

NORTHERN TERRITORY OF AUSTRALIA

PRIVATE SECURITY (SECURITY FIRMS) REGULATIONS

As in force at 4 August 1998

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 4 August 1998

PRIVATE SECURITY (SECURITY FIRMS) REGULATIONS

Regulations under the *Private Security Act*

1 Citation

These Regulations may be cited as the *Private Security (Security Firms) Regulations*.

2 Disqualifying offences

For the purposes of the definition of **disqualifying offence** in section 3 of the Act, an offence against section 161, 162, 163, 165, 166, 177, 181, 182, 186, 188, 189A, 189, 192, 192B, 193, 194, 195, 196, 211, 212, 227, 228, 229, 230, 231 or 233 of the Criminal Code is prescribed in relation to a security firm's licence.

3 Form

For the purposes of section 14(1) of the Act, the prescribed form for an application for a security firm's licence is the form in the Schedule.

4 Information to be provided by applicant

For the purposes of section 14(5) of the Act, the following information is prescribed in relation to an application for a security firm's licence:

- (a) 2 identical current passport-sized photographs; and
- (b) the fingerprints of, where the applicant is:
 - (i) a natural person – the applicant;
 - (ii) a partnership – each partner in the partnership; or
 - (iii) a corporation – each officer, within the meaning of section 17(1) of the Act, of the corporation.

5 Fees

- (1) For the purposes of section 18(6) of the Act, the fee for the grant of a security firm's licence is:
 - (a) where the applicant is a natural person – \$400;
 - (b) where the applicant is a partnership – \$400 for each partner;
and
 - (c) where the applicant is a corporation – \$800.
- (2) For the purposes of section 24(2) of the Act, the fee for the renewal of a security firm's licence is:
 - (a) where the applicant is a natural person – \$400;
 - (b) where the applicant is a partnership – \$400 for each partner;
and
 - (c) where the applicant is a corporation – \$800.

Schedule

regulation 4

FORM

NORTHERN TERRITORY OF AUSTRALIA

Private Security Act

Private Security (Security Firms) Regulations

APPLICATION FOR SECURITY FIRM'S LICENCE

Important: Please print in block letters. If there is insufficient space attach extra sheets. All questions must be answered and full particulars provided.

Application is made for a security firm's licence in one of the following capacities:

natural person as a sole trader

natural persons in partnership

corporation

(Please ensure both Part A and Part B of this application are completed before the application is lodged.)

Number of years for which the licence is sought:

1 2 3

PART A. DECLARATION OF APPLICANT

1. NAME OF APPLICANT(S)

.....
.....

2. WHERE THE APPLICANT IS A CORPORATION

(a) the A C N (Australian Company Number).....

(b) the date and place of incorporation

.....

-
- (c) registered office address (if different from principal business address)
.....

3. WHERE THE APPLICANT(S) IS/ARE NATURAL PERSON(S) OR A PARTNERSHIP

Where the applicant is a natural person, he or she must provide the following information.

Where the applicant is a partnership, each partner in the partnership must provide the following information (by attached sheet where necessary):

- (a) full name of applicant or each partner
.....

- (b) date of birth ... place of birth
.....

- (c) current residential address
.....

- (a) full name
.....

- (b) date of birth ... place of birth
.....

- (c) current residential address
.....

4. DETAILS IN RESPECT OF EACH DIRECTOR OR OTHER PERSON CONCERNED IN THE MANAGEMENT OF THE CORPORATION

Where the applicant is a corporation, all directors, secretaries or executive officers of the corporation and all persons who control or substantially influence the conduct of the corporation's affairs, must provide the following information (by attached sheet where necessary).

- (a) full name
.....

- (b) date of birth ... place of birth
.....

- (c) position held
.....

- (d) current residential address
.....

5. Principal business address

.....

Telephone No.

.....

Facsimile No.

.....

Business trading name(s)

.....

Date business name(s) registered

.....

Address for service of notices

.....

DECLARATION

I/We hereby declare that to the best of my/our knowledge the particulars furnished for the purpose of obtaining a licence under the Private Security Act are true and correct in every detail. (To be signed by the applicant, or, where the applicant is a corporation, no less than two directors or, where the applicant is a partnership, each partner).

