



Western Australia

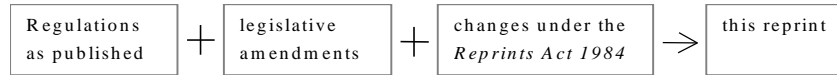
Security and Related Activities (Control) Act 1996

Security and Related Activities (Control) Regulations 1997

Reprint 4: The regulations as at 1 December 2006

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Security and Related Activities (Control) Regulations 1997

CONTENTS

Part 1 — Preliminary

1.	Citation	1
2.	Commencement	1
3.	Interpretation	1

Part 2 — Exemptions

4.	Exemptions from section 37 (crowd controller's licence)	4
5.	Exemption for certain casino employees	4
5A.	Exemptions in relation to <i>Court Security and Custodial Services Act 1999</i>	5
5B.	Exemption in relation to contracts under the <i>Prisons Act 1981</i> Part IIIA	5

Part 3 — Security activities

6.	Locks prescribed for section 14	7
7.	Security doors prescribed for section 14	7
8.	Equipment or devices prescribed for section 14	7
9.	Activities prescribed for section 24	8
10.	Application for endorsement under section 24	8
11.	Annual medical examination prescribed for section 24	9

Contents

12.	Application for permit under section 25	9
13.	Application for endorsement under section 26	10
	Part 3A — Inquiry activities	
13A.	Definition of “investigator” (section 28)	11
	Part 4 — Licensing procedures	
14.	Application for the issue of a licence	12
14A.	Approval of providers of training course in firearms discharge	12
15.	Medical examination prescribed for security officers with authority to be in possession of a firearm	13
16.	Training courses prescribed for sections 47, 52 and 53	13
16A.	Records required when baton training undertaken	15
17.	Examinations prescribed for sections 47 and 52	15
18.	Other evidence prescribed for sections 47 and 52	16
19.	Application for renewal of licence	17
20.	Material to support application for renewal of licence	17
21.	Prescribed conditions and restrictions on licences and endorsements	17
	Part 6 — Records	
35.	Prescribed records for a security agent	19
36.	Firearms register	19
37.	Alarm surveillance register	20
38.	General records of security agent	22
39.	Prescribed records for a crowd control agent	23
40.	Incident register	23
41.	General records of crowd control agent	24
42.	Records to be kept by inquiry agent	25
43.	Records to be kept by person who engages a crowd control agent	25
	Part 7 — Drug testing	
44.	Definitions	27
45.	Prescribed drugs	27
46.	Approval of technologists, sample collectors and analysts	28
47.	Prescribed sampling equipment	29

48.	Preparation and use of sampling equipment	29
48A.	Identity card to be produced when blood, urine collected	30
49.	Method of collecting blood	30
50.	Method of collecting urine	31
51.	Analysis of samples	33
52.	Definition of non-complying sample	33
53.	Certificate evidence	33
 Part 8 — Miscellaneous		
54.	Fees	35
54A.	Codes of conduct	35
 Part 9 — Transitional provisions		
55.	Existing licences	36
56.	Continuation of conditions	36
57.	Uniforms and vehicle markings	36
 Schedule 1 — Conditions and restrictions attached to licences		
Division 1 — Security agent’s licence		
1.	Notification of change of personnel	38
2.	Uniforms	38
3.	Vehicle markings	39
4.	Armed security officers	39
5.	Firearm security	39
6.	Weapons training	40
Division 2 — Security officer’s licence		
7.	Uniforms	40
8.	Vehicle markings	41
9.	Carrying of weapons	41
10.	Firearm security	42
Division 2A — Security officer’s licence endorsement		
11.	Weapons training	42
Division 3 — Inquiry agent’s licence		
12.	Notification of change of personnel	42
Division 4 — Crowd control agent’s licence		
13.	Notification of change of personnel	43

Contents

14.	Wearing of identification cards	43
15.	Information to clients	43
16.	No weapons to be carried by crowd controllers	44
16A.	Incident register	44
	Division 5 — Crowd controller's licence	
17.	Wearing of identification card	45
18.	No weapons to be carried by crowd controller	45
19.	Incident register	45
	Division 6 — All licences	
20.	Identity cards	46
	Schedule 3 — Prescribed drugs	
	Schedule 4 — Fees	
	Notes	
	Compilation table	50
	Defined Terms	



Reprinted under the
Reprints Act 1984 as
at 1 December 2006

Western Australia

Security and Related Activities (Control) Act 1996

Security and Related Activities (Control) Regulations 1997

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Security and Related Activities (Control) Regulations 1997*¹.

2. Commencement

These regulations come into operation on the day on which the *Security and Related Activities (Control) Act 1996* comes into operation¹.

3. Interpretation

(1) In these regulations —

“**approved training course**” means a training course which —

- (a) is accredited by the Training Accreditation Council under section 27 of the *Vocational Education and Training Act 1996*; or

r. 3

(b) has been given interim approval by the Commissioner under regulation 16(2),

and which is provided by a person who —

(c) is registered by that Council as a training provider under section 27 of that Act; and

(d) has been approved by the Commissioner under regulation 16(3);

“business” means —

(a) if the relevant agent’s licence is held on behalf of a partnership or body corporate, the business of the partnership or body corporate; or

(b) otherwise, the business of the security agent, crowd control agent or inquiry agent;

“crowd control activities” means the activities described in section 35(1);

“licensed activity” means, in relation to a licensee, an activity authorised by the licensee’s licence;

“medical certificate” means a certificate given by a medical practitioner certifying that on a specified date a named person passed a medical examination of the type prescribed by regulation 15;

“medical practitioner” means a person who is registered as a medical practitioner under the *Medical Act 1894*;

“section” means a section of the Act;

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

(2) A reference in these regulations to **“AS”**, or **“ANZS”**, followed by a number and the name of a document is a reference to —

(a) the document of that name being the Australian Standard, or the Australia/New Zealand Standard, of that number issued by Standards Australia, as amended from time to time; or

- (b) any document issued by Standards Australia in substitution for that document, as amended from time to time.
- (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.

*[Regulation 3 amended in Gazette 1 Sep 2005 p. 4073-4;
3 Oct 2006 p. 4343-4.]*

Part 2 — Exemptions

4. Exemptions from section 37 (crowd controller’s licence)

- (1) In this regulation —
“**licensed premises**” has the same meaning as in the *Liquor Licensing Act 1988*.
- (2) An usher or ticket collector at a theatre or cinema that is not a licensed premises is exempt from section 37 to the extent that his or her functions include screening persons seeking entry to that theatre or cinema.
- (3) A ticket collector or turnstile operator at a sporting venue that is not a licensed premises is exempt from section 37 to the extent that his or her functions include screening persons seeking entry to that venue.
- (4) A natural person who is the licensee or manager of licensed premises is exempt from section 37 to the extent that he or she performs crowd control activities on those premises in compliance with the *Liquor Licensing Act 1988*.

5. Exemption for certain casino employees

The holder of a casino key employee licence or a casino employee licence under the *Casino Control (Burswood Island) (Licensing of Employees) Regulations 1985* is exempt from sections 15, 16, 17, 18, 29, 30, 36 and 37 while the person —

- (a) is employed or engaged to work at the Burswood Casino;
- (b) is acting in the course of that employment or engagement; and
- (c) is performing activities authorised by that licence.

