

NORTHERN TERRITORY OF AUSTRALIA

PRIVATE SECURITY (SECURITY FIRMS) REGULATIONS 1998

As in force at 29 November 2017

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As in force at 29 November 2017

PRIVATE SECURITY (SECURITY FIRMS) REGULATIONS 1998

Regulations under the *Private Security Act 1995*

1 Citation

These Regulations may be cited as the *Private Security (Security Firms) Regulations 1998*.

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), 188A, 189A, 189, 192, 192B, 193, 194, 195, 196, 211, 212, 227, 228, 228C, 228D, 228E, 229, 231, 233, 243(1) or 260 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 1997*;
- (e) an offence against Part II, Division 1 of the *Misuse of Drugs Act 1990*;
- (f) an offence against section 6, 7, 8 or 9 of the *Weapons Control Act 2001*;
- (g) an offence against a law of the Commonwealth where the penalty for the offence is imprisonment for 2 years or more.

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.

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 (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)

Justice Legislation Amendment (Drug Offences) Act 2016 (Act No. 17, 2016)

Assent date 8 June 2016
 Commenced s 17 (to ext ins new s 15): 10 October 2016;
 rem: 18 July 2016 (*Gaz S67*, 18 July 2016)

Private Security Legislation Amendment Regulations 2017 (SL No. 37, 2017)

Notified 29 November 2017
 Commenced 29 November 2017

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1 and 2.

4 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; Act No. 17, 2016, s 46; No. 37, 2017, r 6

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