

NORTHERN TERRITORY OF AUSTRALIA
PRIVATE SECURITY (MISCELLANEOUS MATTERS) REGULATIONS

As in force at 8 March 2007

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Schedule 1

**Schedule 2 Infringement notices prescribed offences
and amounts**

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Regulations as in force at 8 March 2007. Any amendments that commence after that date are not included.

PRIVATE SECURITY (MISCELLANEOUS MATTERS) REGULATIONS

Regulations under the *Private Security Act*

Part 1 Preliminary matters

1 Citation

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

Part 2 Application forms

2 Application form – crowd controllers' and security officers' licences

For section 14(1) of the Act, the form in Schedule 1 is the prescribed form for an application for:

- (a) a crowd controller licence or crowd controller's provisional licence; or
- (b) a security officer licence or security officer's provisional licence.

Part 3 Infringement notices

3 When infringement notice may be served

- (1) If an authorised officer believes that a person has committed an offence against a provision of the Act or Regulations specified in column 1 of Schedule 2, the inspector may serve an infringement notice on the person.
- (2) In subregulation (1):

authorised officer means a person appointed as an inspector under section 35 of the Act.

4 Prescribed amount

The prescribed amount that may be paid, instead of the penalty that may otherwise be imposed for an offence against a provision of the Act or Regulations specified in column 1 of Schedule 1 is the amount specified opposite in column 2 of Schedule 2.

5 Form of infringement notice

An infringement notice is a notice to the effect that:

- (a) an offence is alleged to have been committed against the Act or Regulations; and
- (b) if the penalty amount indicated is paid within the time and at the place specified, the alleged offence is expiated and no person is liable for any further proceedings in the matter; and
- (c) the person served with the infringement notice can elect to have the matter dealt with by a court by serving written notice in accordance with the directions given on the infringement notice.

6 Expiation of offence

- (1) If an alleged offender pays the prescribed amount specified in an infringement notice in accordance with the notice, the alleged offender is taken to have expiated the offence and no further proceedings are to be taken in respect of the offence.
- (2) If an alleged offender tenders a cheque in payment of a prescribed amount, the amount is not taken to have been paid unless the cheque is cleared.

7 Withdrawal of infringement notice

An infringement notice may be withdrawn at any time within 28 days after it is served, but before payment of the prescribed amount specified in the infringement notice, if the licensing authority serves on the alleged offender a notice stating that the infringement notice is withdrawn.

8 How service effected

Service of an infringement notice or a notice of withdrawal of an infringement notice is effected:

- (a) by serving it personally on the alleged offender; or

- (b) by posting it to the alleged offender at his or her last known address; or
- (c) by leaving it for the alleged offender at his or her last known place of residence or business with a person apparently resident or employed there and apparently not less than 16 years of age.

9 General

These Regulations:

- (a) do not prevent more than one infringement notice for the same offence being served on an alleged offender, but it is sufficient for the application of regulation 6 to an alleged offender on whom more than one infringement notice has been served for the alleged offender to pay the prescribed amount in accordance with any one of those notices; and
- (b) do not limit the penalty that may be imposed by a court, for an offence; and
- (c) do not require an infringement notice to be served and do not affect the liability of a person to be prosecuted in a court for an offence in respect of which an infringement notice has not been served.

Postal Address:

Telephone No: Home: Work: Mobile:

E-mail:

5. Date of Birth: Place of Birth:

If you were not born in Australia, how long have you lived in Australia?

Are you an Australian citizen? Yes No

TBC OFFICE USE ONLY

All sections of form completed. Receipt number:

Application signed by applicant and certified by NT Police.
(or receipt attached) Amount paid:

Training Certificate and Competencies attached.
(not required for provisional or renewal applications) Date received:

First Aid Certificate attached.
(not req for provisional applications or if current
certificate on file) Additional comments:

Copy of Identification attached.

Criminal History from NT Police attached.

RGL OFFICE USE ONLY

Recommended / Not Recommended: Approved / Not Approved:

Actioning Officer: Date: / / Actioning Officer: Date: / /

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? If so, please provide details.

Yes No

- (b) in the last 10 years been convicted of any offence(s)? If so please quote the offence(s), relevant date(s), jurisdiction(s) and sentence(s).