5A. Exemptions in relation to *Court Security and Custodial Services Act 1999*

- (1) In this regulation the words set out in the Table to this subregulation have the respective meanings that they have in the *Court Security and Custodial Services Act 1999*.

Table

contract	court security service
contractor	custodial service
contract worker	subcontractor

- (2) A person who is a contractor, subcontractor or contract worker is, in respect of actions performed in the course of providing a court security service or a custodial service under a contract, exempt from all of the provisions of the Act.
- (3) A person is exempt from sections 21, 33 and 40 if the sole purpose of the advertisement or the holding out that he or she is willing to supply services referred to in the respective sections is to become a contractor or subcontractor and supply the services for the purposes of a contract.

[Regulation 5A inserted in Gazette 28 Jul 2000 p. 4028; amended in Gazette 12 Jun 2001 p. 2959-60.]

5B. Exemption in relation to contracts under the *Prisons Act 1981 Part IIIA*

- (1) In this regulation the words set out in the Table to this subregulation have the respective meanings that they have in the *Prisons Act 1981*.

Table

contract	prison services
contractor	subcontractor
contract worker	

- (2) A person who is a contractor, subcontractor or contract worker for the purposes of Part IIIA of the *Prisons Act 1981* is, in respect of actions performed in the course of providing prison

r. 5B

services under a contract entered into under that Part, exempt from all of the provisions of the Act.

- (3) A person is exempt from sections 21, 33 and 40 if the sole purpose of the advertisement or the holding out that the person is willing to supply services referred to in the respective sections is to become a contractor or subcontractor and supply the services for the purposes of a contract.

[Regulation 5B inserted in Gazette 12 Jun 2001 p. 2960.]

Part 3 — Security activities

6. Locks prescribed for section 14

The locks prescribed for the purposes of section 14(1)(d) are locks (other than key in knob sets) —

- (a) the purpose of which is to prevent unauthorised entry to a place; and
- (b) that are operated by a key, code, card or digital function.

[Regulation 6 inserted in Gazette 13 Apr 2006 p. 1555.]

7. Security doors prescribed for section 14

The security doors prescribed for the purposes of section 14(1)(e) are hinged or sliding doors —

- (a) the purpose of which is to prevent forced entry to a place; and
- (b) comprising material that —
 - (i) provides a physical barrier to entry but allows the passage of light and air; and
 - (ii) is fitted inside a frame.

[Regulation 7 inserted in Gazette 13 Apr 2006 p. 1555-6.]

8. Equipment or devices prescribed for section 14

The following equipment and devices are prescribed for the purposes of section 14(1)(g) —

- (a) fences —
 - (i) the purpose of which is to prevent unauthorised human access to a place; and
 - (ii) comprising one or more electrical conductors to which electric pulses are applied;
- (b) screens, panels, doors and walls the purpose of which is to prevent penetration by bullets discharged from firearms; and

r. 9

- (c) equipment by which a screen, panel, door or wall mentioned in paragraph (b) is operated.

[Regulation 8 amended in Gazette 13 Apr 2006 p. 1556.]

9. Activities prescribed for section 24

The following activities are prescribed for the purposes of section 24(1)(b) —

- (a) guarding an automatic teller machine while it is malfunctioning or is being repaired or serviced;
- (b) guarding a safe while it is malfunctioning or is being repaired or serviced;
- (c) guarding money or an article of value at a place of business specified in a security agent's licence.

[Regulation 9 inserted in Gazette 1 Sep 2005 p. 4074.]

10. Application for endorsement under section 24

An application for an endorsement under section 24 is to be made to a licensing officer in the approved form and is to be accompanied by —

- (a) a medical certificate relating to a medical examination carried out within the previous month; and
 - (aa) evidence that within the previous 6 months the applicant —
 - (i) has successfully completed an approved training course in firearm use; or
 - (ii) has obtained a qualification, approved by the Commissioner, in firearm use;
- and
- (ab) evidence that (within the previous 6 months) the applicant has successfully completed a training course in firearms discharge; and

- (b) the fee provided for in Schedule 4.

*[Regulation 10 amended in Gazette 1 Sep 2005 p. 4074;
3 Oct 2006 p. 4344.]*

11. Annual medical examination prescribed for section 24

A security officer whose licence is endorsed under section 24 must —

- (a) undergo a medical examination of the type prescribed by regulation 15 (as if the officer were an applicant) at least once in every 12 months, commencing on the day on which the endorsement was issued; and
- (b) within one month of undergoing that examination, give to the Commissioner a medical certificate relating to that examination.

12. Application for permit under section 25

An application for a permit under section 25 is to be made to a licensing officer in the approved form and is to be accompanied by —

- (a) if the applicant does not hold a security officer's licence with an endorsement under section 24, a medical certificate relating to a medical examination carried out within the previous month; and
- (aa) evidence that within the previous 6 months the applicant —
- (i) has successfully completed an approved training course in firearm use; or
- (ii) has obtained a qualification, approved by the Commissioner, in firearm use;
- and
- (ab) evidence that (within the previous 6 months) the applicant has successfully completed a training course in firearms discharge; and

r. 13

- (b) the fee provided for by Schedule 4.

*[Regulation 12 amended in Gazette 1 Sep 2005 p. 4075;
3 Oct 2006 p. 4344.]*

13. Application for endorsement under section 26

An application for an endorsement under section 26 is to be made to a licensing officer in the approved form and is to be accompanied by —

- (a) evidence that the applicant has successfully completed an approved training course in baton use within the previous 12 months; and
- (b) the fee provided for in Schedule 4.

Part 3A — Inquiry activities

[Heading inserted in Gazette 10 Mar 2000 p. 1124.]

13A. Definition of “investigator” (section 28)

The following persons and circumstances are prescribed under section 28(2)(e) —

- (aa) a person appointed under the *Court Security and Custodial Services Act 1999* section 44 to carry out an inquiry under that section, while acting in the ordinary course of that inquiry;
- (ab) a person appointed under the *Prisons Act 1981* section 9 to carry out an inquiry under that section, while acting in the ordinary course of that inquiry;
- (a) a person directed under section 11 of the *Public Sector Management Act 1994* to hold a special inquiry, while acting in the ordinary course of that inquiry;
- (b) a person authorised under section 24 of the *Public Sector Management Act 1994* to conduct an investigation, while acting in the ordinary course of that investigation;
- (c) a person directed under section 81 of the *Public Sector Management Act 1994* to conduct an investigation, while acting in the ordinary course of that investigation;
- (d) a person directed under section 86 of the *Public Sector Management Act 1994* to hold a disciplinary inquiry, or a special disciplinary inquiry, while acting in the ordinary course of that inquiry;
- (e) a person employed or engaged to assist a person referred to in paragraph (aa), (ab), (a), (b), (c) or (d), while acting in the ordinary course of that person’s inquiry or investigation.

*[Regulation 13A inserted in Gazette 10 Mar 2000 p. 1124;
amended in Gazette 1 Sep 2005 p. 4075.]*

Part 4 — Licensing procedures

14. Application for the issue of a licence

An application under section 46(1) for the issue of a licence is to be lodged by the applicant in person —

- (a) if the applicant resides within 50 km of the General Post Office at Perth, with a licensing officer; or
- (b) otherwise, with the officer in charge at the police station nearest to the applicant's place of residence.

