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## Private Security Services: The Case of Turkish Republic of Northern Cyprus

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### ABSTRACT

Today, with the effect of the globalization process, we see that security threats are more diversified and intensified than ever before. Security has become an indispensable part of today's era. Security has become a need in many sectors, from retail to accommodation. In this context, the provision and provision of private security services in a quality manner is possible with education. The demand for the private security sector, which has gained rapid momentum recently, is growing. A Private Security Officers (PSO) is an armed or unarmed person who provides protection for assets arising from criminal activities, from human life to physical assets. It is revealed that security services, which are one of the main requirements of society, should be met from outside the public, both in terms of cost and employees, and private security management should be emphasized with importance. This study was carried out with the document thinning model based on the qualitative research model. The aim of the study is to examine the Private Security Law No. 33/2017 published in the Government Gazette on 1 July 2017 and to make suggestions for a new perspective on the private security sector and the development of the sector in the Turkish Republic of Northern Cyprus (TRNC).

**Keywords:** Private security, private security officers, private security service, private security law, Turkish Republic of Northern Cyprus

## Özel Güvenlik Hizmetleri: Kuzey Kıbrıs Türk Cumhuriyeti Örneği

### ÖZ

Günümüzde küreselleşme sürecinin de etkisiyle güvenlik tehditlerinin her zamankinden daha fazla çeşitlendiği ve yoğunlaştığı görülmektedir. Güvenlik, günümüz çağının vazgeçilmez bir parçası haline gelmiştir. Güvenlik, perakendeden konaklamaya kadar birçok sektörde ihtiyaç haline gelmiştir. Bu bağlamda özel güvenlik hizmetlerinin kaliteli bir şekilde sağlanması ve sunulması eğitim ile mümkündür. Son dönemde hızlı bir ivme kazanan özel güvenlik sektörüne olan talep giderek artmaktadır. Özel Güvenlik Görevlisi (ÖGG), insan hayatından fiziksel varlıklara kadar suç faaliyetlerinden kaynaklanan varlıklar için koruma sağlayan silahlı veya silahsız kişidir. Toplumun temel gereksinimlerinden biri olan güvenlik hizmetlerinin hem maliyet hem de çalışanlar açısından kamu dışından karşılanması ve özel güvenlik işletmeciliğinin önemle üzerinde durulması gerektiği ortaya çıkmaktadır. Bu çalışma nitel araştırma modeline dayalı doküman incelemesi modeli ile gerçekleştirilmiştir. Çalışmanın amacı, 1 Temmuz 2017 tarihinde Resmi Gazete'de yayımlanan 33/2017 sayılı Özel Güvenlik Yasası'nı incelemek ve Kuzey Kıbrıs Türk Cumhuriyeti'nde (KKTC) özel güvenlik sektörüne ve sektörün gelişimine yönelik yeni bir bakış açısı için önerilerde bulunmaktır.

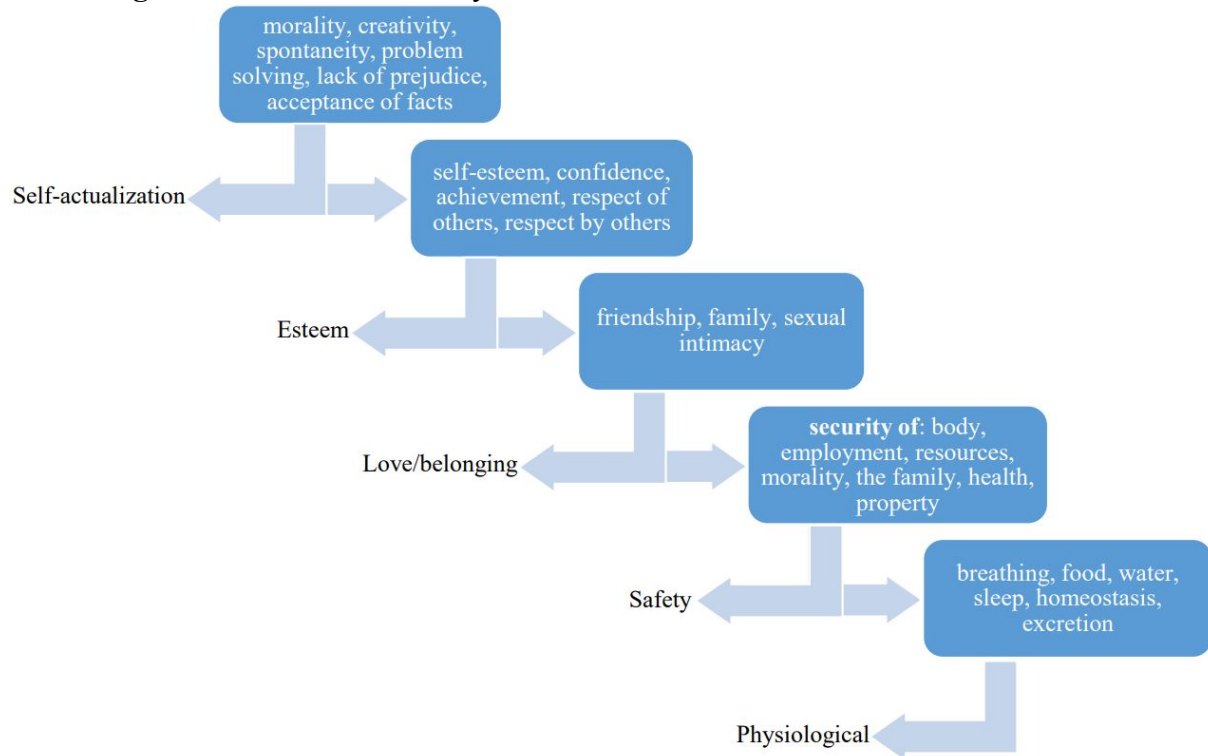
**Anahtar Kelimeler:** Özel güvenlik, özel güvenlik görevlileri, özel güvenlik hizmeti, özel güvenlik hukuku, Kuzey Kıbrıs Türk Cumhuriyeti

