



**COUNCIL OF  
THE EUROPEAN UNION**

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**NOTE**

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from:	the future Spanish Presidency
to:	Police Cooperation Working Party
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Subject :	Network of contact points of national authorities with responsibility for private security

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**I. INTRODUCTION**

1. Security is one of the basic pillars of coexistence. In civilised societies, it is the exclusive competence of the State, and is exercised through the law enforcement bodies responsible for police matters. However, it is also true that in our societies, security activities are carried out by private operators.
2. Private security activities can only be understood and considered as complementary and subordinate to public security; this is why European Union Member States have various checks and administrative procedures regulating security activities carried out by private individuals, thus ensuring that security can be enjoyed by all.

3. An analysis of the private security sector reveals that a number of problems sometimes exist, such as the entry of unqualified people into the profession, the lack of product type-approval standards, the low level of training of private security agents, irregularities in the running of firms, or infringements of provisions regulating the activities of companies providing private security services.
  
4. In the context of the European Union, two seminars have been held with private security experts (Madrid, 13 to 17 November 2000; Brussels, 6 and 7 September 2001), which exposed a number of shortcomings suggesting that the activity and provision of services by natural and legal persons involved in private security in the single internal market should be supervised and regulated. For instance, there is a need to set up permanent communication channels to exchange situations and experiences facilitating the solution of operational problems arising in that area and to carry out intelligence exchanges between the various police services.
  
5. The exercise of private security must not result in assaults, coercions, disregard of rights or invasion of the legal and property rights of others. Furthermore, the exercise of private security activities can generate information relevant to public security on serious criminal acts that could give rise to criminal proceedings as a matter of course, on certain operating procedures involved in the commission of crimes, etc, which call for measures making it possible to:
  - (a) approximate Member States' regulations of on private security, and
  - (b) make better use of information produced by the activities of natural and legal persons providing private security services.

6. Consequently, it seems convenient and appropriate to set up a network of contact points of national authorities with responsibility for private security, which, in the opinion of the experts attending the Brussels Seminar, should be accompanied by the publication of a web page bringing together all the information available on the sector: companies, access conditions, where they are established, etc.

## **II. OBJECTIVES AND FUNCTIONS**

7. The Network of contact points of national authorities with responsibility for private security will have the following objectives:
  - (a) facilitating the coordination and cooperation between the various national bodies with responsibility for the private security sector;
  - (b) exchanging information on the models for regulating private security in each Member State and in the candidate countries;
  - (c) establishing best practices, and in the long term, examining the possibility of approximating the models and best practices.
8. The tasks carried out by the Network of contact points of national authorities with responsibility for private security will include setting up and maintaining an Internet site that permits:
  - (a) access to all the legislation of Member States and candidate countries on private security;
  - (b) a permanent contact between the national authorities with responsibility for private security;

- (c) exchanges of experience on the efficiency of security systems, alarm centres; transport and deposit of funds, works of art, etc.
- (d) knowledge of the companies operating in the sector, their particulars, activities, geographical area of activity, and staff training.

### **III. STRUCTURE**

9. Given the design, objectives and functions of the Network of contact points of national authorities, its structure can be described as virtual, since it consists of:
- (a) a constantly updated list of national authorities with responsibility for private security, with their postal and electronic addresses, telephones and faxes;
  - (b) an Internet site with restricted access, containing all the relevant information on security firms and their activities, their techniques, the means which they use, their staff training, etc.

### **IV. FINANCING**

10. The expenses arising as a result of setting up the Network of contact points of national authorities with responsibility for private security may be financed by all the Member States, in accordance with the scale of Gross National Products, or from the Union's budget.

**COUNCIL DECISION .../..JHA**

of ...

on the setting up of a

**Network of contact points of national authorities with responsibility for private security**

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty on European Union, and in particular to Articles 29(1)(a), 30(2)(c), and 34 thereof.

Having regard to the initiative of the Kingdom of Spain.

Having regard to the opinion of the European Parliament.

Whereas:

1. The seminars of private security experts held in Madrid on 13 to 17 November 2000 and in Brussels on 6 and 7 September 2001 submitted their conclusions.
2. There is a need to establish common requirements in Member States regarding the authorisation and supervision of the supply of private security services by natural and legal persons acting in the territory of the European Union.

3. There is a need to facilitate cooperation and coordination between the various national bodies with responsibility for supervising and controlling private security, so as to improve all aspects which are part of the operation of the private security sector.
4. There is a need to unify those aspects which, without affecting the peculiarities of each Member State, would allow the parties involved in that sector of activity to extend their business interests to any Union Member State.

HAS DECIDED AS FOLLOWS:

#### Article 1

A Network of contact points of national authorities with responsibility for private security, hereinafter known as "the Network", is hereby created.

The Network shall have a Management Centre, corresponding to the national authority with responsibility for private security of the Member State occupying the Presidency of the Council of the European Union.

#### Article 2

The Network shall consist of contact points designated by each Member State, with competence for authorising, supervising and sanctioning private security activities.

Candidate countries for accession to the European Communities may also designate a contact point.

### Article 3

In addition to furthering cooperation and collaboration between national authorities with responsibility for private security, the Network shall have the following objectives:

- (a) facilitating the coordination and cooperation between the various national bodies with responsibility for the private security sector;
- (b) exchanging information on the models for regulating private security in each Member State and in the candidate countries;
- (c) establishing best practices, and in the long term, examining the possibility of approximating the models and best practices.

### Article 4

In order to achieve the proposed objectives, an Internet site shall be set up and be kept constantly up to date, which will permit:

- (a) access to all the legislation of Member States and candidate countries on private security;
- (b) a permanent contact between the national authorities with responsibility for private security;
- (c) exchanges of experience on the efficiency of security systems, alarm centres; transport and deposit of funds, works of art, etc.
- (d) knowledge of the companies operating in the sector, their particulars, activities, geographical area of activity, and staff training.

## Article 5

1. The national authorities with responsibility for private security integrated into the Network may hold a meeting, called by the Management Centre, once a year, and shall submit a report on the outcome of that meeting to the Council of the European Union.
2. The Network shall be financed ...

## Article 6

The Council shall carry out an evaluation of the Network's activities two years after the entry into force of this Decision.

Done at Brussels,

For the Council  
The President

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