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.

[Regulation 14A inserted in Gazette 3 Oct 2006 p. 4344-5.]

15. Medical examination prescribed for security officers with authority to be in possession of a firearm

The medical examination prescribed for the purposes of —

- (a) section 47(1)(d) in the case of an application for a security officer's licence with an endorsement under section 24; or
- (b) section 52(h),

is an examination by a medical practitioner to determine whether the medical practitioner considers the applicant to be physically and psychologically fit to be in possession of a firearm.

[Regulation 15 inserted in Gazette 1 Sep 2005 p. 4076.]

16. Training courses prescribed for sections 47, 52 and 53

- (1) The following training courses are prescribed for the purposes of sections 47(1)(f)(i), 52(g)(i) and 53(2) in respect of —
 - (a) a security officer's licence with an endorsement under section 26, an approved training course in watching, guarding and protecting property including the use of a baton;
 - (b) any other security officer's licence, an approved training course in watching, guarding and protecting property;
 - (c) a crowd controller's licence, an approved training course in crowd control activities;
 - (d) an investigator's licence, an approved training course in —
 - (i) investigations into the conduct of individuals or bodies corporate or the character of individuals;

r. 16A

- (ii) surveillance work in relation to the matters referred to in subparagraph (i);
 - (iii) investigations concerning missing persons.
- (2) The Commissioner may, on application by the provider of a training course, give interim approval to the course if the provider is seeking to have the course accredited under the *Vocational Education and Training Act 1996*.
- (3) The Commissioner may, on application by the provider of a training course, approve of the applicant as a course provider if the Commissioner is satisfied that the applicant, and each other person who is or will be involved in providing that training, is a fit and proper person to be providing such training.
- (4) An approval under subregulation (2) or (3) —
 - (a) is to be given in writing; and
 - (b) may be subject to such conditions and restrictions (including as to its duration) as the Commissioner thinks fit.
- (5) The Commissioner may, by giving written notice to the course provider, cancel an approval given under subregulation (2) or (3), but the cancellation is not effective unless the Commissioner —
 - (a) has given to the course provider written notice of the intention to cancel the approval stating the grounds on which the cancellation is intended and allowing the course provider 21 days within which to respond to the notice; and
 - (b) has had due regard to any response to the notice made within that time.

[Regulation 16 amended in Gazette 1 Sep 2005 p. 4076-7.]

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.

[Regulation 16A inserted in Gazette 3 Oct 2006 p. 4345.]

17. Examinations prescribed for sections 47 and 52

- (1) The following examinations are prescribed for the purposes of sections 47(1)(f)(ii) and 52(g)(ii) in respect of a security consultant's licence which authorises the licensee to give advice about or seek out persons who may be prepared to enter into contracts for the supply of, or a security installer's licence which authorises the licensee to install, maintain and repair —
 - (a) locks of the kind referred to in regulation 6, a written examination on AS 4145 — Mechanical Locksets for Doors and Windows;
 - (b) security doors of a kind referred to in regulation 7, a written examination on AS 2804 — Installation of Security Screen Doors;
 - (c) electric fences, a written examination on ANZS 3016 — Electrical Installations — Electrical Security Fences;
 - (d) bullet resistant panels, a written examination on AS 2343 — Bullet Resistant Panels for Interior Use;

r. 18

- (e) security alarms, a written examination on AS 2201.1 — Intruder Alarm Systems, Part 1 — Systems Installed in Client’s Premises and, in the case of a security installer’s licence, on the principles of electronics; or
 - (f) security doors, a written examination on AS 2803 — Security Screen Doors.
- (2) The following examination is prescribed for the purposes of sections 47(1)(f)(ii) and 52(g)(ii) in respect of a security agent’s licence, inquiry agent’s licence and a crowd control agent’s licence, a written examination on the obligations under the Act of security agents, inquiry agents or crowd control agents (as the case may be).
- (3) In this regulation —
- “written examination”** means a written examination —
- (a) set by the Commissioner to test the applicant’s knowledge of the relevant subject matter; and
 - (b) administered by the person to whom the application for the issue of the relevant licence is made under regulation 14.

18. Other evidence prescribed for sections 47 and 52

- (1) An application for a licence, other than an agent’s licence, is to be accompanied by a written statement, signed by each person who is to be specified on the licence under section 59 as an employer, stating that the person —
- (a) holds an appropriate agent’s licence; and
 - (b) has offered to employ the applicant if the licence is granted.
- (2) The requirements of subregulation (1) are prescribed for the purposes of sections 47(1)(h) and 52(j).

19. Application for renewal of licence

An application under section 49(1) for the renewal of a licence is to be lodged by the applicant —

- (a) by post so that the application is received by a licensing officer by the time referred to in section 49(3); or
- (b) in person —
 - (i) if the applicant resides within 50 km of the General Post Office at Perth, with a licensing officer by the time referred to in section 49(3); or
 - (ii) otherwise, with the officer in charge at the police station nearest to the applicant's place of residence by the time referred to in section 49(3).

[Regulation 19 inserted in Gazette 1 Sep 2005 p. 4077.]

20. Material to support application for renewal of licence

An application for the renewal of a licence is to be accompanied by photographs of the applicant in such number and form as is determined by the Commissioner under section 47(1)(b) in respect of applications for the issue of licences.

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;

r. 21

(f) those in Division 5, to all crowd controller's licences.

[Regulation 21 inserted in Gazette 3 Oct 2006 p. 4346.]

[22. Repealed in Gazette 1 Sep 2005 p. 4077.]

[Part 5 (r. 23-34) repealed in Gazette 30 Dec 2004 p. 6977.]

Part 6 — Records

35. Prescribed records for a security agent

The following records are prescribed in relation to a security agent for the purposes of section 78(1)(a) —

- (a) a firearms register containing the particulars required by regulation 36;
- (b) an alarm surveillance register containing the particulars required by regulation 37; and
- (c) general records containing the particulars required by regulation 38.

36. Firearms register

- (1) The firearms register is to set out, in relation to each occasion on which a security officer is in possession of a firearm while performing any licensed activity for the business —
 - (a) the full name and licence number of the security officer;
 - (b) the type and serial number of the firearm;
 - (c) the type and quantity of ammunition carried by the security officer;
 - (d) the date and time when the firearm was removed from the business premises;
 - (e) the date and time when the firearm was returned to those premises; and
 - (f) if the firearm was discharged during the performance of the licensed activity —
 - (i) the date and time of the discharge;
 - (ii) the reason for the discharge;
 - (iii) if it was discharged by a person other than the security officer, the name of that person (if known); and
 - (iv) details of any injury or damage caused by the discharge.

r. 37

- (2) The details referred to in subregulation (1)(a) to (c) must be recorded in the register before the firearm is removed from the business premises and the details referred to in subregulation (1)(d) to (f) must be recorded as soon as practicable after the event in question occurs.

[Regulation 36 amended in Gazette 1 Sep 2005 p. 4077-8.]

