

Queensland



Security Providers Act 1993

SECURITY PROVIDERS REGULATION 1995

**Reprinted as in force on 1 July 2003
(includes commenced amendments up to 2003 SL No. 143)**

Reprint No. 3

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Information about this reprint

This regulation is reprinted as at 1 July 2003. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

Queensland



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SECURITY PROVIDERS REGULATION 1995

[as amended by all amendments that commenced on or before 1 July 2003]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Security Providers Regulation 1995*.

2 Definitions

In this regulation—

“**dual licence**” means a document combining a crowd controller’s licence and a security officer’s licence.

“**officer**” of a corporation has the meaning given by section 13(1)¹ of the Act.

“**registered business name**” means a business name registered under the *Business Names Act 1962*.

“**training course**” means a training course mentioned in section 11(2)² of the Act for a licence other than a security firm’s licence.

PART 2—LICENCES

3 Documents accompanying application

(1) An application for a licence must be accompanied by—

- (a) for a crowd controller’s licence, private investigator’s licence, security officer’s licence or dual licence—

1 Section 13 (Entitlement to licences—corporations or firms) of the Act

2 Section 11 (Entitlement to licences—individuals) of the Act

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- (i) 3 testimonials by reputable persons, about the applicant's character; and
- (ii) 2 recent passport-size photographs certified to be photographs of the applicant by a person who has known the applicant for at least 1 year; and
- (iii) a certified copy of, or extract from, the applicant's birth certificate, or other evidence satisfactory to the chief executive about the applicant's name and date and place of birth; and
- (iv) evidence satisfactory to the chief executive, of the applicant's successful completion of a training course; or
- (b) for an application by an individual for a security firm's licence—
 - (i) 3 testimonials by reputable persons, about the individual's character; and
 - (ii) a certified copy of, or extract from, the individual's birth certificate, or other evidence satisfactory to the chief executive about the individual's name and date and place of birth; or
- (c) for an application by a corporation or partnership for a security firm's licence—
 - (i) 3 testimonials by reputable persons, about the nominee's character; and
 - (ii) a certified copy of, or extract from, the nominee's birth certificate, or other evidence satisfactory to the chief executive about the nominee's name and date and place of birth.

(2) An application for renewal of a licence mentioned in subsection (1)(a) must be accompanied by 2 recent passport-size photographs certified to be photographs of the applicant by a person who has known the applicant for at least 1 year.

4 Evidence verifying application statements

The chief executive may require an applicant for a licence to produce evidence, satisfactory to the chief executive, to verify a statement made in the application, including—

- (a) if the applicant is a corporation—the name of each officer of the corporation; and
- (b) if the applicant is a partnership—the name of each partner in the partnership.

5 Security firm’s nominee

(1) If an applicant for a security firm’s licence is a corporation, the applicant must nominate an officer of the corporation to be the licensee’s nominee.

(2) If an applicant for a security firm’s licence is a partnership, the applicant must nominate a partner to be the licensee’s nominee.

(3) If a licence is granted on the application, the person nominated is taken to be the licensee’s nominee.

(4) If an applicant for a security firm’s licence is an individual, the applicant may not nominate a nominee.

6 Nominee’s duties

In the conduct of the business of a security firm by a corporation or partnership, the nominee must—

- (a) complete and sign for the corporation or partnership, all documents required under the Act; and
- (b) ensure the corporation or partnership complies with the requirements of the Act.

7 Dual licence

(1) If an individual applies, and satisfies the requirements, for both a crowd controller’s licence and a security officer’s licence, the chief executive may grant a dual licence.

(2) An individual applying for a dual licence is required to make only 1 application.

8 Security firm—licence in more than 1 name

If an applicant for a security firm’s licence proposes to carry on business under more than 1 name, the chief executive may state on the licence the

registered business names under which the applicant may carry on business.

9 Offence to carry on business in another name

An entity must not carry on the business of a security firm under a name other than a name stated on the security firm's licence granted to the entity.

Maximum penalty—20 penalty units.

10 Licence to contain licensee's photograph

The following licences must contain a recent photograph of the licensee—

- (a) a crowd controller's licence;
- (b) a private investigator's licence;
- (c) a security officer's licence;
- (d) a dual licence.