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## Introduction

In 1943, Abraham Harold Maslow published the self-titled Maslow's theory or Maslow's hierarchy of needs. Maslow, in his theory, states five basic human needs: physiological needs, safety needs, love and belonging needs, esteem needs, and self-actualization needs (Maslow, 1943). Maslow's hierarchy of needs is presented in Figure 1.

**Figure 1.** Maslow's hierarchy of needs



In this context, if physiological needs are met relatively well, a new set of needs, which we can roughly categorize as safety needs, emerge. It can also be said that at these varying levels of needs individuals feel free to do what they want to do when they are sure that they will not be harmed physically, mentally or emotionally, and many studies have assumed security as a feeling rather than a need (Yağcı, 2021). In their individual lives, the need for security and sense of security can be so dominant for human beings that they may even spend all their wealth and resources to feel safe. Providing security service, which is one of the basic needs of society, from non-public means, considering both cost and employee, reveals that private security management should be given importance (Uçkun et al., 2012). The point reached today reveals that the issue of security is an indispensable need and has strategic importance. The differentiation of threats in the field of security with globalization necessitates a new definition of security (Akbaş et al., 2018). The importance of the private security field is increasing day by day and it becomes a necessity to increase the qualifications and quality of PSOs.

The most basic method of increasing the quality of PSO candidates (trainees) is to provide a quality training. However, if the training given is not suitable for the spirit of the job, it is inevitable that some problems will arise. In Alkan and Töz (2020) study, one of the most important results of PSOs is the significant relationship between the level of education and emotional and working conditions, and it is thought to be a result of the expectation that the expectations of people will increase with the increase in the level of education and the improvement of working/living conditions. In this context, suitable trainings for PSOs by

qualified trainers should be provided and enacted. The diction and speaking style of the PSO, whether he is friendly or not, his ability to express himself correctly, his ability in social relations, his ability to exhibit tolerant and unprejudiced behavior should be shaped according to the character and expectations of the party receiving security service (Uçar and Uçar, 2005). In public institutions and the private sector, the increasing and diversifying security needs can sometimes surpass the capabilities of general law enforcement. The importance and expansion of the PSOs role in policing have led many countries to enact special legislation and laws to manage them. Over time, the scope of private security institutions has expanded, and they continue to complement general law enforcement in almost every field (Alkan, 2024). In the European Union (EU), there is a trend toward providing more policing and private security services (Van Steden and Sarre, 2007). While many industrialized countries have a long history of such measures, the implemented structures and standards have significantly changed (Button, 2007). Despite the increasing knowledge about the scope, powers, regulation, and social impact of private security, it remains relatively limited. Failing to expand this knowledge to include specific trends would be a mistake. In the postmodern world, where even the smallest details in security services cannot be overlooked, private security has become integrated into many aspects of life (Ercan, 2015). Mishandling privatization can lead to serious social consequences, including community fragmentation, polarization of security presence, and the social exclusion of marginalized groups. In areas where the public aspect is secondary and the commercial aspect is dominant, it is beneficial to transfer security services to the private sector without burdening the state (Bilgic, 2005). In order to follow developments and trends, it is important, to chart the growth and reach of private security in the contemporary world in the first place.

Such a large sector needs to be better managed, supervised and some policies should be produced in this regard. This research is especially limited to the TRNC. In the research, the concept of private security, its development, duties, powers and responsibilities, structuring, training and supervision will be emphasized, private security policy will be mentioned, problems will be determined and suggestions will be made.

## **Method**

*“Private Security Services Law”*, which was accepted by the majority of the votes at the Fifty-eighth Meeting of the TRNC Republican Assembly on April 17, 2017, was announced by the President of the TRNC by publishing it in the Official Gazette, in accordance with the paragraph (1) of the Article 94 of the Constitution. In this context, the Private Security Services Law No. 33/2017 has been examined in this research.

## **Purpose and Importance of the Research**

The main objectives of this research are: To examine the structure of private security services in the TRNC and to make suggestions for the improvement of the private security sector.

