



# MOBILITY IN THE PRIVATE SECURITY INDUSTRY



**SPAIN**

## INFORMATION FOR EMPLOYERS

**This document sets out the labour market, social security, taxation and private security industry rules applying to the employment of foreign nationals in the private security industry in Spain.**

**Employers wishing to find out about the basic training and qualifications requirements and criminal records checks employees from other EU, EEA and non-EU countries will have been subject to in their home country should refer to the information for the respective country by clicking on the relevant flag/country button.**



## Labour market entry rules

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| Residence permit  | <b>EU</b>   | <b>EEA</b>  | <b>Other non-EU</b>   |
|   | No required | No required | Required. Private security guards must be EU or EEA nationals according to the Act 23/1992 article 7.2 b.<br><br>( <a href="http://www.mir.es/SGACAVT/derecho/le/le23-1992.html">http://www.mir.es/SGACAVT/derecho/le/le23-1992.html</a> ). |
| <p>However, European Union citizens (or non-EU citizens covered by the community regime – relatives, etc) must apply for a EU residence certificate. An identification number is then provided. More information can be obtained in <a href="http://www.map.es/servicios/servicios_on_line/extranjeria/ciudadanos UE.html">http://www.map.es/servicios/servicios_on_line/extranjeria/ciudadanos UE.html</a>.</p> <p>Information on general conditions that apply to non-EU citizens can be obtained at: <a href="http://www.mpt.es/servicios/servicios_on_line/extranjeria/ciudadanos_ajenos UE.html">http://www.mpt.es/servicios/servicios_on_line/extranjeria/ciudadanos_ajenos UE.html</a></p> <p>Private security guards must be older than 18 years old and younger than 55 in order to obtain a licence for the first time.</p> <p><b>Responsible agency</b><br/>Foreign Citizens Department</p> <p><b>Who is responsible for obtaining the residence permit?</b><br/>Applications must be introduced in the foreign citizens departments by employees:<br/><a href="http://extranjeros.mtin.es/es/InformacionInteres/OficinasExtranjeros/index.html_1336564008.html">http://extranjeros.mtin.es/es/InformacionInteres/OficinasExtranjeros/index.html_1336564008.html</a></p> |             |             |   |
| Work permit   | <b>EU</b>   | <b>EEA</b>  | <b>Other non-EU</b>   |
|   | No required | No required | Private security guards must be EU or EEA nationals.  |
| <p>Private security guards must be older than 18 years old and younger than 55 in order to obtain a licence for the first time.</p> <p><b>Responsible agency</b><br/>Not applicable</p> <p><b>Who is responsible for obtaining the work permit?</b><br/>Not applicable</p>  |             |             |   |

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| Other visas/permits required   | <b>EU</b>   | <b>EEA</b>  | <b>Other non-EU</b>                                  |
|  | No required | No required | Private security guards must be EU or EEA nationals. |
| <p>Private security guards must be older than 18 years old and younger than 55 in order to obtain a licence for the first time.</p> <p><b>Responsible agency</b><br/>Not applicable</p> <p><b>Who is responsible for obtaining the work permit?</b><br/>Not applicable</p> |             |             |  |