11 Partial refund of fees

The chief executive must refund a reasonable amount of a fee paid on an application for the grant or renewal of a licence if—

- (a) the chief executive refuses to grant or renew the licence; or
- (b) the applicant withdraws the application before the licence is granted or renewed.

12 Change to information about licensee

(1) A licensee must give the chief executive written notice of any change in the licensee's particulars within 7 days after the change.

Maximum penalty—10 penalty units.

(2) In this section—

“particulars” means—

- (a) for an individual—
 - (i) the individual's name; or

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- (ii) if the individual is carrying on the business of a security firm—the name under which the individual carries on business; or
 - (iii) the individual's postal address; or
 - (iv) the individual's residential address; or
 - (v) if the individual is carrying on the business of a security firm—each place of business of the individual; or
 - (vi) a charge against, or conviction of, the individual for a disqualifying offence; and
- (b) for a corporation or partnership—
- (i) the name of the corporation or partnership; or
 - (ii) the name under which the corporation or partnership carries on business; or
 - (iii) the postal address of the corporation or partnership; or
 - (iv) each place of business of the corporation or partnership; or
 - (v) the composition of the officers of the corporation or the partners in the partnership; or
 - (vi) a charge against, or conviction of, an officer of the corporation or a partner in the partnership for a disqualifying offence; or
 - (vii) a charge against, or conviction of, a corporation for a disqualifying offence.

PART 3—REGISTERS

Division 1—Registers to be kept by the chief executive

13 Register of security providers

- (1) The chief executive must keep a register of security providers.
- (2) The chief executive must note in the register—

- (a) the name of each person who holds a crowd controller's licence, private investigator's licence, security officer's licence or dual licence; and
- (b) the name, registered business name (if any) and place of business of each entity that holds a security firm's licence; and
- (c) any other information the chief executive considers necessary or desirable for the effective administration of the Act.

(3) The chief executive must keep the register open for inspection during business hours.

14 Change in particulars

The chief executive must note in the register of security providers—

- (a) information about a licence that—
 - (i) has expired or been suspended or cancelled; or
 - (ii) the chief executive has refused to renew or replace; and
- (b) any change in a licensee's particulars.

15 Register of training courses

(1) The chief executive must keep a register of training courses.

(2) The register must contain details of—

- (a) each training course approved by the chief executive; and
- (b) each training course for which the chief executive has revoked approval.

(3) The chief executive must keep the register open for inspection during business hours.

16 Chief executive's certificate

A certificate, purporting to be signed by the chief executive, about the contents of a register kept by the chief executive, is admissible as evidence of the matters stated in the certificate.

Division 2—Registers to be kept by others**17 Register of crowd controllers**

(1) An entity that, directly or indirectly, engages a person to carry out, for reward, the functions of a crowd controller at a public place, must keep a register of crowd controllers.

Maximum penalty—20 penalty units.

(2) The register must contain—

- (a) the crowd controller's name, residential address and licence number; and
- (b) if the crowd controller is employed by a security firm—the security firm's name and address; and
- (c) details of the crowd controller's identification prescribed under section 20;³ and
- (d) the date and time when the crowd controller starts each period of duty at the public place; and
- (e) the date and time when the crowd controller finishes each period of duty at the public place; and
- (f) details of each incident at the public place—
 - (i) in which a person is injured; or
 - (ii) requiring a person to be removed from the public place by the crowd controller.

(3) The entity must ensure—

- (a) the particulars mentioned in subsection (2)(a), (b), (c) and (d) are noted in the register, and the register signed by the crowd controller, before the crowd controller starts each period of duty; and
- (b) the particulars mentioned in subsection (2)(e) are noted in the register, and the register signed by the crowd controller, immediately after the crowd controller finishes the period of duty; and

3 Section 20 (Crowd controller's identification—Act, s 47)

- (c) the particulars mentioned in subsection (2)(f) are noted in the register as soon as practicable after the incident.

Maximum penalty—20 penalty units.