## **Methodology of the Research**

The research was structured with the documentation review model based on the qualitative research design. The current research is based on secondary data sources and information from the official websites of the TRNC, laws and various reports and resources have been used.

## Findings

This study analyses the TRNC Private Security Services Law No. 33/2017.

### TRNC Private Security

The “*Private Security Services Law No. 33/2017*” was published in the Official Gazette on July 1, 2017 and entered into force in order to determine the procedures and principles regarding the execution of private security services that complement public security, issuing private security permits, licensing and inspection of individuals and Private Security Unit was established under the Ministry of Internal Affairs. The Private Security Unit accepts applications for private security permit, private security activity permit and establishment of a private security unit and forwards the issues to the Private Security Commission established in accordance with the relevant law.

In order to provide security services in places where PSO is needed, an application must be made to the TRNC Ministry of Interior and permission must be obtained.

PSOs who will work in Private Security companies are required to receive training. 120 hours of practical and theoretical training is given to the personnel who will work in the relevant companies within the scope of the General Directorate of Security, and those who pass the exam are given a private security certificate.

### Private Security Services Act

Private Security Services Law No. 33/2017 is a law that designates the regulation of private security institutions and matters related to private security.

### Purpose

Article 3 of the law; “*determines the procedures and principles regarding the execution of private security services that complement public security*”. In this context, the most basic purpose, duties and responsibilities of PSOs working in the private security sector is to complement public security and take on the role of helping general law enforcement officers.

### Scope

Article 4 of the law covers “*the establishment and duties of the Private Security Commission, the issuance of private security permits, the licensing and inspection companies that will perform the private security service, the qualifications, duties and powers of the POS, private security training, and the punishment of unauthorized or illegal activities*”.

### Interpretation of Expressions

The interpretations included in the provision of Article 2 of the law;

*Emergency*; expresses exceptional situations that arise unexpectedly and extraordinary, do not allow the Commission to take a decision, and require private security services in terms of public safety or public health.

*Alarm Monitoring Center*; refers to the centers established by private security companies and monitored using technical equipment in accordance with the provisions of this law in order to ensure the security of residences, workplaces and facilities.

*Minister*; refers to the Minister in Charge of the Interior.

*Ministry*; refers to the Ministry of Internal Affairs.

*Valuable Items*; refers to jewellery, valuable documents and similar tangible assets.

*Physical and Instrumental Security Measures*; means preventing unauthorized or unwanted persons from entering or leaving the protected area, deterring and preventing possible attacks, protecting large areas, determining their borders, detecting walls, pits and wire and also refers to fences, barriers, lighting, generator, warning signs, X-RAY device, sensitive doors, access control, security cameras etc. environmental protection systems that can be installed with.

*Temporary State*; means one-off, fixed-term and temporary events such as meetings, concerts, sports competitions, stage performances, weddings or funerals that require private security service in terms of public security or public health.

*Mission Area*; refers to the building or place where the PSO can fulfill the requirements of their duties and use their powers, the boundaries of which are determined by the Commission when issuing a private security permit, but also include the specified exceptions. It also covers the exceptions in paragraph (2) of Article 15 of the law.

*Commission*; refers to the Private Security Commission established in accordance with Article 5 of the law.

*Establishment*; refers to private entity and includes organizations or corporations belonging to real persons.

*Institution*; refers to the Presidency of the Republic, the Prime Ministry, Ministries, departments and institutions affiliated to the Ministries, Courts, Ombudsman, Court of Accounts, Local Administrations, legal entities, Public Enterprises (Management, Audit and Oversight) including businesses established under the law and autonomous units at all types and levels.

*Specially Equipped Vehicle*; refers to the vehicles made of steel material, ballistic steel and bulletproof glass, resistant to external attacks with emergency exit door, warning signal, vehicle, system and coordinate system in the personnel compartment.

*Private Security Unit*; refers to the unit that is formed by the organizations to ensure their own security and that employs PSO according to the law.

*Private Security Officer (PSO)*; refers to the personnel employed to carry out the security service within the scope of the law.

*Private Security Company*; refers to the companies established in accordance with the provisions of Article 8 of the law.

*Strategic Location and Facility*; refers to places and facilities that make significant contributions to the country's economy or public health, and may have negative consequences for national security, public health, national economy or social life, albeit partially or temporarily.

*Equipment*; refers to belt-mounted flashlights, hand detectors, communications equipment, batons, handcuffs, whistles, small-size spray (gas) and such tools and equipment used as a complement to the performance of the task, excluding firearms and explosives under the Firearms Act and Explosives Act.

*Certificate of Competency*; refers to the document given by the Ministry showing that the private security company meets the conditions specified in the regulation issued according to the law to establish an alarm monitoring center.

### **Formation, Meeting and Secretariat of the Commission**

Paragraph (1) of Article 5 of the law states; “*Private Security Commission meets to take decisions regarding private security specified in the relevant law and the commission consists of a Chairman and four members*”.

Private Security Commission; Chairman of the Commission; A public official at the level of the Undersecretary of the Ministry or the Undersecretary appointed by the Minister.