37. Alarm surveillance register

- (1) The alarm surveillance register is to set out, in relation to each occasion on which a security officer whose services are supplied by a security agent responds to a security alarm that is monitored by the security agent —
- (a) the full name and licence number of the security officer;
 - (b) the address of the premises protected by the security alarm;
 - (c) details of what caused the alarm to activate;
 - (d) the dates and times when —
 - (i) the alarm was activated;
 - (ii) the security officer arrived at the protected premises (if attendance was required);
 - (iii) the police arrived at the protected premises (if police attendance was required); and
 - (iv) the owner or occupier of the protected premises was notified that the alarm had been activated;
- and
- (e) details of the action taken by the security officer.
- (1a) The alarm surveillance register of a security agent is to set out, in relation to each occasion on which a security officer whose services are supplied by another security agent responds to a security alarm that is monitored by the security agent —
- (a) the address of the premises protected by the security alarm;
 - (b) the name of the security agent that supplied the services of the security officer;

- (c) the name of the individual who, on behalf of the security agent that supplied the services of the security officer, dealt with the request to supply those services;
 - (d) the dates and times when —
 - (i) the alarm was activated;
 - (ii) the owner or occupier of the protected premises was notified that the alarm had been activated;and
 - (e) details of what caused the alarm to activate, if known.
- (1b) The alarm surveillance register of a security agent is to set out, in relation to each occasion on which a security officer whose services are supplied by the security agent responds to a security alarm that is monitored by another security agent —
- (a) the name of the security agent that monitored the alarm;
 - (b) the name of the individual who, on behalf of the security agent that monitored the alarm, requested the supply of the security officer's services;
 - (c) the name and licence number of the security officer;
 - (d) the address of the premises protected by the security alarm;
 - (e) the dates and times when —
 - (i) the security officer arrived at the protected premises; and
 - (ii) the police arrived at the protected premises (if police attendance was required);
 - (f) details of what caused the alarm to activate, if known; and
 - (g) details of the action taken by the security officer.
- (2) The details referred to in subregulations (1), (1a) and (1b) must be recorded in the register as soon as practicable after the event in question occurs.

[Regulation 37 amended in Gazette 1 Sep 2005 p. 4078-80.]

38. General records of security agent

- (1) A security agent's general records must show —
- (a) the full names, residential addresses, licence numbers and expiry dates of the licences of all security officers, security consultants and security installers who perform licensed activities for the business;
 - (b) in relation to each occasion on which the business is engaged to provide security officers, security consultants or security installers —
 - (i) the name and address of the person who engaged the business;
 - (ii) full details of the type of security provided; and
 - (iii) the names of the security officers, security consultants or security installers who provided that security;
- and
- (c) the hourly movement of all security officers while they are carrying out licensed activities for the business.
- (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.

*[Regulation 38 amended in Gazette 1 Sep 2005 p. 4080;
3 Oct 2006 p. 4346.]*

39. Prescribed records for a crowd control agent

- (1) The following records are prescribed in relation to a crowd control agent for the purposes of section 78(1)(a) —
 - (a) an incident register containing the particulars required by regulation 40; and
 - (b) general records containing the particulars required by regulation 41.
- (2) An incident register is to be kept in the form of a permanently bound book with sequentially numbered pages.

[Regulation 39 amended in Gazette 1 Sep 2005 p. 4080.]

40. Incident register

- (1) The incident register is to set out, in relation to each occasion on which a crowd controller performing licensed activities on behalf of the business physically restrains a person at, or removes a person from, or prevents a person from entering, a place, an event or function at which the crowd controller is carrying out crowd control activities for the business —
 - (a) the full name and licence number of the crowd controller;
 - (b) the location of the place, event or function;
 - (c) the name and address of the person who engaged the business to provide crowd controllers at the place, event or function;
 - (d) the date and time when the person was physically restrained, removed or prevented from entering;
 - (e) the reasons why the person was physically restrained, removed or prevented from entering;
 - (f) the manner in which the person was physically restrained, removed or prevented from entering;
 - (g) the full names of any other crowd controllers who were present when the person was physically restrained, removed or prevented from entering; and

r. 41

- (h) the date and time when the person referred to in paragraph (c) was notified that the person was physically restrained, removed or prevented from entering.
- (2) The details referred to in subregulation (1) must be recorded in the register as soon as practicable after the incident in question occurs —
 - (a) by the crowd controller who physically restrained or removed the person, or prevented the person from entering; or
 - (b) if more than one crowd controller physically restrained or removed the person, or prevented the person from entering, by one of those crowd controllers with the written acknowledgment in the register of each of the other crowd controllers as to the accuracy of the record made.

Penalty: \$1 000.

- (3) In this regulation a reference to removing a person from a place or preventing a person from entering a place is a reference to the removal or prevention of entry of the person in any manner which involves physical contact between the crowd controller and the person being removed or prevented from entering.

[Regulation 40 amended in Gazette 1 Sep 2005 p. 4081-2.]

41. General records of crowd control agent

A crowd control agent's general records must show —

- (a) the full names, residential addresses, licence numbers and expiry dates of the licences of all crowd controllers who perform licensed activities for the business; and
- (b) in relation to every event or function for which the business is engaged to provide crowd controllers —
 - (i) the name and address of the person who engaged the business;

- (ii) the location of the event or function;
- (iii) the type of event or function;
- (iv) the dates and times at which the event or function started and finished;
- (v) the approximate number of people attending the event or function;
- (vi) the names and licence numbers of the crowd controllers who carried out crowd control activities at the event or function; and
- (vii) the times during which each of those crowd controllers carried out those activities.

[Regulation 41 amended in Gazette 1 Sep 2005 p. 4082.]

42. Records to be kept by inquiry agent

The following records and particulars are prescribed in relation to an inquiry agent for the purposes of section 78(1)(a) — the full names, residential addresses, licence numbers and expiry dates of the licences of all investigators who perform licensed activities for the business.

[Regulation 42 amended in Gazette 1 Sep 2005 p. 4083.]

43. Records to be kept by person who engages a crowd control agent

The following records and particulars are prescribed for the purposes of section 84(a) —

- (a) the name and licence number of the crowd control agent;
- (b) if the crowd control agent's licence is held on behalf of a partnership or body corporate, the name of the partnership or body corporate;
- (c) the full names and licence numbers of all crowd controllers who performed crowd control activities at the event or function; and

r. 43

- (d) the times during which each of those crowd controllers performed those activities.

[Regulation 43 amended in Gazette 1 Sep 2005 p. 4083.]

Part 7 — Drug testing

44. Definitions

In this Part —

“**analyst**” means a person approved under regulation 46(2);

“**approved testing equipment**” means equipment approved by the Director of the Chemistry Centre (WA) for the purpose of testing urine under regulation 50(1a);

“**blood sampling equipment**” means the equipment prescribed by regulation 47(1);

“**police officer or employee**” means a police officer or an employee, within the meaning of the *Public Sector Management Act 1994*, who carries out duties for the Western Australian Police Service;

“**sample collector**” means a medical practitioner or a person approved under regulation 46(1)(b);

“**sampling equipment**” means blood sampling equipment or urine sampling equipment;

“**technologist**” means —

(a) a person who is registered as an analyst under section 203 of the *Health Act 1911*; or

(b) a person approved under regulation 46(1)(a);

“**urine sampling equipment**” means the equipment prescribed by regulation 47(2).

[Regulation 44 amended in Gazette 28 Apr 2006 p. 1657.]

45. Prescribed drugs

The drugs referred to in Schedule 3 are prescribed for the purposes of section 80.

