

NORTHERN TERRITORY OF AUSTRALIA
PRIVATE SECURITY (MISCELLANEOUS MATTERS) REGULATIONS

As in force at 1 July 2014

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 July 2014

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.

Schedule 1

NORTHERN TERRITORY OF AUSTRALIA

Private Security Act

Private Security (Miscellaneous Matters) Regulations

regulation 2

**APPLICATION FOR SECURITY OFFICER /
CROWD CONTROLLER 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 the following:	Provisional (Valid 3 months only)	Full	Renewal
A. Security Officer's Licence			
B. Crowd Controller's Licence			
C. Both			

Application is sought for: 1yr 2yrs 3yrs

1. Application is made by: _____ Licence No:
 Expiry Date:
(full name of applicant) (previous if applicable)

2. Gender: Male Female

3. Have you ever been known by any other name(s)? Yes No

If yes please state names:

4. Residential Address (*not Post Office Box No.*):

.....

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 and extortion
Section 228C – dealing in identification information	Section 228D – possessing identification information
Section 228E – possessing equipment used to deal in identification information or identification documentation	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

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.

The information provided on this form is collected in accordance with the *Private Security Act*. Disclosure of information may be made to the Northern Territory Police which collects information for the primary purposes of law enforcement, community safety, road safety and crime and justice services.

.....
Date

.....
Signature of person making declaration

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 finger prints of

Name:

Date:

Signature of Member – NT Police Force:

(Name and Rank):

SUBMIT APPLICATIONS TO:
Territory Business Centre
Development House, Ground Floor
76 The Esplanade, Darwin NT
GPO Box 3000 Darwin NT 0801
Phone (08) 8982 1700 Fax (08) 89821725

FOR ENQUIRES OR ASSISTANCE CONTACT:
Racing, Gaming and Licensing
1st Floor Enterprise House
Cnr Knuckey & Woods Street, Darwin NT
Phone (08) 8999 1800
Fax (08) 8999 1888

ALICE SPRINGS
SUBMIT APPLICATIONS TO:
Racing, Gaming and Licensing Division
Peter Sitzler Building, 67 North Stuart Hwy
PO Box 8470, Alice Springs NT
Phone (08) 8951 8452
Fax (08) 8951 8591

KATHERINE
SUBMIT APPLICATIONS TO:
Territory Business Centre
1 Randazzo Building
18 Katherine Terrace, Katherine NT 0850
Phone (08) 8973 8180
Fax (08) 8973 8188

TENNANT CREEK:
SUBMIT APPLICATIONS TO:
Shop 2, Barkly House
Cnr Davidson and Paterson Streets
PO Box 1221 Tennant Creek 0861
Phone: (08) 8962 4411
Fax: (08) 8962 4413

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	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

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

Criminal Code Amendment (Identity Crime) Act 2014 (Act No. 9, 2014)

Assent date	16 April 2014
Commenced	1 July 2014 (<i>Gaz S52</i> , 1 July 2014)

3**LIST OF AMENDMENTS**

sch amd Act No. 4, 2007, s 2; Act No. 9, 2014, s 15