## Social security/taxation rules

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| <p>Social security registration</p>      | <p>Social security registration is required. The employee can request it; otherwise the employer must to request it.</p> <p>Detailed information:</p> <p><a href="http://www.seg-social.es/Internet_6/TramitesyGestiones/ObtenciondelNumerod44084/index.htm?ssUserText=">http://www.seg-social.es/Internet_6/TramitesyGestiones/ObtenciondelNumerod44084/index.htm?ssUserText=</a></p> <p>Form:</p> <p><a href="http://www.seg-social.es/stpri00//groups/public/documents/binario/365.pdf">http://www.seg-social.es/stpri00//groups/public/documents/binario/365.pdf</a></p> <p>It has to be introduced at the Administration of the Social Security Treasury General where the citizen's home address is located or where the company at which the worker renders services is domiciled prior to the affiliation application or the application for any benefits or service.</p> <p><a href="http://www.seg-social.es/Internet_6/Oficinas/index.htm">http://www.seg-social.es/Internet_6/Oficinas/index.htm</a></p> |
| <p>Health insurance registration</p>     | <p>Health registration is required. Employees are responsible for the registration.</p> <p>Spain is a highly decentralised country. Therefore, regional health systems are responsible for this process. It is normally managed in the health service office where the employee establishes the residence. Social security registration and identification card (residence certificate for EU or EEA citizens) must be provided. Registration in the town council where the employee establishes the residence must also be provided (<i>padrón municipal</i>).</p>  |
| <p>Registration with tax authorities</p> | <p>Registration is not required.</p> <p>Tax and National Insurance (NI) are deducted directly from the salary through the employers' pay roll. The employee is later responsible for additional tax liabilities depending on the total earnings of tax period.</p>   |

## Private security industry rules

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| <p>Professional licence/documentation</p> | <p>A professional licence is required.</p> <p>General requirements:</p> <ul style="list-style-type: none"> <li>• National of EU or EEA</li> <li>• No criminal record</li> <li>• Not having being expelled from Armed Forces or Security Forces</li> <li>• Not having being in charge of private security companies scrutiny in the two years before applying for the licence</li> <li>• Pass the examinations (medical examinations and psycho-technical tests)</li> <li>• Not having being condemned for conduct related to some fundamental rights (intimacy, image, secret of communications) in the five years before applying for a licence</li> <li>• Age: More than 18 years-Less than 55 years (to apply for the licence for the first time)</li> <li>• Basic compulsory education degree.</li> </ul> <p>For non-Spanish citizens, education acquired in the country of origin must be recognised by the Ministry of Education. Detailed information can be obtained in <a href="http://www.educacion.es/mecd/jsp/plantilla.jsp?id=6&amp;area=titulos">http://www.educacion.es/mecd/jsp/plantilla.jsp?id=6&amp;area=titulos</a></p> <p>Procedure:</p> <ol style="list-style-type: none"> <li>a) Training certificate awarded by an officially recognised training centre by the Ministry of Home Affairs: 180 hours (6 weeks). Some private security companies have their own officially recognised training centres.</li> <li>b) Licence procedure             <ol style="list-style-type: none"> <li>a. Application form: detailed information on requirements can be obtained on <a href="http://www.boe.es/boe/dias/2010/01/16/pdfs/BOE-A-2010-712.pdf">http://www.boe.es/boe/dias/2010/01/16/pdfs/BOE-A-2010-712.pdf</a></li> <li>b. Requirements:                 <ol style="list-style-type: none"> <li>i. Exam: theoretical tests (Annex 2)</li> <li>ii. Exam: practical tests (Annex 1)</li> </ol> </li> <li>c. Practical proceedings: Private Security Department. Spanish Police. More information can be obtained through <a href="http://www.policia.es/cgsc/index.htm">http://www.policia.es/cgsc/index.htm</a></li> </ol> </li> </ol> |
| <p>Membership of professional body</p>    | <p>Not required.</p>   |