Signature

Signature

Full Name

Full Name

Capacity

Capacity

Date

Date

NOTES

- (a) A certificate of the Registrar of Business Names (NT) that each business name specified in this application has been registered under the Business Names Act must accompany this form.
- (b) Where the applicant intends to carry on business as a body corporate, proof of the body corporate's incorporation must also accompany this form.

PART B. DECLARATION BY EACH PERSON SPECIFIED IN PART A

6. Name of Applicant specified at Question 1

.....

-
7. Name of person (director, partner, &c.) making this declaration
.....
8. In respect of this application have you:
- (a) in the last 10 years been convicted, fined or disqualified by any court, tribunal, board or other authority of the Territory, the Commonwealth or a State or another Territory of the Commonwealth, in respect of any business or other financial dealings in or outside the Territory, or been a member of a company so dealt with?
.....
.....
 - (b) in the last 10 years been found by a court of the Territory, the Commonwealth or a State or another Territory of the Commonwealth, to be dishonest, to lack integrity, to have used harassing tactics or to habitually consort with reputed criminals?
.....
.....
 - (c) in the last 10 years been convicted of any offence(s)? If so, please quote the relevant date(s), jurisdiction(s) and sentence(s).
.....
.....
 - (d) been declared bankrupt or assigned your estate for the benefit of your creditors? If so, please give date(s) and jurisdiction(s).
.....
.....
 - (e) been the subject of evidence given in a court of the Territory, the Commonwealth or a State or another Territory of the Commonwealth or a commission of inquiry?
.....
.....
 - (f) been or are you currently bound by any recognisance or the subject of any charge pending in relation to any offence(s) before a court of the Territory, the Commonwealth or a State or another Territory of the Commonwealth or a commission of inquiry?
.....
.....

-
- (g) an illness that makes you unfit to work in the security industry?
.....
.....
 - (h) in the last 10 years been convicted of a disqualifying offence? If so, please state the relevant date(s), jurisdiction(s) and sentence(s).
.....
.....
 - (j) have you been known by any other names? If so please state.
.....
.....

NOTES:

- 1. Where the applicant is a partnership, each partner in the partnership must complete Part B.
- 2. A disqualifying offence is an offence against a section of the Northern Territory Criminal Code specified below.

Section 161 – unlawful homicide	Section 162 — murder
Section 163 – manslaughter	Section 165 – attempt to murder
Section 166 – threats to kill	Section 177 – acts intending to cause grievous harm or prevent apprehension
Section 181 – grievous harm	Section 182 – attempting to injure by explosive substances
Section 186 – bodily harm	Section 188 – common assault
Section 189 – unlawful stalking	Section 189A – assaults on police
Section 192 – sexual intercourse and gross indecency without consent	Section 192A – direction to jury in certain sexual offence trials
Section 192B – coerced sexual self manipulation	Section 193 – assaults with intent to commit an offence
Section 194 – kidnapping for ransom	Section 195 – kidnapping

Section 196 – deprivation of liberty	Section 211 – robbery
Section 212 – assault with intent to steal	Section 227 – criminal deception
Section 228 – blackmail and extortion	Section 229 – Receiving stolen property, &c.
Section 230 – Receiving after change of ownership	Section 231 – Taking reward for recovery of property obtained by means of a crime
Section 233 – False accounting	

DECLARATION

I hereby declare that to the best of my knowledge the particulars furnished for the purpose of obtaining a licence, the subject of this application, under the Private Security Act are true and correct in every detail.

.....

Date Signature of person making declaration under Part B

CERTIFICATION BY MEMBER OF NT POLICE

I confirm that I have received the prescribed information required under section 14(5) of the *Private Security Act*, being a completed Authority to Release Criminal History form and fingerprints of(name).....

.....

Date (Signature of Member – NT Police Force)

.....

(Name and Rank)

ENDNOTES

1

KEY

Key to abbreviations

amd = amended

app = appendix

bl = by-law

ch = Chapter

cl = clause

div = Division

exp = expires/expired

f = forms

Gaz = *Gazette*

hdg = heading

ins = inserted

lt = long title

nc = not commenced

od = order

om = omitted

pt = Part

r = regulation/rule

rem = remainder

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

2

LIST OF LEGISLATION

Private Security (Security Firms) Regulations (SL No. 29, 1998)

Notified 4 August 1998

Commenced 4 August 1998