

PO301*

Security and Related Activities (Control) Act 1996

Security and Related Activities (Control) Amendment Regulations (No. 3) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Security and Related Activities (Control) Amendment Regulations (No. 3) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Security and Related Activities (Control) Regulations 1997**.

[* Reprint 3 as at 4 November 2005.

For amendments to 7 July 2006 see Gazette 13 and 28 April and 27 June 2006.]

3. Regulation 3 amended

(1) Regulation 3(1) is amended as follows:

- (a) after the definition of “section” by deleting the full stop and inserting a semicolon instead;

- (b) by inserting in the appropriate alphabetical position —

“

“training course in firearms discharge” means a training course of a type set out in subregulation (3).

”.

- (2) After regulation 3(2) the following subregulation is inserted —

“

- (3) A training course in firearms discharge is a training course involving —

- (a) elements of firearm safety; and
- (b) training in the use of force; and
- (c) a course of firing of firearms at targets set at various distances,

that has been approved by the Commissioner and that is conducted by training providers who are approved in accordance with regulation 14A.

”.

4. **Regulation 10 amended**

Regulation 10 is amended as follows:

- (a) after paragraph (a) by inserting “and”;
- (b) before paragraph (b) by inserting —

“

- (ab) evidence that (within the previous 6 months) the applicant has successfully completed a training course in firearms discharge; and

”.

5. **Regulation 12 amended**

Regulation 12 is amended as follows:

- (a) after paragraph (a) by inserting “and”;
- (b) before paragraph (b) by inserting —

“

- (ab) evidence that (within the previous 6 months) the applicant has successfully completed a training course in firearms discharge; and

”.

6. **Regulation 14A inserted**

After regulation 14 the following regulation is inserted —

“

14A. Approval of providers of training course in firearms discharge

- (1) The Commissioner may approve of a person as a provider of a training course in firearms discharge if

the Commissioner is satisfied that the person, and each other person who is or will be involved in providing that training, is a fit and proper person to be providing that training course.

- (2) An approval under subregulation (1) —
 - (a) is to be given in writing; and
 - (b) is subject to the conditions in subregulations (3) and (4); and
 - (c) may be subject to such conditions and restrictions (including as to its duration) as the Commissioner thinks fit.
- (3) An approved training provider is to keep a record of attendance, showing the competence of each attendee, for each training course in firearms discharge conducted by that provider.
- (4) As soon as practicable after conducting a training course and, in any case, no later than 7 days after that course, an approved training provider must provide the records kept under subregulation (3) —
 - (a) to a licensing officer; or
 - (b) where the attendee is an endorsed security officer, to a licensing officer and to the agent or agents that employ the security officer.

”.

7. Regulation 16A inserted

After regulation 16 the following regulation is inserted —

“

16A. Records required when baton training undertaken

- (1) An approval under regulation 16(2) or (3) involving training that includes the use of a baton is subject to the conditions in subregulations (2) and (3).
- (2) An approved training provider is to keep a record of attendance, showing the competence of each attendee, for each approved training course that includes the use of a baton conducted by that provider.
- (3) As soon as practicable after conducting an approved training course that includes the use of a baton and, in any case, no later than 7 days after that course, an approved training provider must provide the records kept under subregulation (2) to a licensing officer and to any agents that employ the security officer.

”.

8. Regulation 21 replaced

Regulation 21 is repealed and the following regulation is inserted instead —

“

21. Prescribed conditions and restrictions on licences and endorsements

For the purposes of section 63 the conditions and restrictions set out in Schedule 1 are taken to be attached to licences or endorsements as follows —

- (a) those in Division 1, to all security agent's licences;
- (b) those in Division 2, to all security officer's licences;
- (c) those in Division 2A, to all endorsements of a security officer's licence, but not the licence itself;
- (d) those in Division 3, to all inquiry agent's licences;
- (e) those in Division 4, to all crowd control agent's licences;
- (f) those in Division 5, to all crowd controller's licences.

”.

9. Regulation 38 amended

- (1) Regulation 38 is amended before “A security” by inserting the subregulation designation “(1)”.
- (2) At the end of the regulation by inserting the following subregulation —

“

- (2) A security agent's general records must include any records received from —
 - (a) an approved provider of a training course in firearms discharge; and
 - (b) an approved provider of an approved training course that includes the use of a baton,

that relate to a security officer whose licence is endorsed under section 24 or section 26 and who has performed licensed activities for the business within the last 3 years.

”.

10. Schedule 1 amended

- (1) Schedule 1 item 6 is amended by deleting subitem (1) and inserting the following subitem instead —

“

- (1) A security officer whose licence is endorsed under section 24 must not be in possession of a firearm while

performing any licensed activity for the business unless he or she successfully completes a training course in firearms discharge, at least once in every 6 months, commencing on the day on which the endorsement was issued.

”.

- (2) Schedule 1 is amended before item 11 by inserting the following Division heading —

“

Division 2A — Security officer’s licence endorsement

”.

- (3) Schedule 1 item 11 is amended by deleting subitem (1) and inserting the following subitem instead —

“

- (1) A security officer whose licence is endorsed under section 24 must successfully complete an approved training course in firearms discharge, at least once in every 6 months, commencing on the day on which the endorsement was issued.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