Member; the District Governor of the district where the building, facility or place that will receive private security service is located.

Member; the Director General of Police or a representative of at least the rank of Deputy Director.

Member; a representative of at least Prosecutor level to be appointed by the Attorney General.

Member; a representative of at least the rank of Major to be appointed by the Security Forces Commander.

### **Duties, Authorities and Responsibilities of the Commission**

Pursuant to Article 6 of the law, the Commission submits a reasoned decision to the Ministry on whether to grant a private security permit upon the request of institutions and organizations that want to purchase services from private security companies or establish their own private security units. It presents opinions to the Ministry about the organizations that need to receive private security services or establish a private security unit, and the strategic places and facilities that need to be specially protected. It determines the maximum number of personnel to perform the private security service, the maximum quantity and quality of equipment that PSOs can carry, other physical and instrumented security measures and their minimum standard when necessary. The Commission expands the scope of duty by determining the scope of duty to be fulfilled by the security services with a reasoned decision to determine the limits and duration of the service upon the application of the person receiving the service or acting ex officio when needed. It decides on the issues regarding the termination of the private security practice. It decides to increase the duration of private security basic trainings and to provide separate trainings in line with its field of duty. It discusses and decides on other matters specified in the by-laws issued pursuant to the Private Security Services Law No. 33/2017 and the matters requested to be discussed by the President.

### **Private Security Permit and Obligation**

Pursuant to subparagraph (A) of paragraph (1) of Article 7 of the law; *“The institutions and organizations that receive service from private security companies or establish private security units within the organizations are subject to the permission of the Ministry in line with the reasoned decision of the Commission, which will evaluate the security needs of the institution or organization, upon request”*. In emergency or temporary situations, a private security permit can be issued by the Ministry without the decision of the Commission, and in this permit, the duration of the permit, the minimum and maximum number of PSO, the scope of duty of PSO, the maximum quantity and quality of the equipment they can hold or carry, other physical and instrumental security measures and the minimum standards are indicated. However, pursuant to Article 7 paragraph (1), subparagraph (B); *“The duration of the permission to be given by the Ministry cannot exceed fifteen days and if it is foreseen that the emergency or temporary situation will continue for more than fifteen days, the matter is referred to the Commission by the Ministry and the Commission makes its decision before the fifteen-day leave period expires”*.

Subparagraph (A) of paragraph (2) of Article 7 of the law; *“The organizations that need to receive private security services or establish a private security unit, and the strategic places and facilities that need to be specially protected are determined by the Council of Ministers upon the recommendation of the Ministry, taking the opinion of the Commission, and announced in the Official Gazette”*. Within the scope of private security services, it is obligatory to protect the establishments and strategic places and facilities declared in subparagraph (A). If the Commission deems it necessary, it determines the minimum and maximum number of PSO to be assigned here from the project stage. For PSO that will work in strategic places and facilities, the Commission may add additional conditions to the conditions sought in Article 10 of the law depending on the nature of the task, provided that it

is notified in writing with reasons. Private security permit applications are finalized within thirty days at the latest and in emergency and temporary situations within three working days at the latest. Except for temporary and emergency situations, the private security practice can be terminated with the decision of the Commission and the approval of the Ministry, provided that an application is made at least thirty days in advance. Private security permission cannot be given to natural persons and natural persons cannot be protected by PSO. Private security companies and private security units are obliged to submit a copy of the security plans of the buildings, places, facilities and areas to which they will provide security services within thirty days after receiving permission, and the Commission may request changes in the security plans or the elimination of deficiencies in the plan within thirty days.

### **Private Security Companies**

Paragraph (1) of Article 8 of the law; *“Companies that are established in accordance with the law and whose shareholders, directors and secretaries are TRNC citizens and registered on behalf of TRNC citizens can operate in the field of private security. In order for an operating permit to be granted with the permission of the Ministry, the company shares must be registered, the field of activity must be exclusively stated as security services, and the activity license fee specified in Article 24 of this law must be paid”*. Private security companies will open their branches to the Ministry and the relevant District Governor thirty days in advance; will notify the Ministry of share transfers in writing within thirty days. The founders and managers of private security companies are required to have the PSO qualifications specified in paragraphs (1), (4), (5), (6) and (7) of Article 10 of the law, and they must meet the condition specified in paragraph (8) of the article and be a graduate of a four-year college.

Security services to be provided to institutions and organizations by private security companies are reported to the Ministry in writing until the end of the working day on the day the service starts, and no information is given in cases of emergency, temporary protection to in security services. Private security companies submit a copy of the employment documents of the PSOs they employ in the security services they undertake in accordance with Article 12 of the law, to the institution or organization they will serve before starting their duty. Private security companies must obtain a certificate of competence from the Ministry in order to establish and operate an alarm monitoring center.