46. Approval of technologists, sample collectors and analysts

- (1) The Commissioner of Health (as defined in the *Health Act 1911*) may approve a person as —
 - (a) a technologist for the purposes of this Part if the Commissioner considers the person is competent to prepare sampling equipment;
 - (b) a sample collector for the purposes of this Part if the Commissioner considers the person is competent to take or collect blood and urine samples.
- (2) The Director of the Chemistry Centre (WA) may approve a person as an analyst for the purposes of Part 9 of the Act if the Director considers the person is competent to ascertain whether, and to what extent, drugs are present in blood and urine samples.
- (3) An approval under this regulation may relate to —
 - (a) a specified person;
 - (b) the holder from time to time of a specified office or position; or
 - (c) a specified class of persons.
- (4) An approval under this regulation —
 - (a) is to be given in writing;
 - (b) may be subject to such conditions and restrictions (including as to its duration) as the person giving the approval thinks fit; and
 - (c) in the case of an approval under subregulation (3)(b) or (c) is to be published in the *Gazette*.
- (5) The person who gave an approval under subregulation (3)(b) or (c) may cancel it by publishing a notice to that effect in the *Gazette*.

- (6) The person who gave any other approval under this regulation may cancel it by giving written notice to the approved person but, before doing so, must give the approved person an opportunity to show why the approval should not be cancelled.

47. Prescribed sampling equipment

- (1) For the purposes of this Part the following is prescribed as blood sampling equipment —
- (a) a sterile syringe with a capacity of approximately 30 ml;
 - (b) a sterile needle to be attached to the syringe;
 - (c) 2 sterile bottles, each of which —
 - (i) is numbered with the serial number of the package referred to in regulation 48(1)(b);
 - (ii) contains approximately 25 mg of potassium oxalate and 10 mg of sodium fluoride; and
 - (iii) is closed with a cap fitted with a rubber disc;
 - (d) a container containing a solution of 1 part mercury bichloride to 1 000 parts distilled water;
 - (e) 2 swabs of cotton wool; and
 - (f) a pair of disposable gloves.
- (2) For the purposes of this Part, 2 specimen jars are prescribed as urine sampling equipment.

[Regulation 47 amended in Gazette 28 Apr 2006 p. 1657.]

48. Preparation and use of sampling equipment

- (1) Sampling equipment is to be prepared by a technologist who must, in relation to each set of equipment —
- (a) complete and sign a certificate in the approved form; and
 - (b) seal the equipment in a serially numbered package and sign his or her name over the sealed portion or flap of the package.

r. 48A

- (2) A sample collector taking or collecting a sample for the purposes of the Act —
 - (a) subject to regulation 50(1), must use only sampling equipment prepared under subregulation (1); and
 - (b) must not use sampling equipment contained in a package that is not sealed and intact or in respect of which the indicated expiry date has passed.

[Regulation 48 amended in Gazette 28 Apr 2006 p. 1657.]

48A. Identity card to be produced when blood, urine collected

- (1) A crowd controller who is directed under section 80 to give a sample of his or her blood or urine for analysis must, at the time when the sample is taken, produce his or her identity card to the sample collector or a police officer or employee who is present when the sample is taken.

Penalty: \$2 000.

- (2) A failure to produce an identity card in accordance with subregulation (1) is to be taken to be a failure to comply with a direction under section 80.
- (3) A person does not commit an offence under subregulation (1), and subregulation (2) does not apply, if the person who provided the sample produced, at the time of providing the sample, evidence that satisfied the sample collector or police officer or employee that the person was the subject of the direction.

[Regulation 48A inserted in Gazette 1 Sep 2005 p. 4083-4.]

49. Method of collecting blood

- (1) A blood sample is to be taken by a sample collector by venepuncture using the syringe.
- (2) Before taking a blood sample the sample collector must cleanse the proposed site of the venepuncture using the mercury bichloride solution and cotton wool.

- (3) After taking a blood sample —
- (a) the sample collector must discharge approximately half of the sample into each of the 2 sterile bottles;
 - (b) the sample collector must securely tighten the cap on each bottle and shake it thoroughly (by inverting it at least 20 times) to mix the contents;
 - (c) the sample collector and a police officer or employee must each complete and sign the relevant parts of the approved form;
 - (d) the sample collector must seal each of the sterile bottles in a separate package and seal it by fixing the form referred to in paragraph (c) over the opening of the package;
 - (e) the sample collector and police officer or employee must each sign his or her name over the sealed portion or flap of that package; and
 - (f) the sample collector must give one blood sample to the person from whom it was taken and the other sample to the police officer or employee.

50. Method of collecting urine

- (1) A urine sample is to be collected by a sample collector in a sterile urine collecting container.
 - (1a) After a urine sample has been collected, the sample collector may withdraw from the urine collecting container as much of the urine as is necessary to enable the urine to be tested by the approved testing equipment.
 - (1b) If —
 - (a) the test of the urine by the approved testing equipment indicates that the urine sample may be a non-complying sample (as defined in regulation 52); or

r. 50

- (b) no urine from the urine sample is tested by the approved testing equipment,
subregulation (2) must be complied with in relation to the urine sample.
- (1c) If the test of the urine by the approved testing equipment does not indicate that the urine sample may be a non-complying sample (as defined in regulation 52), the sample collector may decide —
 - (a) that no further action is to be taken in relation to the urine sample; or
 - (b) for any reason the sample collector considers sufficient, that subregulation (2) is to be complied with in relation to the urine sample.
- (2) For this subregulation to be complied with in relation to a urine sample —
 - (a) the sample collector must pour as much of the urine into each of the 2 specimen jars as is necessary to enable an analysis of the urine to be made and securely tighten the cap on each specimen jar;
 - (b) the sample collector and a police officer or employee must each complete and sign the relevant parts of the approved form;
 - (c) the sample collector must seal each of the specimen jars in a separate package and seal it by fixing the form referred to in paragraph (b) over the opening of the package;
 - (d) the sample collector and police officer or employee must each sign his or her name over the sealed portion or flap of that package; and
 - (e) the sample collector must give one urine sample to the person from whom it was collected and the other sample to the police officer or employee.

[Regulation 50 amended in Gazette 28 Apr 2006 p. 1657-8.]

51. Analysis of samples

- (1) A police officer or employee who is given a sample under regulation 49(3)(f) or 50(2)(e) must cause that sample to be delivered promptly to the Director of the Chemistry Centre (WA) for analysis.
- (2) The Director of the Chemistry Centre (WA) must —
 - (a) cause a sample delivered under subregulation (1) to be analysed by an analyst to determine whether, and to what extent, any drugs referred to in Schedule 3 are present in the sample; and
 - (b) give a copy of the results of the analysis to the Commissioner of Police.

52. Definition of non-complying sample

For the purposes of section 81(1)(b) a blood or urine sample is a non-complying sample if —

- (a) the sample contains any measurable amount of a drug referred to in Schedule 3 other than testosterone; or
- (b) the amount of testosterone per millilitre of the sample is 6 or more times the amount of epitestosterone per millilitre of the sample.

