

**NORTHERN TERRITORY OF AUSTRALIA**

**PRIVATE SECURITY (SECURITY OFFICERS) REGULATIONS 1998**

As in force at 14 April 2020

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 14 April 2020

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## PRIVATE SECURITY (SECURITY OFFICERS) REGULATIONS 1998

### Regulations under the *Private Security Act 1995*

#### 1 Citation

These Regulations may be cited as the *Private Security (Security Officers) 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 officer's provisional licence and a security officer'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.

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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 officer's licence or a security officer's provisional licence:

- (a) 2 identical current passport-sized photographs; and
- (b) the fingerprints of the applicant.

#### **5 Particulars of undertakings**

For the purposes of section 50(2) of the Act, the following particulars in relation to a deed of undertaking executed by a security officer are prescribed:

- (a) the name of the security officer who executed the deed;
- (b) the number assigned by the Director to the licence to which the deed relates;
- (c) the date on which the deed was executed;
- (d) a summary of the undertakings contained in the deed.

#### **6 Fees**

- (1) For section 18(2) of the Act, the fee for granting a security officer's provisional licence is 173 revenue units.
- (2) For section 18(3) of the Act, the fee for granting a security officer's licence is:
  - (a) 173 revenue units – if the licence is granted for one year; or
  - (b) 233 revenue units – if the licence is granted for 2 years; or
  - (c) 298 revenue units – if the licence is granted for 3 years.
- (3) For section 24(2) of the Act, the fee for renewing a security officer's licence is:
  - (a) 173 revenue units – if the licence is renewed for one year; or
  - (b) 233 revenue units – if the licence is renewed for 2 years; or
  - (c) 298 revenue units – if the licence is renewed for 3 years.
- (4) If an applicant for the grant of a licence holds another licence under the Act, the fee specified in subregulation (1) is 100 revenue units.

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- (5) If an applicant for the grant or renewal of a licence holds another licence under the Act, the fee specified in subregulations (2) and (3) is:
- (a) 100 revenue units – if the licence is granted or renewed for one year; or
  - (b) 140 revenue units – if the licence is granted or renewed for 2 years; or
  - (c) 180 revenue units – if the licence is granted or renewed for 3 years.
- (6) Subregulations (4) and (5) do not apply if the applicant for the licence has paid a reduced fee for the other licence in accordance with a provision similar to subregulation (4) or (5) applying in respect of the other licence.
- (7) For section 25(1A) of the Act, the fee is 30 revenue units.

## **7 Offences**

- (1) A security officer must not without the authority of his or her employer:
- (a) wear a uniform supplied to him or her by his or her employer; or
  - (b) use equipment supplied to him or her by his or her employer; or
  - (c) wear identification supplied to him or her by his or her employer.

Maximum penalty: 20 penalty units.

- (2) A security officer must not later than 30 days after changing his or her residential address notify the Director of his or her new residential address.

Maximum penalty: 20 penalty units.

- (3) A security officer must notify his or her employer of an 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 as soon as practicable after the incident occurs.

Maximum penalty: 20 penalty units.

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(4) In this regulation:

**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 Officers) Regulations (SL No. 30, 1998)***

Notified 4 August 1998

Commenced 4 August 1998

***Private Security (Security Officers) Amendment Regulations 2006 (SL No. 2, 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

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

Notified 14 December 2009

Commenced 1 January 2010 (r 2)

***Private Security (Security Officers) Amendment Regulations 2013 (SL No. 10, 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)

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**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

**Licensing (Director-General) Repeal Act 2020 (Act No. 4, 2020)**

Assent date 9 March 2020  
 Commenced 14 April 2020 (Gaz G13, 1 April 2020, 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: rr 1 and 2.

**4 LIST OF AMENDMENTS**

r 2 sub No. 2, 2006, r 3  
 amd Act No. 4, 2007, s 2; Act No. 9, 2014, s 20; Act No. 44, 2014, s 145; Act No. 17, 2016, s 46; No. 37, 2017, r 8  
 r 3 rep No. 2, 2006, r 3  
 r 5 amd Act No. 44, 2014, s 145; Act No. 4, 2020, s 87  
 r 6 sub No. 2, 2006, r 4  
 amd No. 33, 2006, r 5; No. 34, 2009, r 10; No. 10, 2013, r 3  
 r 7 ins No. 2, 2006, r 4  
 amd No. 33, 2006, r 5; Act No. 44, 2014, s 145; Act No. 4, 2020, s 87  
 sch rep No. 2, 2006, r 5