations implementing R&D tax incentive programs, and (iii) a gradual replacement of tax incentive programs with direct funding initiatives to promote corporate R&D. However, complex rules, unpredictability in policy, and a shortage of trained labour

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937 Yue, Z., Yang, G., & Wang, H. (2023). How do tax reductions motivate technological innovation?. Humanities and Social Sciences Communications

938 https://t4.oecd.org/tax/oecd-investment-tax-incentives-database-2022-update-brochure.pdf (retrieved 21 Feb 2024)

939 Rawat, R., Rajawat, A. S., Mahor, V., Shaw, R. N., & Ghosh, A. (2021). Surveillance robot in cyber intelligence for vulnerability detection. Machine Learning for Robotics Applications,

can restrict their effectiveness; clear and flexible incentive schemes have a favourable influence.

6.11.1.2 Fiscal Incentives

The Malaysian government should encourage other forms of incentives to attract foreign direct investment with respect to the development and use of robots and high-tech equipment for private security services. This includes fiscal incentives to attract direct foreign investment. Although providing financial incentives to support company R&D has been a common legislative tool,[940] these incentives have only a marginally favourable impact on the R&D expenditures financed by companies. Meanwhile, fiscal incentives are successful in boosting R&D investment, particularly among SMEs.[941]

Fiscal incentives seem to have the potential to influence the distribution of law enforcement resources, which could impact both economic growth and public safety.[942] Based on a study conducted by David Lim, fiscal incentives can draw in direct foreign investment, and the more generous these incentive programs are, the more investment these countries would like to receive. However, the availability of natural resources and a track record of successful economic operations were crucial. Therefore, the government should exercise greater caution and avoid providing financial incentives to attract foreign direct investment, allowing local private security companies (PSCs) to utilise robots or other high-tech equipment instead.[943]

6.11.1.3 Subsidies

A subsidy is a benefit that is typically provided by the government to a person, organisation, or business.[944] It may come in the form of direct payments like cash or indirect ones like tax benefits. The general goal of subsidies is to relieve financial

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940 Larédo, P., Köhler, C., Rammer, C., Edler, P., & Cunningham, A. (2016). The impact of fiscal incentives for R&D. Handbook of innovation policy impact, 18-53.

941 Angeles Marra Domínguez, 2008. 'The Effects of Fiscal Incentives and Public Subsidies on Private R & D Investment,' Hacienda Pública Española / Review of Public Economics, IEF

942 Harvey, A. (2020). Fiscal incentives in law enforcement. American Law and Economics Review

943 Lim, D. (1983). Fiscal incentives and direct foreign investment in less developed countries. The Journal of Development Studies, 19(2), 207-212.

944 Oxford dictionary defines subsidy as money given as part of the cost of something, to help or encourage it to happen

burden, and they are frequently regarded as serving the public interest by advancing an economic or social agenda. They can support budding businesses, stimulate innovation, and advance a social good or policy. There are several ways that subsidies can be provided, such as through direct government spending, tax breaks, soft loans, and price support. They may have an impact on resource allocation, income distribution, expenditure productivity, and global trade on a national and worldwide scale.[945] Nonetheless, subsidies may not be the best option because excessively large grants can deter private funding for R&D, while smaller grants allow domestic plants to invest more in their own private R&D. By contrast, data regarding foreign establishments indicates that grant availability, regardless of subsidy level, has no effect on the pushing out or added value of private R&D financing.[946]

Somehow, in a situation where the government uses a subsidy approach, partnerships that receive the funding will produce higher profits and higher levels of social welfare. Companies that receive government subsidies will produce more social welfare with the same amount of labour. The value of the optimal subsidy rate, which maximises social welfare regardless of the subsidy scheme, is positively correlated with the external benefit factor.[947] Furthermore, a study shows that subsidies can affect growth; however, there does not appear to be any proof that they have an impact on productivity.[948]