### **Additional Precautions and Notification Obligation**

Paragraph (1) of Article 9 of the law; *“District Governors and the General Directorate of Security are authorized to inspect private security measures at airports, ports, customs, sports competitions, stage shows and similar events and to eliminate practices that exceed the authority of private security. It is obliged to change the security measures taken and to take additional measures when required by public security”*. The powers given to the District Governors and the General Directorate of Security in accordance with the current legislation in order to ensure public safety are reserved. PSO and its administrators are obliged to immediately report the situation to the nearest police station in cases where the general security and public order are disturbed within their field of duty.

### **Qualifications Required in Private Security Officers**

Pursuant to Article 10 of the law;

- (1) Being a citizen of the Turkish Republic of Northern Cyprus
- (2) To be at least a high school graduate or equivalent
- (3) Being over the age of eighteen
- (4) For men, to have fulfilled or be deemed to have fulfilled their military duty
- (5) (A) Not having been sentenced to prison for any crime; or

(B) Even if they are forgiven

(a) to have not been convicted of bribery, theft, fraud, forgery, embezzlement, fraudulent bankruptcy and any similar disgraceful crime;

(b) an offense under the headings of Treason and Other Offenses Against the State, Part One, Part Two of the Penal Code, Sexual Offenses, Part Three, Part Four of the Penal Code;

(c) any offense under the Firearms Act, Explosives Act, Games of Chance Act, Drugs Act, or the Act.

(C) This paragraph does not prevent persons convicted of using drugs while under the age of eighteen from being an PSO

(6) Not to be banned from public rights

(7) Not to have a physical illness or disability or mental illness or disability that may prevent the performance of the duty

(8) To have the PSO work certificate specified in Article 12 of the law.

Paragraph (C) of Article 10 of the law may be a subject of discussion. In this context, the possibility of using the drug that the person used when he/she was under the age of eighteen and the probability of disrupting his field of duty is high in the future. Paragraph (C) can be revised and amended.

### **Private Security Training**

Paragraph (1) of Article 11 of the law; “*Private security basic training consists of theoretical and practical training of one hundred and twenty course hours, and renewal training is organized as sixty course hours*”. The duration of the courses can be increased if deemed necessary by the Commission, and if the Commission decides to provide separate training according to its field of duty, the duration and content of this training is determined by the Commission. Paragraph (2); “*The graduates of security-related faculties and Vocational Schools of higher education institutions can participate in the exams without the requirement of private security basic education*”. In this context, when the official web pages of the Higher Education Planning, Supervision, Accreditation and Coordination Board (YODAK) and the universities in the TRNC are examined, it has been determined that there is no Private Security and Protection Program within the Vocational School and Faculty, but YÖK, Higher Education Program ATLAS (YÖK ATLAS) and when the official databases of the universities that take part in the study in Türkiye are examined, a quota is reserved for the Private Security and Protection Program (for TRNC citizens) within the Salihli Vocational School of Property Protection and Security Department within the body of Celal Bayar University in the 2021-2022 academic year. Candidates who meet the provisions of article 10 of the law or item ten of the law are given private security basic and renewal trainings by the Police General Directorate and an exam is held at the end of the training by the Police General Directorate to determine the successful ones. Private security exams are held once a year and are announced on the official page of the Ministry of Interior. In this context, the biggest burden falls on the General Directorate of Security and the Ministry of Interior.

### **Private Security Working Certificate**

Paragraph (1) of Article 12 of the law; “*Five-year Private Security Working Certificate is given by the Ministry to those who successfully complete the private security basic training specified in Article 11 of the law and successful in the exams*”. In order for the employment certificate to be renewed every five years, the private security renewal training specified in Article 11 of the law must be successfully completed. In case that any of the qualifications sought in PSOs are lost, the employment certificate is immediately canceled.



According to the Private Security Services Law No. 33/2017, PSOs can detain people who do not use firearms but display behaviors that threaten their life safety in order to restrict their movements. PSO will immediately notify and inform the police in such cases.

### **Duties, Powers and Responsibilities of Private Security Officers**

Duties, powers and responsibilities of PSOs in accordance with Article 14 of the law:

(1) Passing those who want to enter the duty area through the sensitive door, searching these people with detectors, passing the belongings through X-RAY device or similar security systems.

(2) Regarding the persons and belongings to be included in the scope of duty, the goods found during the searches carried out pursuant to the paragraph (1), PSO is responsible for immediately informing the police about the goods constituting a crime, to take the necessary security measures by detaining the relevant person and confiscating the goods the possession or transportation of which constitute a crime or which are likely to pose a danger to the places where crowded groups of people are located and to prevent the entry of the persons in possession of these items until the police arrive. PSO, who detains a person pursuant to this paragraph, is obliged to immediately inform the police and their superiors.

(3) To use force in a reasonable and proportionate manner in all circumstances and in order to prevent any detrimental attack or damage to life or property occurring in the field of duty.

(4) In case of a crime committed before him in his field of duty, informing the police about the situation immediately, detaining the person concerned until the police intervenes, in case of any evidence of a crime, promptly detecting and appropriately seizing the signs and delivering the signs and the persons to the police.

(5) To deliver the abandoned or found property to the police by taking it into custody.

