

Queensland



Subordinate Legislation 1995 No. 25

*Security Providers Act 1993*

**SECURITY PROVIDERS REGULATION 1995**

**TABLE OF PROVISIONS**

Section		Page
<b>PART 1—PRELIMINARY</b>		
1	Short title .....	3
2	Definitions .....	3
<b>PART 2—LICENCES</b>		
3	Documents accompanying application .....	3
4	Evidence verifying application statements .....	4
5	Security firm's nominee .....	5
6	Nominee's duties .....	5
7	Dual licence .....	5
8	Security firm—licence in more than 1 name .....	6
9	Offence to carry on business in another name .....	6
10	Licence to contain licensee's photograph .....	6
11	Partial refund of fees .....	6
12	Change to information about licensee .....	6
<b>PART 3—REGISTERS</b>		
<i>Division 1—Registers to be kept by the chief executive</i>		
13	Register of security providers .....	8
14	Change in particulars .....	8
15	Register of training courses .....	8
16	Chief executive's certificate .....	9

*Division 2—Registers to be kept by others*

17 Register of crowd controllers ..... 9  
18 Security firm to keep register of security providers ..... 10

**PART 4—MISCELLANEOUS**

19 Crowd controller’s identification—Act, s 47 ..... 11  
20 Fees ..... 12

**SCHEDULE** ..... 13

**FEES**

## PART 1—PRELIMINARY

### Short title

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

### Definitions

2. 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) of the Act.<sup>1</sup>

“**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) of the Act<sup>2</sup> for a licence other than a security firm’s licence.

## PART 2—LICENCES

### Documents accompanying application

3.(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—
  - (i) 3 testimonials by reputable persons, about the applicant’s character; and
  - (ii) 2 recent passport-size photographs certified to be

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<sup>1</sup> Section 13 (Entitlement to licences—corporations or firms).

<sup>2</sup> Section 11 (Entitlement to licences—individuals).

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.

### **Evidence verifying application statements**

4. 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.

### **Security firm's nominee**

**5.(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.

### **Nominee's duties**

**6.** 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.

### **Dual licence**

**7.(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.

**Security firm—licence in more than 1 name**

8. 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.

**Offence to carry on business in another name**

9. 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.

**Licence to contain licensee's photograph**

10. 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.

**Partial refund of fees**

11. 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.

**Change to information about licensee**

12.(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
  - (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*

#### **Register of security providers**

**13.(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.

#### **Change in particulars**

**14.** 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.

#### **Register of training courses**

**15.(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.

### **Chief executive's certificate**

16. 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***

### **Register of crowd controllers**

17.(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 19;<sup>3</sup> 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

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<sup>3</sup> Section 19 (Crowd controller's identification).

- (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
- (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.

### **Security firm to keep register of security providers**

**18.(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**

### **Crowd controller's identification—Act, s 47**

**19.(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.

**Fees**

- 20. The fees payable under the Act are in the Schedule.

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## SCHEDULE

### FEES

section 20 of the regulation

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1. Application for crowd controller's licence . . . . .	80.00
2. Renewal of crowd controller's licence . . . . .	80.00
3. Replacement of crowd controller's licence (including change of particulars) . . . . .	18.00
4. Application for private investigator's licence . . . . .	80.00
5. Renewal of private investigator's licence . . . . .	80.00
6. Replacement of private investigator's licence (including change of particulars) . . . . .	18.00
7. Application for security officer's licence . . . . .	80.00
8. Renewal of security officer's licence . . . . .	80.00
9. Replacement of security officer's licence (including change of particulars) . . . . .	18.00
10. Application for security firm's licence . . . . .	400.00
11. Renewal of security firm's licence . . . . .	400.00
12. Replacement of security firm's licence (including change of particulars) . . . . .	40.00
13. Application for dual licence . . . . .	100.00
14. Renewal of dual licence . . . . .	100.00
15. Replacement of dual licence (including change of particulars) . . . . .	25.00
16. Inspection of a register established by the chief executive	10.00
17. Copy of an entry in a register established by the chief executive . . . . .	10.00
18. Certified copy of an entry in a register established by the chief executive . . . . .	18.00
19. Application for approval by chief executive of a training course . . . . .	750.00
20. Renewal of approval of a training course . . . . .	100.00

## ENDNOTES

1. Made by the Governor in Council on 16 February 1995.
2. Notified in the Gazette on 17 February 1995.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Office of Consumer Affairs.