Yes No

- (c) in the last 10 years been convicted of a disqualifying offence(s)? If so please quote the offence(s), relevant date(s), jurisdiction(s) and sentence(s). Please see below for a list of disqualifying offences.

Yes No

- (d) been the subject of evidence given in any court or Commission of Inquiry? If so, please provide details.

Yes No

- (e) been declared bankrupt or assigned your estate for the benefit of your creditors? If so, please give date(s) and jurisdiction(s).

Yes No

- (f) been or are you currently bound by any recognisance (bail condition) or the subject of any charge pending in relation to any offence(s) before a court or commission of inquiry? If so, please provide details.

Yes No

- (g) have you ever been refused a Crowd Controller or Security Officer licence by any other jurisdiction? If so, please provide details.

Yes No

Notes:

- (a) A disqualifying offence is any offence against a law of the Commonwealth where the penalty for the offence is imprisonment for two years or more.
- (b) A disqualifying offence is an offence against a section of the *Criminal Code* specified below.

Section 69 – going armed in public	Section 132 – indecent dealing with child
Section 156 – murder	Section 160 – manslaughter
	Section 165 – attempt to murder
Section 166 – threats to kill	Section 177 – acts intending to cause serious harm or prevent apprehension

Section 181 – serious harm	Section 182 – attempting to injure by explosive substances
Section 186 – bodily harm	Section 188(2) – common assault with specified circumstances of aggravation
Section 189A – assaults on police	Section 189 – unlawful stalking
Section 192 – sexual intercourse and gross indecency without consent	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 210 – stealing (where a custodial sentence is imposed that is wholly or partially served)	Section 211 – robbery
Section 212 – assault with intent to steal	Section 227 – criminal deception
Section 228 – blackmail & extortion	Section 229 – receiving stolen property
Section 231 – taking reward for recovery of property obtained by means of a crime	Section 233 – false accounting
Section 239 – arson	

Note: A disqualifying offence is an offence against a section of the *Firearms Act* specified below.

Section 59 – firearms to be registered	Section 61 – manufacture of firearms
Section 63A – trafficking in firearms	Section 74 – alteration of identification marks
Section 77 – silencers and machine-guns	Section 82 – discharge of firearms on roads, &c.
Section 83 – prohibited use of firearms	Section 84 – discharge of firearms causing danger, &c.
Section 85 – breach of conditions	Section 86 – persons under influence of alcohol or drugs

Note: A disqualifying offence is an offence against a section of the *Misuse of Drugs Act* specified below.

Section 5 – supplying dangerous drug	Section 6 – receiving or possessing tainted property
Section 7 – cultivation	Section 8 – manufacture and production
Section 9(1) – possession	Section 16 – obtaining prescription by deception
Section 17 – obtaining dangerous drug or precursor by deception	

Note: A disqualifying offence is an offence against a section of the *Weapons Control Act* specified below.

Section 6 – prohibited weapons	Section 7 – controlled weapons
Section 8 – offensive weapons	Section 9 – body armour

Schedule 2 Infringement notices prescribed offences and amounts

regulations 3 and 4

Column 1 Offence Provision	Column 2 Prescribed Amount
Part A – Offences against Act	
Sections 22, 28 and 29	2 penalty units
Section 56(1)	5 penalty units
Part B – Offences against <i>Private Security (Crowd Controllers) Regulations</i>	
Regulation 10(1)(a) and (b)	5 penalty units
Regulation 10(1)(c) and (3)	2 penalty units
Regulation 10(2)	1 penalty unit
Part C – Offences against <i>Private Security (Security Officers) Regulations</i>	
Regulation 7(1)(a) and (b)	5 penalty units
Regulation 7(1)(c) and (3)	2 penalty units
Regulation 7(2)	1 penalty unit
Part D – Offences against <i>Private Security (Security Firms) Regulations</i>	
Regulation 6(1)	5 penalty units
Regulation 6(2)	2 penalty units
Regulation 6(3)	5 penalty units

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 (Miscellaneous Matters) Regulations (SL No. 5, 2006)***

Notified	15 February 2006
Commenced	15 February 2006

Statute Law Revision Act 2007 (Act No. 4, 2007)

Assent date	8 March 2007
Commenced	8 March 2007

3 LIST OF AMENDMENTS

sch amd Act No. 4, 2007, s 2