6.11.1.4 Fundings/loans

The Central Bank of Malaysia, or Bank Negara Malaysia (BNM), has created funds for SMEs. All licensed banks, approved development financial institutions, and Credit Guarantee Corporation Malaysia Berhad (CGC) are among the participating financial institutions (PFIs) through which the funds are channelled. These funds aim to give SMEs across all economic sectors affordable access to financing. A few funds are increased to aid and support start-ups and SMEs in expanding their operations, including allowing them to make strategic investments in domains such as digital

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945 https://www.investopedia.com/terms/s/subsidy.asp (retrieved on 9 Feb 2024

946 Görg, H., & Strobl, E. (2007). The effect of R&D subsidies on private R&D. Economica,

947 Aschhoff, Birgit, (2009)The Effect of Subsidies on R&D Investment and Success – Do Subsidy History and Size Matter? ZEW - Centre for European Economic Research Discussion Paper No. 09-032, Available at SSRN: https://ssrn.com/abstract=1433275 or http://dx.doi.org/10.2139/ssrn.1433275

948 Bergström, F. (2000). Capital subsidies and the performance of firms. Small business economics,

technology, green technology, and biotechnology to ensure a long-lasting and solid economic recovery.[949] For example, approximately RM8.4 billion remains accessible for MSMEs across all funding options offered by the BNM's Fund for SMEs. In addition, the New Industrial Master Plan 2030, the National Energy Transition Roadmap, and other programs under the Budget or Belanjawan 2024 are among the major national initiatives that these facilities enable SMEs' participation. [950] Accordingly, it is recommended that industry respondents employ the government-provided funding through various programs and begin investigating the use of high-tech equipment in their daily operations. Nonetheless, access to the fund among the private security agencies is unclear.

6.12 Extensive training — A Prerequisite for Using Cutting-Edge Technologies

Globalisation and technological advancement are rapidly changing the nature of the workplace, which has significantly affected social, economic, and environmental conditions. The Sustainable Development Commission [951] defines sustainable development as development that meets the needs of the present without compromising the ability of future generations to meet their needs. 'The concept of sustainable development can be interpreted in many different ways, but at its core is an approach to development that looks to balance different, and often competing, needs against an awareness of the environmental, social, and economic limitations we face as a society.[952]

This necessitates extensive and comprehensive training programs for security guards that take into account the demands of the market and industry and are designed to meet societal expectations and promote economic growth. TVET serves as a platform that cultivates skilled and knowledgeable operators of robots or high-tech equipment for the private security sector. TVET can greatly aid a new generation of people who must overcome the obstacle of attaining sustained socioeconomic growth. Regrettably, TVET education and training are still mostly confined to serving as an industrial

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949 https://www.bnm.gov.my/-/new-bnm-funds-sme-brf-lctf (retrieved on 31 Jan 2024)
950 https://www.bnm.gov.my/-/msme-budget24 (retrieved on 1 Feb 2024)
951 https://sustainabledevelopment.un.org/csd.html (retrieved on 13 Feb 2024)
952 https://www.sd-commission.org.uk/pages/what-is-sustainable-development.html (retrieved on 13 Feb 2024)

supplier of skilled labour in many nations, making them unable to adequately address the demands of sustainable development plans.[953] It is crucial to take into account the indicators of sustainable development integration in TVET curriculum, learning materials, and school policies and practices.[954]

The collaborative cooperation of professional learning communities (PLCs) concept must take the place of the individualistic work culture in order to accomplish this.[955] To generate competent and skilled workers, a number of technical and vocational institutions, such as Institut Kemahiran MARA (IKM), GIATMARA, or MITRA, can incorporate a comprehensive curriculum for private security guards in their educational courses. For example, MARA aims to empower human resources holistically by generating professionals and a highly qualified workforce. Therefore, encouraging PLCs between security guards and TVET institutions enables their acquisition of industry-relevant skills, enhances their professional development, and contributes to the overall growth and innovation within the security sector.