(4) The entity must allow the register to be inspected by—

- (a) the chief executive; and
- (b) an inspector; and
- (c) a police officer.

Maximum penalty—20 penalty units.

(5) The entity must not—

- (a) remove, or allow a person to remove, a page from the register; or
- (b) erase or obliterate an entry in the register; or
- (c) allow a person to erase or obliterate an entry in the register.

Maximum penalty—20 penalty units.

(6) The entity must keep the register for 7 years after the last entry was made in the register.

Maximum penalty—20 penalty units.

18 Security firm to keep register of security providers

(1) A security firm must keep a register of security providers employed by the security firm.

Maximum penalty—20 penalty units.

(2) The register must contain—

- (a) the name of each security provider; and
- (b) the licence number of each security provider; and
- (c) the expiry date of each security provider's licence; and
- (d) the date of commencement and, if applicable, termination of employment.

(3) The security firm must allow the register to be inspected by—

- (a) the chief executive; and
- (b) an inspector; and

- (c) a police officer.

Maximum penalty—20 penalty units.

(4) The security firm must keep the register for 7 years after the last entry was made in the register.

Maximum penalty—20 penalty units.

PART 4—MISCELLANEOUS

19 Security provider not to wear or display chequerboard hat

(1) A security provider, in carrying out the security provider's functions, must not, without reasonable excuse—

- (a) wear a chequerboard hat; or
(b) display, or permit to be displayed, a chequerboard hat.

Example of displaying a hat—

Holding a hat in view in the security provider's hands.

Maximum penalty—20 penalty units.

(2) In this section—

“chequerboard hat” means a hat displaying a chequerboard design.

Example—

A hat that has a chequerboard hatband.

20 Crowd controller's identification—Act, s 47

(1) A crowd controller (other than a crowd controller who is acting only as a bodyguard) must wear identification, on the chest of the crowd controller's clothing, that consists of—

- (a) a number no smaller than 3 cm in height and 4 mm in thickness; and
(b) the word “SECURITY” in letters no smaller than 1 cm in height and 2 mm in thickness.

(2) The numbers and letters must be black on a white background.

(3) Each crowd controller at a public place must wear a different number.

21 Exemptions from holding licence—Act, s 54(2)(b)

The chief executive may approve that a crowd controller or security officer need not hold the appropriate licence for a specified activity, event or place, despite section 9⁴ of the Act.

22 Fees

The fees payable under the Act are in the schedule.

4 Section 9 (Requirement to be licensed) of the Act

SCHEDULE

FEES

section 22

	\$
1. Application for crowd controller's licence	190.00
2. Renewal of crowd controller's licence.	96.50
3. Replacement of crowd controller's licence (including change of particulars)	21.50
4. Application for private investigator's licence	190.00
5. Renewal of private investigator's licence.	96.50
6. Replacement of private investigator's licence (including change of particulars)	21.50
7. Application for security officer's licence.	190.00
8. Renewal of security officer's licence.	96.50
9. Replacement of security officer's licence (including change of particulars)	21.50
10. Application for security firm's licence	953.00
11. Renewal of security firm's licence.	486.00
12. Replacement of security firm's licence	48.60
13. Application for dual licence.	239.00
14. Renewal of dual licence.	122.00
15. Replacement of dual licence (including change of particulars).	30.50
16. Inspection of register established by the chief executive. . .	12.20
17. Copy of an entry in a register established by the chief executive	12.20
18. Certified copy of an entry in a register established by the chief executive	21.50
19. Application for approval by the chief executive of a training course—	
(a) if, since the commencement of the Act, the Vocational Education, Training and Employment Commission has recognised or accredited the course and registered the course provider	nil

SCHEDULE (continued)

(b) in any other case	908.00
20. Renewal of approval of training course.....	120.00

