

NORTHERN TERRITORY OF AUSTRALIA
PRIVATE SECURITY (MISCELLANEOUS MATTERS) REGULATIONS 2006

As in force at 1 January 2015

TABLE OF PROVISIONS

Part 1 Preliminary matters

1	Citation	1
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Part 3 Infringement notices

3	When infringement notice may be served	1
4	Prescribed amount	1
5	Form of infringement notice	1
6	Expiation of offence	2
7	Withdrawal of infringement notice.....	2
8	How service effected	2
9	General.....	2

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

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 January 2015

PRIVATE SECURITY (MISCELLANEOUS MATTERS) REGULATIONS 2006

Regulations under the *Private Security Act 1995*

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Private Security (Miscellaneous Matters) Regulations 2006*.

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 2 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 Director-General 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 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 1996</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 1998</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 1998</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 = <i>Gazette</i>	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</i> S52, 1 July 2014)

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

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

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: r 1 and sch 2.

4**LIST OF AMENDMENTS**

pt 2 hdg	rep Act No. 44, 2014, s 145
r 2	rep Act No. 44, 2014, s 145
r 4	amd Act No. 44, 2014, s 145
r 7	amd Act No. 44, 2014, s 145
sch	amd Act No. 4, 2007, s 2; Act No. 9, 2014, s 15 rep Act No. 44, 2014, s 145