(6) To carry out protection and security services at airports in coordination and cooperation with the Directorate of Civil Aviation Department and other authorities authorized by the relevant legislation, in accordance with the Airports Law and the bylaws made under the aforementioned law.

(7) For the purposes of this article, detention means depriving a person of his liberty without his consent, by using reasonable and proportionate force if necessary, by keeping him under control or in a place.

PSOs can only use their duties, authorities and responsibilities specified in Article 14 of the law during their term of office and in their field of duty, and it is forbidden for equipped PSOs to take their equipment out of their duties. In cases that express a route such as the pursuit of the perpetrator or the person who has a strong suspicion of committing a crime, taking precautions against external attacks, transferring money and valuables, the entire route can be considered as a duty area. With the decision of the Commission, the scope of duty can be extended in obligatory cases. PSOs cannot be employed in any job other than the security services specified by the law.

### **Administrative Fines and Sanctions**

According to Article 20 of the Private Security Services Law No. 33/2017;

(A) An administrative fine equal to five times the monthly gross minimum wage is imposed on the private security company that does not submit its protection and security plans to the Commission or does not make the changes requested by the Commission pursuant to the provisions of paragraph (7) of Article 7 of the law.

(B) In accordance with paragraph (2) of Article 8 of the law, an administrative fine amounting to twice the monthly gross minimum wage is imposed on the private

security company that does not make timely notifications regarding branch opening and share transfer.

(C) If any of the conditions specified in paragraph (3) of Article 8 of the law are absent or lost in the founders and managers, the private security company is given two months to remedy the deficiency. If the deficiencies are not remedied within the given time or if these founders and managers are not replaced, the operating license of the company will be cancelled.

(Ç) An administrative fine amounting to twice the monthly gross minimum wage is imposed on the private security company that does not fulfill the notification obligations set forth in paragraphs (4) and (5) of Article 8 of the law within the prescribed time.

(D) An administrative fine amounting to five times the monthly gross minimum wage is imposed on the private security company that establishes an alarm monitoring center without obtaining a qualification certificate in violation of paragraph (6) of Article 8 of the law. In addition, the alarm monitoring center is closed and this company cannot obtain a certificate of competence for two years.

(E) An administrative fine amounting to five times the monthly gross minimum wage is imposed on the private security company or organization that does not take the additional measures requested by the District Governor and the General Directorate of Police, in violation of the rules of Article 9 of the law.

(F) An administrative fine amounting to three times the monthly gross minimum wage is imposed on the employer who does not pay the training and examination fees in violation of paragraph (5) of Article 11 of the law.

(G) The PSOs who do not hang their private security identity card on their collar, do not deliver their identity card to the employer or report the lost ID to the employer, contrary to the rules of paragraphs (2), (3) and (4) of Article 13 of the law are imposed the amount of monthly gross minimum wage and employer who does not return the identity document to the Ministry within three working days or does not report the lost identity document are imposed an administrative fine equal to twice the monthly gross minimum wage.

(Ğ) Administrative fine equal to twice the monthly gross minimum wage is imposed on PSO who does not wear a uniform, and on the private security company that does not provide uniforms or conduct the necessary inspection, in violation of Article 16 of the law.

(H) An administrative fine amounting to five times the monthly gross minimum wage is imposed on the private security company that does not comply with the obligation to use a specially equipped vehicle in the transfer of money or valuables in article 18 of the law.

(I) In violation of Article 19 of the law, an administrative fine amounting to three times the monthly gross minimum wage is imposed on any private security company or organization that employs PSOs in occupations other than security services.

(i) An administrative fine amounting to three times the monthly gross minimum wage is imposed on the organization or private security company that does not correct the deficiencies that are detected and requested to be corrected during the audit carried out pursuant to Article 23 of the law. If the deficiencies are not corrected despite the administrative fine, a maximum of thirty working days is given and if the deficiencies are not remedied, an administrative fine equal to six times the monthly gross minimum wage is applied. If the deficiencies are not corrected at the end of the re-given period of maximum thirty working days, the permission to establish a private security unit or the operating license of the company will be cancelled.

(J) The operating licenses of companies that are found to be operating outside of their purpose during the audits carried out pursuant to Article 23 of the law are immediately canceled by the Ministry. The founders and managers of companies whose operating licenses have been revoked in this way cannot be founders or managers in private security companies.

Administrative fines and sanctions are imposed by the Ministry. Decisions regarding the penalties given are notified in writing to the relevant parties. If the administrative fine determined within thirty days from the date of notification is paid to the Ministry of Finance Income and Tax Office and to the cashiers responsible for the receipt, the issue is closed. All administrative fines not paid in due time turn into public receivables at the end of the specified period and are collected in accordance with the provisions of the law on Collection of Public Receivables.

### **Crime and Punishments**

Pursuant to Article 21 of the Private Security Services Law No. 33/2017;

(1) Managers of institutions or organizations that receive private security services or employ PSO without obtaining the permission specified in paragraph (1) of Article 7 of the law, and managers of organizations that set up private security units are considered committing a crime and are imprisoned for up to two years or imposed a fine of up to eight times the monthly gross minimum wage, or both.