53. Certificate evidence

In any proceeding under the Act and in the absence of proof to the contrary, any of the following certificates is evidence of the matters certified in it —

- (a) a certificate purporting to be signed by the Director of the Chemistry Centre (WA), certifying that a named person is, or was at a particular time, approved as an analyst under regulation 46(2);
- (aa) a certificate purporting to be signed by the Director of the Chemistry Centre (WA), certifying that identified equipment is, or was at a particular time, approved testing equipment;

r. 53

- (b) a certificate purporting to be signed by a technologist, certifying that —
 - (i) identified sampling equipment comprises the items required by regulation 47;
 - (ii) he or she prepared that sampling equipment in accordance with regulation 48; and
 - (iii) at the time it was prepared the sampling equipment was sterile and fit for use in taking blood or urine samples (as the case requires) if used on or before the stated expiry date;
- (c) a certificate purporting to be signed by a sample collector certifying that an identified blood or urine sample was taken or collected —
 - (i) from a named person;
 - (ii) at a specified date and time;
 - (iii) in accordance with these regulations; and
 - (iv) using sampling equipment that was sealed in a package with a specified serial number;and
- (d) a certificate purporting to be signed by an analyst, certifying —
 - (i) that an identified blood or urine sample taken or collected from a named person was analysed for drugs in accordance with these regulations; and
 - (ii) the results obtained from that analysis.

[Regulation 53 amended in Gazette 28 Apr 2006 p. 1658.]

Part 8 — Miscellaneous

54. Fees

The fees set out in column 3 of Schedule 4 are prescribed in relation to the matters set out in that Schedule.

54A. Codes of conduct

- (1) A draft code of conduct may be prepared by an association representing a group of persons licensed under the Act who will be affected by the proposed code of conduct.
- (2) In preparing a draft code of conduct an association is to invite the following persons to make submissions in relation to the draft code of conduct —
 - (a) the persons who are the holders of licences of a kind that would be affected by the proposed code of conduct;
 - (b) the Commissioner; and
 - (c) members of the public.
- (3) The Commissioner is to ensure that appropriate consultation has occurred in relation to a draft code of conduct before submitting it to the Minister.
- (4) The Minister may approve the draft code of conduct with or without amendments that are specified by the Minister.
- (5) The Commissioner is to ensure that a code of conduct that is approved by the Minister is published in the *Gazette*.
- (6) A code of conduct is to specify the persons to whom the code applies.
- (7) A breach of a code of conduct that has been approved by the Minister and published in the *Gazette* is a proper cause for disciplinary action against a licensee under section 67(1a)(d).

[Regulation 54A inserted in Gazette 1 Sep 2005 p. 4084-5.]

Part 9 — Transitional provisions

55. Existing licences

- (1) A licence that is to be treated, under clause 2(3) of Schedule 1 to the Act, as a security officer's licence is to be treated as if it had been endorsed under section 24 if the licensee was licensed under the *Security Agents Act 1976*² to carry on the class of business described in regulation 6(b)(ii) of the *Security Agents Regulations 1977*², and this Act applies to that endorsement as if it had been issued under this Act.
- (2) A licence for a security guard under the *Security Agents Act 1976*² is to be treated as if it were a security consultant's licence if the licensee was licensed under that Act to carry on the class of business described in regulation 6(b)(iv) of the *Security Agents Regulations 1977*², and this Act applies to that licence as if it had been issued under this Act.
- (3) A licence for a security agent or security guard under the *Security Agents Act 1976*² is to be treated as if it were a security installer's licence if the licensee was licensed under that Act to carry on one or more of the classes of business described in regulation 6(b)(v) to (ix) of the *Security Agents Regulations 1977*², and this Act applies to that licence as if it had been issued under this Act.

56. Continuation of conditions

Where a licence under the *Security Agents Act 1976*² or the *Inquiry Agents Licensing Act 1954*² is to be treated as a licence under this Act all the conditions and restrictions that applied to the licence under the repealed Act continue to apply to the licence until it is renewed under this Act.

57. Uniforms and vehicle markings

- (1) If, immediately before the commencement of these regulations, a certificate was in force under section 41(6) of the *Security Agents Act 1976*² in respect of a uniform or vehicle marking,

that uniform or vehicle marking is taken to have been approved by the Commissioner under regulation 22 unless cancelled under regulation 22(4).

(2) Where —

- (a) a licence for a security agent under the *Security Agents Act 1976*² is to be treated, under clause 2(3) of Schedule 1 to the Act, as a security agent's licence; and
- (b) the licensee does not have a certificate issued under section 41(6) of the *Security Agents Act 1976*² in relation to a uniform or vehicle markings,

any licence condition under Schedule 1 as to a matter for which the licensee does not have such a certificate does not apply until —

- (c) the licence is renewed under this Act; or
- (d) the licensee has obtained an approval under regulation 22 in relation to that matter.

Schedule 1 — Conditions and restrictions attached to licences

[Regulation 21]

Division 1 — Security agent's licence

1. Notification of change of personnel

- (1) A security agent must notify the Commissioner —
 - (a) if the security agent's licence is held on behalf of a partnership or body corporate, of any change in the partners or the officers of the body corporate; and
 - (b) in every case, whenever a security officer, security consultant or security installer commences or ceases to be employed in the business.
- (2) The notice under subclause (1) is to be in writing and given to the Commissioner within 21 days of the occurrence to which it relates.

2. Uniforms

- (1) All security officers must, at all times while performing licensed activities for a business, wear a uniform that is of a type approved by the Commissioner.
- (2) This condition does not apply —
 - (a) to a security officer who is engaged in loss prevention activities in a retail store; or
 - (b) if a licensing officer is satisfied that a security officer is engaged in escort duties in circumstances that require the security officer to wear clothes other than a uniform that is of a type approved by the Commissioner.
- (3) A security officer to whom subclause (2)(a) or (b) applies must not, while performing licensed activities for a business, wear a uniform that is confusingly similar to a uniform in use by a police force.

[Clause 2 inserted in Gazette 1 Sep 2005 p. 4085.]

3. Vehicle markings

A marking on a vehicle used by a security officer while performing licensed activities for a business must not be confusingly similar to a vehicle marking in use by a police force.

[Clause 3 inserted in Gazette 1 Sep 2005 p. 4086.]

4. Armed security officers

- (1) A security officer must not be in possession of a firearm while performing any licensed activity for the business unless —
- (a) the security officer's licence is endorsed under section 24 for that activity or the security officer holds a permit under section 25 for the relevant occasion;
 - (b) the business is an organization which holds a licence, permit or approval, issued under the *Firearms Act 1973*, that authorises the possession of firearms by its employees; and
 - (c) the firearm —
 - (i) was provided to the security officer by the security agent for the purpose of performing that activity; and
 - (ii) is a firearm to which the licence referred to in paragraph (b) applies.
- (2) A security officer must not be in possession of a baton while performing any licensed activity for the business unless —
- (a) the security officer's licence is endorsed under section 26; and
 - (b) the baton is of a type approved by the Commissioner under section 26(2)(b).
- (3) A security officer must not be in possession of any other weapon while performing any licensed activity for the business.

[Clause 4 amended in Gazette 1 Sep 2005 p. 4086.]

5. Firearm security

- (1) A firearm used in the business must be kept, while not being used, at the place of business specified in the security agent's licence in storage facilities which are adequate to ensure its safety and to safeguard it from loss or improper use.