6.12.1 Adoption of Advances Technological Equipment in the Private Security Services

The private security industry should embrace the use of state-of-the-art technological advancements to grow and meet the complex demands of the business. The country needs to train more young people who are capable of efficiently handling technological equipment to meet the recent demands to prepare the industry to embrace the use of advanced technology. A study carried out indicates that overall labour market issues impact private security services, and a shortage of qualified workers results in unmanageable working conditions and the inability to offer high-quality security services. The use of cutting-edge technology can solve major operational issues and

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953 Majumdar, S. (2009). Major challenges in integrating sustainable development in TVET. In International Conference: Reorienting TVET Policy Towards Education for Sustainable Development, Berlin, Germany. Retrieved from http://www. unevoc. unesco. org/fileadmin/user_upload/docs/402-0002-2010_lowquality. pdf

954 Paryono, P. (2017). The importance of TVET and its contribution to sustainable development. AIP Publishing

955 Sani, F. M., Abdullah, Z., & Sumintono, B. (2023) Towards A Professional Learning Community: A Case Study At The Tvet Mara Institution In Malaysia (Menuju Komuniti Pembelajaran Profesional: Kajian Kes Di Institusi Tvet Mara Di Malaysia.) Educational Leader (Pemimpin Pendidikan)

maximise financial and human resources.[956] For example, security firms can use sophisticated equipment, such as offering fully mobile video surveillance services in the future. In addition, drone technology can offer clients flexible services, as it is expected to play a significant part in the implementation of such services as it evolves.[957]

6.13 Licences Issued to Retired Senior Officials- is This Wise?

The Malaysian government has initiated a program to issue licenses for operating private security services, specifically to retired officials from public security services. For licenses 2(a) and 2(b), MOHA has established a ruling under Section 3 of the Private Agencies Act 1971, which states explicitly that one of the shareholders must be a former senior official of PDRM with the rank of SAC II, a former military official with the rank of at least Colonel, or a public civil servant in the management and professional group who has at least five years of experience in the security sector and holds a grade 52. The shareholders must also hold at least 30% of the company's shares. This is explicitly stated in Paragraph 2 of MOHA Circular No. 1, year 2010. By granting licenses to retired officials, the government acknowledges their years of service and expertise in maintaining public safety. The government believes that such an approach would enhance security services and improve the quality and reliability of private security services across Malaysia. This initiative is believed to not only provide retired officials with a means to continue contributing to society but also address the growing demand for professional security services in Malaysia.

6.13.1 MOHA Should Reconsider the Practice

Granting retired senior officials license to operate PSCs has raised several critical concerns. While their experience in governance and public service may seem advantageous, there are significant factors that suggest this approach may not be prudent. Retired officials will encounter age-related challenges, such as physical incapacity. As individuals age, physical stamina and agility can decline. This may affect

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956 Dvojmoč, M., Lunežnik, P., & Prislan, K. (2021). Adoption of Advanced Technological Solutions in Slovenian Private Security Companies. Varstvoslovje,

957 Dobre, V. (2017). Internet of Things: Challenges and Opportunities for Private Security Perspective.

their ability to manage a physically demanding business, like security. Ageing can also impact cognitive functions that are necessary for running a successful security operation, such as decision-making, problem-solving, and adaptability.

In addition, most of the retired government officials are inexperienced in business management and lack business acumen despite their extensive experience in public service. They require specific skills to run a private enterprise, such as financial management, marketing, and human resources, as the industry is governed by specific regulations and standards. Without proper business training, there may be inefficiencies in operations, leading to poor service delivery and potential legal issues. As a result, businesses operated by a retired official might fail to meet industry standards or face legal challenges, tarnishing the reputation of both the individual and the public sector they represent. This concern has resulted in businesses being operated by proxy of the license holders despite a clear ban in paragraph 6 of Circular No. 4 of 2010. Nonetheless, they create an unpleasant situation among business operators, as those who operate businesses as a proxy, lessee, or contracting party typically break the law because they are not directly supervised by the MOHA enforcement agency and can easily get away with their offences.