(2) Managers of organizations, strategic places and facilities who do not comply with the obligation to be protected within the scope of private security services pursuant to paragraph (2) of Article 7 of the law, commit a crime and are sentenced to imprisonment for up to two years or to eight months of the monthly gross minimum wage. They can be fined up to twice as much or both.

(3) Persons who employ PSO in violation of paragraph (5) of Article 7 of the law are committing a crime and, if convicted, they can be sentenced to imprisonment up to two years or a fine up to eight times the monthly gross minimum wage, or both.

(4) Executives of companies that operate in the field of private security or declare or advertise that they will operate in the field of private security without obtaining an operating license, contrary to paragraph (1) of Article 8 of the law, are committing a crime and are sentenced to imprisonment for up to two years or to a monthly gross salary. They may be fined up to eight times the minimum wage or both.

(5) Private security company executives who cause harm to life or property because they do not take the additional measures required by the District Governor and the General Directorate of Police in violation of the rules of Article 9 of the law, commit a crime and are sentenced to imprisonment for up to two years or to a monthly salary. They may be fined up to eight times the gross minimum wage or both.

(6) According to Article 12 of the law, managers of institutions, organizations or companies that employ or employ a person who does not have a private security work certificate as PSO are committing a crime and are sentenced to imprisonment of up to one year or five months of the monthly gross minimum wage. They can be fined up to twice as much or both.

(7) PSO who makes someone else use the private security identity document he has obtained pursuant to Article 13 of the law will be considered committing a crime and may be sentenced to imprisonment of up to two years or a fine up to eight times the monthly gross minimum wage, or both. The employment certificates of these people are canceled by the Ministry and these people cannot become PSO again.

(8) If PSO does not immediately notify the police of the person he has detained or the property he has confiscated, contrary to paragraphs (2) and (4) of Article 14 of the law, the PSO is considered committing a crime and, in case of conviction, is sentenced to

up to two years of imprisonment or a fine up to eight times the monthly gross minimum wage, or both. The employment certificate of these people is canceled by the Ministry and these people cannot become PSO again.

(9) PSO, who uses his duties, powers and responsibilities outside the scope of his duty and in violation of Article 15 of the law, is considered committing a crime a crime and is sentenced to imprisonment of up to two years or fined up to eight times the monthly gross minimum wage or both penalties can be imposed simultaneously. The employment certificate of these people is canceled by the Ministry and these people cannot become PSO again.

(10) Private security company executives or employees who cause harm to life or property because they do not comply with the obligation to use a specially equipped vehicle in the transfer of money or valuables in article 18 of the law, are considered committing a crime a crime and are sentenced to imprisonment for up to two years or to a monthly salary. They may be fined up to eight times the gross minimum wage or both.

(11) Managers of institutions, organizations or companies that employ PSO without having the private security liability insurance specified in Article 22 of the law are considered committing a crime a crime and are subjected to imprisonment of up to one year or a fine up to five times the monthly gross minimum wage or they can be sentenced to both penalties.

(12) Real or legal persons who act contrary to the regulations enacted pursuant to the law commit a crime and may be sentenced to imprisonment of up to three months, or fined up to twice the monthly gross minimum wage, or both, if convicted.

Private security companies are obliged to take out private security liability insurance in order to be able to compensate the damages caused to third parties by the PSOs they employ. The content of insurance contracts is regulated in a way to be applied in the same way by all insurers, according to the general conditions prepared by the TRNC Insurance and Reinsurance Companies Association and approved by the insurance manager. Private security liability insurance is provided by insurance companies authorized to work in the relevant class in the TRNC. These insurance companies are obliged to take out private security liability insurance. Insurance companies that do not comply with this obligation are fined eight times the monthly gross minimum wage by the insurance manager. The prescribed administrative fine is deposited to the Income and Tax Office Revenue cashier until the fifteenth of the month following the penalty. The fine given by the insurance manager is public receivables and is collected according to the Collection Procedure Rules of Public Receivables.

### **Audit**

The Ministry and the General Directorate of Police Security are authorized and charged with inspecting private security units and private security companies at least once every six months and at least once a year. It is obligatory to correct the deficiencies determined as a result of the audit by the relevant institutions, organizations and companies within the given time, and the time given is not more than thirty working days.

### **License and Work Certificate Fee**

The operating permit fee is twice the monthly gross minimum wage for issuing work permits to private security companies, and the work permit fee is one quarter of the monthly gross minimum wage for granting work permits to PSOs. These fees are deposited to the Ministry of Finance Revenue and Tax Office cashiers.

### **Discussion and Conclusion**

The development stages of private security in the world differ according to the political, legal and cultural structure of each country. According to the law, the commission consists of the Undersecretary of the Ministry of Interior, the district governor, the Director General of Police or at least a representative of the rank of Assistant Director, the prosecutor and a representative with at least the rank of Major to be appointed by the Security Forces Commander to take decisions regarding private security. According to the law, in “*emergency or temporary*” cases, private security permits can be issued by the Ministry without a commission decision.

