

**NORTHERN TERRITORY OF AUSTRALIA**

**PRIVATE SECURITY (SECURITY FIRMS) REGULATIONS**

As in force at 1 January 2015

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 January 2015

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## 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 definition of **disqualifying offence** in section 3 of the Act, the following offences are prescribed in relation to a security firm's licence:

- (a) an offence against section 69, 132, 156, 160, 165, 166, 177, 181, 182, 186, 188(2), 189A, 189, 192, 192B, 193, 194, 195, 196, 211, 212, 227, 228, 228C, 228D, 228E, 229, 231, 233 or 243(1) of the Criminal Code;
- (b) an offence against section 188(1) of the Criminal Code where a circumstance of aggravation as specified in subsection (2) exists;
- (c) an offence against section 210 of the Criminal Code where a custodial sentence is imposed that is wholly or partially served;
- (d) an offence against section 59, 61, 63A, 74, 77, 82, 83, 84, 85 or 86 of the *Firearms Act*;
- (e) an offence against section 5, 6, 7, 8, 9(1), 16 or 17 of the *Misuse of Drugs Act*;
- (f) an offence against section 6, 7, 8 or 9 of the *Weapons Control Act*;
- (g) an offence against a law of the Commonwealth where the penalty for the offence is imprisonment for 2 years or more.

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#### **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 section 18(6) of the Act, the fee for granting a security firm's licence is:
  - (a) if the applicant is a natural person:
    - (i) 620 revenue units – if the licence is granted for one year; or
    - (ii) 930 revenue units – if the licence is granted for 2 years; or
    - (iii) 1 096 revenue units – if the licence is granted for 3 years; or
  - (b) if the applicant is a partnership:
    - (i) 620 revenue units for each partner – if the licence is granted for one year; or
    - (ii) 930 revenue units for each partner – if the licence is granted for 2 years; or
    - (iii) 1 096 revenue units for each partner – if the licence is granted for 3 years; or
  - (c) if the applicant is a corporation:
    - (i) 1 239 revenue units – if the licence is granted for one year; or
    - (ii) 1 794 revenue units – if the licence is granted for 2 years; or

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- (iii) 2 143 revenue units – if the licence is granted for 3 years.
- (2) For section 24(2) of the Act, the fee for renewing a security firm's licence is:
- (a) if the applicant is a natural person:
    - (i) 620 revenue units – if the licence is renewed for one year; or
    - (ii) 930 revenue units – if the licence is renewed for 2 years; or
    - (iii) 1 096 revenue units – if the licence is renewed for 3 years; or
  - (b) if the applicant is a partnership:
    - (i) 620 revenue units for each partner – if the licence is renewed for one year; or
    - (ii) 930 revenue units for each partner – if the licence is renewed for 2 years; or
    - (iii) 1 096 revenue units for each partner – if the licence is renewed for 3 years; or
  - (c) if the applicant is a corporation:
    - (i) 1 239 revenue units – if the licence is renewed for one year; or
    - (ii) 1 794 revenue units – if the licence is renewed for 2 years; or
    - (iii) 2 143 revenue units – if the licence is renewed for 3 years.
- (3) For section 25(1A) of the Act, the fee is 30 revenue units.

## **6 Offences**

- (1) A security firm must not engage in the business of supplying, for reward, the services of crowd controllers or security officers unless the firm has the licences and permits required by a law in force in the Territory to engage in the business.

Maximum penalty: 20 penalty units.

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- (2) A security firm must not later than 30 days after changing its address notify the Director-General of its new address.

Maximum penalty: 20 penalty units.

- (3) A security firm must ensure that a register of security officers, containing accurate records of information referred to in subregulation (5), is kept in a manner approved by the Director-General.

Maximum penalty: 20 penalty units.

- (4) An employer must permit an inspector to examine the register kept under subregulation (3).

Maximum penalty: 20 penalty units.

- (5) For subregulation (3), the information that must be kept by a security firm is:

- (a) the name and residential address of each security officer employed by it; and
- (b) the number assigned by the Director-General to the security officer's licence; and
- (c) for each day on which the security officer provides his or her services as a security officer, the number assigned to the security officer by the security firm; and
- (d) the date of, and details in relation to, each incident in which physical force was used by or against the security officer while the security officer was providing his or her services as a security officer.

- (6) In this regulation:

**security firm** means a person who, or partnership that, is the holder of security firm licence.

**security officer** means a person who is the holder of

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

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**ENDNOTES**
**1****KEY**

Key to abbreviations

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

**2****LIST OF LEGISLATION*****Private Security (Security Firms) Regulations (SL No. 29, 1998)***

Notified	4 August 1998
Commenced	4 August 1998

***Criminal Code Amendment (Criminal Responsibility Reform) Act 2005 (Act No. 37, 2005)***

Assent date	22 November 2005
Commenced	20 December 2006 ( <i>Gaz</i> G51, 20 December 2006, p 2)

***Private Security (Security Firms) Amendment Regulations 2006 (SL No. 3, 2006)***

Notified	15 February 2006
Commenced	15 February 2006

***Treasury Legislation Amendment (Revenue Units) Regulations 2006 (SL No. 33, 2006)***

Notified	18 October 2006
Commenced	18 October 2006

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

Assent date	8 March 2007
Commenced	8 March 2007

***Business Names Act 2007 (Act No. 1, 2007)***

Assent date	8 March 2007
Commenced	22 August 2007 ( <i>Gaz</i> G34, 22 August 2007, p 7)

***Fees and Charges Amendment Regulations 2009 (SL No. 34, 2009)***

Notified	14 December 2009
Commenced	1 January 2010 (r 2)

***Business Names (National Uniform Legislation) Implementation Act 2012 (Act No. 8, 2012)***

Assent date 27 April 2012  
Commenced pts 3 and 4: 28 May 2012 (Cth proclamation F2012L00891: 19 April 2012); rem: 27 April 2012 (s 2)

***Private Security (Security Firms) Amendment Regulations 2013 (SL No. 9, 2013)***

Notified 29 May 2013  
Commenced 29 May 2013

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

Assent date 16 April 2014  
Commenced 1 July 2014 (Gaz S52, 1 July 2014)

***Licensing (Repeals and Consequential Amendments) Act 2014 (Act No. 44, 2014)***

Assent date 5 December 2014  
Commenced 1 January 2015 (Gaz S130, 19 December 2014, p 2)

**3 LIST OF AMENDMENTS**

r 2 sub No. 3, 2006, r 3  
amd Act No. 4, 2007, s 2; Act No. 9, 2014, s 17; Act No. 44, 2014, s 145  
r 3 rep Act No. 44, 2014, s 145  
r 5 sub No. 3, 2006, r 4  
amd No. 33, 2006, r 5; No. 34, 2009, r 10; No. 9, 2013, r 3  
r 6 ins No. 3, 2006, r 4  
amd No. 33, 2006, r 5; Act No. 44, 2014, s 145  
sch amd Act No. 37, 2005, s. 21  
sub No. 3, 2006, r 5  
amd Act No. 4, 2007, s 2; Act No. 1, 2007, s 76; Act No. 8, 2012, s 30; Act  
No. 9, 2014, s 18  
rep Act No. 44, 2014, s 145