In short, even though the intention behind allowing retired senior officials to operate PSCs may stem from a desire to utilise their experience, the potential drawbacks, ranging from age-related challenges to inexperience in business management, suggest that this approach may not be wise. Exploring alternative solutions, such as training and mentorship, could provide a more effective pathway for leveraging their skills while ensuring the integrity and efficiency of private security operations.

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APPENDICES

APPENDIX A

Interview Questions (for senior official from MOHA, PDRM. KESUMA. Officer Bearers of PIKM/ Management team, Security Guards Union's representative, Academician, Business Operators)

FACE TO FACE INTERVIEW QUESTIONS

Part 1 personal info

Name:

Department/ Agency/ Ministry:

Designation and Grade:

Years of service:

Part 2- Question

1. What do you think of the Private Agencies Act 1971 (Act 27)?
2. How effective Act 27 in protecting and promoting the well-being of the security guards in Malaysia?
3. What qualities should the security guards possess before the legal framework is crafted to enhance their welfare?
4. Do you think that we should eliminate the foreigners from serving as private security guards in Malaysia?
5. Do you think the locals will be more interested to join industry if the career path is clearly defined under the law governing the industry?
6. What factors do you think will attract the locals to join the industry?
7. What is your view on usage of high technological equipment such as robot, drone, IoT in the private security industry?
8. What is you view on the perspective of the industry players to rely heavily on man power to serve as security guards?
9. What do you think of the laws in Indonesia in relation to their private security services?
10. What do you think of the laws in Singapore in relation to their private security services?
11. Do you have any recommendation to improve the existing laws and regulations governing the private security industry?

APPENDIX B

Specimen of Letter of Consent

SURAT KEBENARAN

Bahawasanya saya Parusuraman Subramanian (nama) yang memegang jawatan selaku Penolong Pengarah Bhg. Koordinasi Sumber Sokongan (jawatan) di Jabatan Pencegahan Jenayah dan Keselamatan Komuniti (jabatan) PDRM, Bukit Aman. (kementerian/ syarikat/ pertubuhan) semasa sesi temubual ini dikendalikan, sesunguhnya dan ikhlas menyatakan bahawa saya dengan ini memberikan kebenaran tidak berbelah bahagi dan tidak bersyarat kepada Azlanor Rahmad (No pelajar 2022510923) seorang calon doktor falsafafah di Universiti Teknologi MARA untuk mendedahkan maklumat peribadi saya yang tertera di sini di dalam tesis beliau yang bakal diterbitkan bertajuk ***"A critical analysis of the regulatory framework for private security services in Malaysia with reference to Singapore and Indonesia"*** hanya semata-mata untuk tujuan akademik sahaja di mana kesemua jawapan dan pandangan yang dikemukan semasa sesi temubual itu adalah berdasarkan pengamatan, pengalaman dan rekod-rekod yang saya mempunyai akses terhadapnya.

Bertarikh : 15 Ogos 2024

Nama (DR. PARUSURAMAN A/L SUBRAMANIAN) ACP
Penolong Pengarah Bahagian Koordinasi
Sumber Sokongan
Jabatan Pencegahan Jenayah
Dan Keselamatan Komuniti
Bukit Aman