- (2) This condition does not prevent a firearm used in the business being kept at the residence of a security officer employed in the business if —
- (a) the security officer is on call to perform an activity of a kind referred to in regulation 9(a) or (b); and
 - (b) the firearm and any ammunition is stored in accordance with the requirements of the *Firearms Act 1973*.

[Clause 5 amended in Gazette 1 Sep 2005 p. 4086.]

6. Weapons training

- (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) A security officer whose licence is endorsed under section 26 must not be in possession of a baton while performing any licensed activity for the business unless he or she successfully completes an approved training course in baton use at least once every 6 months commencing on the day on which the security officer first successfully completed an approved training course in baton use.

[Clause 6 inserted in Gazette 1 Sep 2005 p. 4086-7; amended in Gazette 3 Oct 2006 p. 4346-7.]

Division 2 — Security officer's licence

7. Uniforms

- (1) A security officer must, at all times while performing a licensed activity for a business, wear a uniform that is of a type approved by the Commissioner.
- (2) This condition does not prevent the wearing of other items of clothing, in addition to the approved uniform, if —
- (a) the approved uniform does not include items of that nature; and
 - (b) those items are in keeping with the approved uniform.
- (3) This condition does not apply —

- (a) to a security officer who is engaged in loss prevention activities in a retail store; or
 - (b) if a licensing officer is satisfied that a security officer is engaged in escort duties in circumstances that require the security officer to wear clothes other than a uniform that is of a type approved by the Commissioner.
- (4) A security officer to whom subclause (3)(a) or (b) applies must not, while performing a licensed activity for a business, wear a uniform that is confusingly similar to a uniform in use by a police force.

[Clause 7 amended in Gazette 1 Sep 2005 p. 4087-8.]

8. Vehicle markings

A security officer must not use a vehicle while performing licensed activities for a business if a marking on the vehicle is confusingly similar to a vehicle marking in use by a police force.

[Clause 8 inserted in Gazette 1 Sep 2005 p. 4088.]

9. Carrying of weapons

- (1) A security officer must not be in possession of a firearm while performing any licensed activity unless —
- (a) the security officer's licence is endorsed under section 24 for that activity or the security officer holds a permit under section 25 for the relevant occasion; and
 - (b) the firearm was provided to the security officer by the security agent for the purpose of performing that activity.
- (2) A security officer must not be in possession of a baton while performing any licensed activity unless —
- (a) the security officer's licence is endorsed under section 26; and
 - (b) the baton is of a type approved by the Commissioner under section 26(2)(b).
- (3) A security officer must not be in possession of any other weapon while performing any licensed activity.

[Clause 9 amended in Gazette 1 Sep 2005 p. 4088.]

10. Firearm security

- (1) A security officer who is in possession of a firearm while performing a licensed activity for a security agent must, at the end of the activity, promptly return the firearm to the security agent.
- (2) This condition does not prevent a security officer keeping the firearm at his or her residence if —
 - (a) the security officer is on call to perform an activity of a kind referred to in regulation 9(a) or (b); and
 - (b) the firearm and any ammunition is stored in accordance with the requirements of the *Firearms Act 1973*.

[Clause 10 amended in Gazette 1 Sep 2005 p. 4088.]

Division 2A — Security officer's licence endorsement

[Heading inserted in Gazette 3 Oct 2006 p. 4347.]

11. Weapons training

- (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.
- (2) A security officer whose licence is endorsed under section 26 must successfully complete an approved training course in baton use at least once every 6 months commencing on the day on which the security officer first successfully completed an approved training course in baton use.

[Clause 11 inserted in Gazette 1 Sep 2005 p. 4089; amended in Gazette 3 Oct 2006 p. 4347.]

Division 3 — Inquiry agent's licence

12. Notification of change of personnel

- (1) An inquiry agent must notify the Commissioner —
 - (a) if the inquiry agent's licence is held on behalf of a partnership or body corporate, of any change in the partners or the officers of the body corporate; and

- (b) in every case, whenever an investigator commences or ceases to be employed in the business.
- (2) The notice under subclause (1) is to be in writing and given to the Commissioner within 21 days of the occurrence to which it relates.

Division 4 — Crowd control agent's licence

13. Notification of change of personnel

- (1) A crowd control agent must notify the Commissioner —
 - (a) if the crowd control agent's licence is held on behalf of a partnership or body corporate, of any change in the partners or the officers of the body corporate; and
 - (b) in every case, whenever a crowd controller commences or ceases to be employed in the business.
- (2) The notice under subclause (1) is to be in writing and given to the Commissioner within 21 days of the occurrence to which it relates.

14. Wearing of identification cards

A crowd control agent to whom an identification card has been issued under section 61 must wear that card —

- (a) on his or her chest; and
- (b) in such a manner that his or her photograph and licence number are clearly visible to other persons,

at all times while the agent is at any place for the purpose of supervising crowd controllers employed in the business.

[Clause 14 amended in Gazette 1 Sep 2005 p. 4089.]

15. Information to clients

Before the start of any event or function at which a crowd control business is engaged to provide crowd controllers, the crowd control agent must give to the person who engaged the business a written notice setting out —

- (a) the name and licence number of the crowd control agent;

- (b) if the crowd control agent's licence is held on behalf of a partnership or body corporate, the name of the partnership or body corporate;
- (c) the names and licence numbers of all crowd controllers who will be performing crowd control activities at the event or function for the business;
- (d) the times during which each of those crowd controllers will be performing those activities; and
- (e) a statement to the effect that the person who engaged the business is required by section 84 of the Act to retain the notice for 3 years.

[Clause 15 amended in Gazette 1 Sep 2005 p. 4089.]

16. No weapons to be carried by crowd controllers

- (1) A crowd controller must not be in possession of any firearm, baton or other weapon while carrying out crowd control activities for the business.
- (2) This condition applies even if the crowd controller —
 - (a) is entitled under the *Firearms Act 1973* to be in possession of a firearm; or
 - (b) is also a security officer whose licence is endorsed under section 24 or 26 or who has a permit under section 25.

[Clause 16 amended in Gazette 1 Sep 2005 p. 4089.]

16A. Incident register

A crowd control agent, in relation to an incident register referred to in regulation 39 kept by the agent, must ensure that —

- (a) each entry made in the incident register is legible;
- (b) each page or part of a page is not removed from the incident register;
- (c) each page or part of a page of the incident register is not damaged, obscured or replaced;
- (d) each entry or part of an entry in the incident register is not deliberately erased, obscured or otherwise rendered illegible;

- (e) a person is not requested or allowed to deliberately erase, obscure or otherwise render illegible any entry or part of an entry in the incident register;
- (f) a person who makes an alteration to an entry in the incident register dates and initials the alteration and legibly prints his or her full name near the initials.

[Clause 16A inserted in Gazette 1 Sep 2005 p. 4090.]

Division 5 — Crowd controller's licence

17. Wearing of identification card

A crowd controller to whom an identification card has been issued under section 61 must wear that card —

- (a) on his or her chest; and
- (b) in such a manner that his or her photograph and licence number are clearly visible to other persons,

at all times while performing crowd control activities.

[Clause 17 amended in Gazette 1 Sep 2005 p. 4090.]

18. No weapons to be carried by crowd controller

- (1) A crowd controller must not be in possession of any firearm, baton or other weapon while carrying out crowd control activities.
- (2) This condition applies even if the crowd controller —
 - (a) is entitled under the *Firearms Act 1973* to be in possession of a firearm; or
 - (b) is also a security officer whose licence is endorsed under section 24 or 26 or who holds a permit under section 25.