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| <p>Criminal records check/other checks to be performed in order to obtain employment</p> | <p>Criminal record check is compulsory according to Spanish legislation.</p> <p>Certificate relating to criminal record awarded by Ministry of Justice. An equivalent document from country of residence requested for applicants not resident in Spain. Spanish embassies can provide information on the recognised equivalent document for Spanish authorities:<br/> <a href="http://www.maec.es/es/EYC/Paginas/embajadasyconsulados.aspx">http://www.maec.es/es/EYC/Paginas/embajadasyconsulados.aspx</a></p> <p>In the application form for Spanish criminal record checks, the Spanish police can be given direct access to criminal records without completing an application form.</p> <p>Detailed information can be obtained in:<br/> <a href="http://esede.mjusticia.es/cs/Satellite/en/1200666550200/Tramite_C/1215326258560/Detalle.html">http://esede.mjusticia.es/cs/Satellite/en/1200666550200/Tramite_C/1215326258560/Detalle.html</a></p> <p>Requirements:</p> <ul style="list-style-type: none"> <li>• Not criminal convictions in the last 5 years.</li> <li>• Not have been convicted of illegal intrusion in the area of the right to honour, to personal or family intimacy, to personal image, the right to private communications and other fundamental rights in the 5 years prior to the application.</li> <li>• Not have received a sanction for serious or very serious contraventions relating to security in the previous 2 or 4 years, respectively.</li> <li>• Not have been dismissed from the Armed Forces or State Security Forces or Bodies.</li> <li>• Not have held managerial positions in bodies, services, or proceedings regarding private security, surveillance, or investigation, nor of its staff or means, such as members of State Security Forces or Bodies, in the two years prior to the application.</li> </ul> |
| <p>Training/qualification requirements</p>   | <p>Training is mandatory. It is regulated by the Ministry of Interior.</p> <p>Training must be provided in official training centres and consists of 180 hours of instruction. In addition, candidates must pass an examination by the police. Every year a licensed guard must pass an additional 20 hours of recurrent training. Additional training for guards carrying weapons is also provided for.</p> <p>As long as candidates have standard knowledge of Spanish, similar licensing proceedings followed in another Member State can lead to recognition of licensing acquired in a different Member State. Training hours, qualifications acquired, etc, must be similar. The Spanish Police is responsible for this process.<br/> <a href="http://www.policia.es/cgsc/index.htm">http://www.policia.es/cgsc/index.htm</a> (private security department).</p> <p>Recognition of professional qualifications compensatory measures also apply.</p>  |

## Useful contacts

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|--------------------------------------|--|
| CoESS member                         | <p><b>APROSER</b></p> <p>Asociación Profesional de Compañías Privadas de Servicios de Seguridad<br/>Marqués de Urquijo 5, 2º A, 28008 Madrid, Spain</p> <p>Tel: + 34 91 454 00 00</p> <p>Fax: + 34 91 541 10 90</p> <p><a href="http://www.aproser.org">http://www.aproser.org</a></p> <p><a href="mailto:aproser@aproser.es">aproser@aproser.es</a></p>   |
| UNI Europa members                   | <p><b>FEDERACION ESTATAL DE ACTIVIDADES DIVERSAS DE CC.OO. ( AA.DD. – CC.OO.)</b></p> <p>Plaza de Cristino Martos, 4 primera Planta 28015 Madrid, Spain</p> <p>Tel: +34 91 540 92 30</p> <p>Fax: +34 91 547 17 11</p> <p>E-mail: <a href="mailto:pmaya@aadd.ccoo.es">pmaya@aadd.ccoo.es</a></p> <p><a href="http://www.diversas.ccoo.es">http://www.diversas.ccoo.es</a></p> <p>FTSP-USO Federación de Trabajadores de Seguridad Privada de la Unión Sindical Obrera</p> <p>Calle Príncipe de Vergara, 13-7a Planta<br/>28001 Madrid</p> <p><b>Spain</b><br/>+34 91 577 4113</p> <p>Email: <a href="mailto:sgeneralf tsp@uso.es">sgeneralf tsp@uso.es</a></p> <p><b>FEDERACIÓN DE SERVICIOS DE UGT (FeS - UGT)</b><br/>Avda. América, 25, 1ª y 7ª planta<br/>28002 Madrid</p> <p>T: 91 589 75 94 ó 75 85</p> <p>Fax: 91 589 71 70 or 71 68 ó 75 87</p> <p>Email: <a href="mailto:correo@fes.ugt.org">correo@fes.ugt.org</a></p> <p><a href="http://fes.ugt.org/">http://fes.ugt.org/</a></p> |
| Other relevant (professional) bodies |  |