SURAT KEBENARAN

Bahawasanya saya ZAKARIA BIN ISHAK (nama) yang memegang jawatan selaku KETUA POLIS BANTUAN (jawatan) di IBU PEJABAT POLIS BANTUAN UITM SHAH ALAM (jabatan) POLIS BANTUAN (kementerian/ syarikat/ pertubuhan) semasa sesi temubual ini dikendalikan, sesunguhnya dan ikhlas menyatakan bahawa saya dengan ini memberikan kebenaran tidak berbelah bahagi dan tidak bersyarat kepada Azlanor Rahmad (No pelajar 2022510923) seorang calon doktor falsafafah di Universiti Teknologi MARA untuk mendedahkan maklumat peribadi saya yang tertera di sini di dalam tesis beliau yang bakal diterbitkan bertajuk ***"A critical analysis of the regulatory framework for private security services in Malaysia with reference to Singapore and Indonesia"*** hanya semata-mata untuk tujuan akademik sahaja di mana kesemua jawapan dan pandangan yang dikemukan semasa sesi temubual itu adalah berdasarkan pengamatan, pengalaman dan rekod-rekod yang saya mempunyai akses terhadapnya.

Bertarikh : 29/7/20 2024

Nama (ZAKARIA ISHAK) DSP/PB
Ketua Polis Bantuan
Ibu Pejabat Polis Bantuan UiTM
Universiti Teknologi MARA
40450 Shah Alam
SELANGOR

SURAT KEBENARAN

Bahawasanya saya ZAINUDDIN IBRAHIM (nama) yang memegang jawatan selaku KETUA PENGANJURAN PENYAMPAIAN & PEMBELAJARAN (jawatan) di UNIVERSITI TEKNOLOGI MARA (jabatan) ..... (kementerian/ syarikat/ pertubuhan) semasa sesi temubual ini dikendalikan, sesunguhnya dan ikhlas menyatakan bahawa saya dengan ini memberikan kebenaran tidak berbelah bahagi dan tidak bersyarat kepada Azlanor Rahmad (No pelajar 2022510923) seorang calon doktor falsafafah di Universiti Teknologi MARA untuk mendedahkan maklumat peribadi saya yang tertera di sini di dalam tesis beliau yang bakal diterbitkan bertajuk "***A critical analysis of the regulatory framework for private security services in Malaysia with reference to Singapore and Indonesia***" hanya semata-mata untuk tujuan akademik sahaja di mana kesemua jawapan dan pandangan yang dikemukan semasa sesi temubual itu adalah berdasarkan pengamatan, pengalaman dan rekod-rekod yang saya mempunyai akses terhadapnya.

Bertarikh : 21 / 8 / 2024

Nama ASSOC. PROF. DR. ZAINUDDIN IBRAHIM
Head of Delivery & Learning Development
Office of Deputy Vice Chancellor
(Academic and International)
Universiti Teknologi MARA
40450 Shah Alam, Selangor D.E

AUTHOR'S PROFILE

Azlanor bin Rahmad is a PhD candidate in law at Universiti Teknologi MARA (UiTM), Azlanor Bin Rahmad focuses on the regulatory frameworks for private security services under Malaysia's Private Agencies Act 1971, doing comparative studies between Indonesia and Singapore. He holds a Bachelor of Law (LL.B) (Hons) from University Malaya (UM), a Master of Law (LL.M) from International Islamic University (IIUM), and a Master of Intellectual Property (MIP) from Universiti Kebangsaan Malaysia (UKM). Prior to entering academia as a lecturer at Management and Sciences University in Shah Alam Campus, he worked for more than 20 years in the corporate sector as a corporate legal advisor. He served as a corporate legal counsel for over 20 years in the corporate sector. Before that, he worked as a practicing advocate and solicitor for a medium-sized firm based in Kuala Lumpur that specialised in corporate law, including litigation and conveyancing. He subsequently decided to become a lecturer because of his strong interest in academia. Located in Bukit Idaman, Selangor, Azlanor has created examination questions, organized and marked assignments and participated in academic research on a range of topics.

LIST OF PUBLICATION

Ahamat, Haniff & Shukor, Haliza & Hau, Khoo & Hamzah, Hanny & Rahmad, Azlanor & Dazuki, Aiman. (2022). Exclusion to Prohibition of Anti-Competitive Conduct on the Legislative Ground In Malaysia: A Cross-Sectoral Analysis. 1006-1028. 10.2478/bjlp-2022-007074.