Those who want to participate in the training should apply in person to the Ministry of Interior Private Security Unit with the application form to be supplied from the TRNC Ministry of Interior web page and the documents specified in the forum.

PSOs candidates who wish to participate in the training must apply in person to the Ministry of Interior Private Security Unit with the application form to be obtained from the TRNC Ministry of Interior web page and the documents specified in the forum.

In order to apply, PSOs candidates must be over the age of eighteen, and for male candidates, they must have done their national service (military service) and have graduated from at least high school or equivalent school or be exempt. PSOs candidates are only trained without weapons. There is no distinction in the type of certificate, armed or unarmed, and they do not use firearms. However, they are authorised to use force provided that it is reasonable and proportionate and they are obliged to report the situation to the police immediately. He is responsible for providing security until the police arrive. PSOs, who are required to be successful in the training they will receive in order to perform this task, will be able to use equipment such as batons, handcuffs, whistles, small-sized sprays, and hand detectors.

Another notable article of the law is that; being convicted of the offense of using drugs under the age of eighteen does not constitute an obstacle to becoming a PSOs. This article has sparked debates about how healthy it is. In addition, even if they have been pardoned, it is necessary not to have been convicted of a disgraceful crime such as bribery, theft, fraud, deceit, embezzlement, fraudulent bankruptcy, and similar, under the “Crimes Against the State and Other Crimes” located in the First Section of the Second Part of the Penal Code, a crime under the “Sexual Crimes” heading in the Third Section of the Fourth Part, or any crime under the Firearms Law, Explosives Law, Gambling Law, Drugs Law, or any crime mentioned in this law.

District Governors and General Directorate of Police are authorized to supervise the special security measures in the places where the events are held such as airports, ports and customs, sports competitions, stage shows, etc. and to have additional measures taken by the PSO when required. Only institutions and organizations can be protected by private security companies. Personal protection cannot be provided by private security.

It is the obligation of PSO and its executives to immediately report the situation to the nearest police station in cases where general security and public order are disturbed within their field of duty. Private security companies can establish and operate an alarm monitoring center if they receive a certificate of competence from the Ministry.

PSO trainee candidates are required to undergo one hundred and twenty hours of theoretical and practical basic training and an examination is held once a year. They are subject to sixty hours of renewal training every five years. PSOs who will work at the airport, unlike other PSOs, can work under the supervision of the Civil Aviation Department after receiving the training determined by the international civil aviation legislation. Private Security company manager must be a university graduate.

PSOs who will work at airports, unlike others, are under the supervision of the Civil Aviation Authority and can only perform their duties after receiving the training determined by international civil aviation legislation. In this context, private security officers need new

training programs to specialize in their fields and provide better security services. The most basic or known method of increasing quality and quality is to provide quality education to individuals. Since the quality of education depends on the efficiency of those who will provide this education, ensuring the effectiveness of interpersonal or inter-institutional communication is an important element (Üçüncü, 2016). If the training given does not fully reflect the spirit of the work, it is inevitable that the quality of that work and some problems will arise. Training comes into play to ensure the security needs properly and correctly (Yağcı, 2023). In this context, trainings should be given and legalised by trainers and trainers suitable for private security trainings. The diction and speaking style of private security officers, whether they are friendly or not, their ability to express themselves correctly, their ability in social relations, their ability to exhibit tolerant and non-prejudiced behaviours should be shaped according to the quality and expectations of the party receiving security services (Uçar & Uçar, 2005). Associate degree programs in private security and protection should be opened, and their curricula should include the Metaverse (simulation trainings), MODULE, and the 3+1 Education Model.

Private security services are on a rapidly rising trend. Therefore, the importance of the training given to PSOs is also increasing. Under the law, graduates from faculties and vocational schools related to security can participate in exams without having to take the basic private security training. However, there are no “Private Security and Protection” programs available in universities within the TRNC, but there are quotas available for citizens of the TRNC at the Manisa Celal Bayar University Salihli Vocational School in Türkiye (Yağcı and Güney, 2022). To provide better education for ÖGG candidates, “Private Security and Protection” associate or bachelor’s degree programs could be established in universities within the TRNC. In addition, considering the working areas of the personnel who will take place in the private security sector, it is thought that it would be a good practice to include the fields of human psychology, behavioral sciences, communication and social skills training, and organizational psychology in the training provided for the private security personnel (Yağcı & Güney, 2022).

Armed training can be provided for PSOs who work in the transfer of money and valuables for banks and similar companies, and in critical buildings, facilities, and locations that serve the public. In this context, PSOs can be divided into two classes: Armed and Unarmed, and their training can be reorganized accordingly.

Regulations and improvements can be made by revising the Private Security Law No. 33/2017.

**Research Publication Ethics:** During the preparation and writing process of this study, the scientific, ethical and citation rules within the scope of the “*Directive on Scientific Research and Publication Ethics of Higher Education Institutions*” were followed; no falsification was made on the collected data and this study was not sent to any other academic publication environment for evaluation.

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