19. Incident register

A crowd controller, in relation to an incident register referred to in regulation 39 that is kept by the crowd control agent —

- (a) must ensure that each entry that he or she makes in the incident register is legible;
- (b) must not remove a page or part of a page from the incident register;

- (c) must not damage, obscure or replace a page or part of a page of the incident register;
- (d) must not deliberately erase, obscure or otherwise render illegible any entry or part of an entry in the incident register;
- (e) must not request or allow another person to deliberately erase, obscure or otherwise render illegible any entry or part of an entry in the incident register;
- (f) must date and initial any alteration that he or she makes to an entry in the incident register and legibly print his or her full name near the initials.

[Clause 19 inserted in Gazette 1 Sep 2005 p. 4091.]

Division 6 — All licences

[Heading inserted in Gazette 1 Sep 2005 p. 4091.]

20. Identity cards

A person to whom an identity card is issued —

- (a) must not deliberately alter, erase, obscure or otherwise render illegible any written information on the identity card;
- (b) must not deliberately alter, remove or obscure the photograph on the identity card;
- (c) must not request or allow another person to deliberately alter, erase, obscure or otherwise render illegible any written information on the identity card; and
- (d) must not request or allow another person to deliberately alter, remove or obscure the photograph on the identity card.

[Clause 20 inserted in Gazette 1 Sep 2005 p. 4091-2.]

[Schedule 2 repealed in Gazette 30 Dec 2004 p. 6977.]

Schedule 3 — Prescribed drugs

[Regulations 45, 51 and 52]

Any drug, other than testosterone, that is from time to time —

- (a) declared under section 22A of the *Poisons Act 1964* to be a specified drug; or
- (b) included in Schedule 8 or 9 of that Act.

Schedule 4 — Fees

[Regulation 54]

[Heading inserted in Gazette 27 Jun 2006 p. 2303.]

Provision of Act or regulations	Subject matter	Fee (\$)
Column 1	Column 2	Column 3
<u>Agent's licences</u>		
s. 46(1)	Application for issue of agent's licence —	
	for one year or less	383
	for 3 years	404
s. 46(1)	Application by licensee for an additional agent's licence (each)	155
s. 49(1)(c)	Application for renewal of agent's licence — 3 year (each)	213
<u>Other licences</u>		
s. 46(1)	Application for issue of any other licence —	
	for one year or less	133
	for 3 years	155
s. 46(1)	Application by licensee for an additional other licence (each)	98
s. 49(1)(c)	Application for renewal of any other licence — 3 year (each)	123
r. 10	Application for endorsement under section 24	31
r. 12	Application for permit under section 25	123
r. 13	Application for endorsement under section 26	31
<u>Miscellaneous</u>		
s. 10(2)	Application to inspect register	31
s. 10(3)	Certified copy of register entry	31

Provision of Act or regulations	Subject matter	Fee (\$)
Column 1	Column 2	Column 3
s. 46(1)	Fee if fingerprints and palm prints are required under section 48	91
s. 66	Issue of duplicate licence or duplicate identification card	20

[Schedule 4 inserted in Gazette 27 Jun 2006 p. 2303-4.]



Notes

¹ This reprint is a compilation as at 1 December 2006 of the *Security and Related Activities (Control) Regulations 1997* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Security and Related Activities (Control) Regulations 1997</i>	27 Mar 1997 p. 1651-90	1 Apr 1997 (see r. 2 and <i>Gazette</i> 27 Mar 1997 p. 1693)
<i>Security and Related Activities (Control) Amendment Regulations (No. 2) 1998</i>	12 Jun 1998 p. 3201-3	1 Jul 1998 (see r. 2)
<i>Security and Related Activities (Control) Amendment Regulations 1999</i>	30 Jun 1999 p. 2865	1 Jul 1999 (see r. 2)
<i>Security and Related Activities (Control) Amendment Regulations 2000</i>	10 Mar 2000 p. 1123-4	10 Mar 2000
<i>Security and Related Activities (Control) Amendment Regulations (No. 2) 2000</i>	30 Jun 2000 p. 3425	1 Jul 2000 (see r. 2)
<i>Security and Related Activities (Control) Amendment Regulations (No. 3) 2000</i>	28 Jul 2000 p. 4028	28 Jul 2000
Reprint of the <i>Security and Related Activities (Control) Regulations 1997</i> as at 20 Apr 2001 (includes amendments listed above)		
<i>Security and Related Activities (Control) Amendment Regulations 2001</i>	12 Jun 2001 p. 2959-60	12 Jun 2001
<i>Security and Related Activities (Control) Amendment Regulations (No. 2) 2001</i>	31 Aug 2001 p. 4885-6	1 Sep 2001 (see r. 2)
<i>Security and Related Activities (Control) Amendment Regulations 2002</i>	28 Jun 2002 p. 3100-1	1 Jul 2002 (see r. 2)
<i>Security and Related Activities (Control) Amendment Regulations 2003</i>	20 Jun 2003 p. 2248-9	1 Jul 2003 (see r. 2)

Security and Related Activities (Control) Regulations 1997

Citation	Gazettal	Commencement
<i>Security and Related Activities (Control) Amendment Regulations 2004</i>	29 Jun 2004 p. 2542-3	1 Jul 2004 (see r. 2)
Reprint 2: The Security and Related Activities (Control) Regulations 1997 as at 9 Jul 2004 (includes amendments listed above)		
<i>Security and Related Activities (Control) Amendment Regulations (No. 2) 2004</i>	30 Dec 2004 p. 6977	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)
<i>Security and Related Activities (Control) Amendment Regulations 2005</i>	1 Sep 2005 p. 4071-93	1 Sep 2005 (see r. 2)
Reprint 3: The Security and Related Activities (Control) Regulations 1997 as at 4 Nov 2005 (includes amendments listed above)		
<i>Security and Related Activities (Control) Amendment Regulations (No. 2) 2006</i>	13 Apr 2006 p. 1555-6	13 Apr 2006
<i>Security and Related Activities (Control) Amendment Regulations 2006</i>	28 Apr 2006 p. 1656-8	28 Apr 2006
<i>Security and Related Activities (Control) Amendment Regulations (No. 4) 2006</i>	27 Jun 2006 p. 2303-4	1 Jul 2006 (see r. 2)
<i>Security and Related Activities (Control) Amendment Regulations (No. 3) 2006</i>	3 Oct 2006 p. 4343-7	3 Oct 2006
Reprint 4: The Security and Related Activities (Control) Regulations 1997 as at 1 Dec 2006 (includes amendments listed above)		

² Repealed by the *Security and Related Activities (Control) Act 1996*.

Defined Terms

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
analyst	44
ANZS	3(2)
approved testing equipment	44
approved training course	3(1)
AS	3(2)
blood sampling equipment	44
business	3(1)
crowd control activities	3(1)
investigator	13A
licensed activity	3(1)
licensed premises	4(1)
medical certificate	3(1)
medical practitioner	3(1)
police officer or employee	44
sample collector	44
sampling equipment	44
section	3(1)
technologist	44
training course in firearms discharge	3(1)
urine sampling equipment	44
written examination	17(3)