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2003. Future amendments of the Security Providers Regulation 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	to 1995 SL No. 67	31 March 1995	3 April 1995
1A	to 1996 SL No. 153	1 July 1996	19 July 1996
1B	to 1997 SL No. 173	1 July 1997	11 July 1997
2	to 1997 SL No. 173	1 July 1997	14 January 1998
2A	to 1998 SL No. 253	5 October 1998	22 October 1998
2B	to 2000 SL No. 161	1 July 2000	21 July 2000
2C	to 2001 SL No. 210	3 December 2001	7 December 2001 (Column discontinued) Notes
2D	to 2002 SL No. 167	1 July 2002	
2E	to 2002 SL No. 311	1 January 2003	
2F	to 2003 SL No. 84	9 May 2003	
2G	to 2003 SL No. 143	1 July 2003	R2G withdrawn, see R3
3	to 2003 SL No. 143	1 July 2003	

5 List of legislation

Security Providers Regulation 1995 SL No. 25

made by the Governor in Council on 16 February 1995
notfd gaz 17 February 1995 pp 700–1
commenced on date of notification
exp 1 September 2005 (see SIA s 54)

amending legislation—

Security Providers Amendment Regulation (No. 1) 1995 SL No. 67

notfd gaz 31 March 1995 pp 1462–5
commenced on date of notification

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1995 SL No. 160 ss 1–3 sch

notfd gaz 9 June 1995 pp 1165–71
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 1995 (see s 2(1))

Security Providers Amendment Regulation (No. 2) 1995 SL No. 236

notfd gaz 18 August 1995 pp 2084–6
commenced on date of notification

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1996**SL No. 153 ss 1, 2(1), 3 sch**

notfd gaz 28 June 1996 pp 1164–70

ss 1–2(1) commenced on date of notification

remaining provisions commenced 1 July 1996 (see s 2(1))

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1997**SL No. 173 ss 1–2(1), 3 sch**

notfd gaz 27 June 1997 pp 1004–1010

ss 1–2(1) commenced on date of notification

remaining provisions commenced 1 July 1997 (see s 2(1))

Equity and Fair Trading (Fees and Charges) Amendment Regulation (No. 1) 1998**SL No. 253 s 3 sch**

notfd gaz 11 September 1998 pp 145–7

ss 1–2 commenced on date of notification

remaining provisions commenced 5 October 1998 (see s 2)

Equity and Fair Trading Legislation Amendment Regulation (No. 1) 2000 SL No. 161**ss 1–2(1), 3 sch**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2(1))

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2001**SL No. 210 ss 1–3 sch**

notfd gaz 16 November 2001 pp 982–5

ss 1–2 commenced on date of notification

remaining provisions commenced 3 December 2001 (see s 2)

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2002**SL No. 167 ss 1, 2(1), 3 sch 1**

notfd gaz 28 June 2002 pp 876–83

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2002 (see s 2(1))

Fair Trading (Fees) Amendment Regulation (No. 1) 2002 SL No. 311 pts 1, 7

notfd gaz 22 November 2002 pp 1018–21

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2003 (see s 2)

Note— A regulatory impact statement and explanatory note were prepared

Security Providers Amendment Regulation (No. 1) 2003 SL No. 84

notfd gaz 9 May 2003 pp 125–6

commenced on date of notification

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2003**SL No. 143 ss 1–3 sch**

notfd gaz 27 June 2003 pp 749–56

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

6 List of annotations**Register of crowd controllers**

s 17 amd 2003 SL No. 84 s 3

Security provider not to wear or display chequerboard hat

s 19 ins 2003 SL No. 84 s 5

Crowd controller's identification—Act, s 47

s 20 (prev s 19) renum 2003 SL No. 84 s 4

Exemptions from holding licence—Act, s 54(2)(b)

s 21 (prev s 19A) ins 1995 SL No. 236 s 3
renum 2003 SL No. 84 s 4

Fees

s 22 (prev s 20) renum 2003 SL No. 84 s 4

SCHEDULE—FEES

amd 1995 SL No. 67 s 3

sub 1995 SL No. 160 s 3 sch; 1996 SL No. 153 s 3 sch; 1997 SL No. 173 s 3
sch; 1998 SL No. 253 s 3 sch; 2000 SL No. 161 s 3 sch; 2001 SL No. 210
s 3 sch; 2002 SL No. 167 s 3 sch 1

amd 2002 SL No. 311 s 17; 2003 SL No. 84 s 6
sub 2003 SL No. 143 s 3 sch