



New South Wales

Prohibited Weapons Amendment (Security Guards) Regulation 1998

under the

Prohibited Weapons Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Prohibited Weapons Act 1989*.

PAUL WHELAN, M.P.,

Minister for Police

Explanatory note

The *Security Industry Act 1997* will commence on 1 July 1998 and replace the *Security (Protection) Industry Act 1985* as the relevant law under which security guards are required to be licensed in order to carry on security activities.

The objects of this Regulation are:

- (a) to update references in relation to security guards as a consequence of the changes to the security industry legislation, and
- (b) to provide that only those persons who are employed to carry on security activities for which a class 1A licence under the *Security Industry Act 1997* is required (namely, patrolling, protecting, watching or guarding any property, including cash in transit), and not those who act as bodyguards, are authorised by the *Prohibited Weapons Regulation 1997* to possess and use handcuffs and side-handled batons while on duty.

This Regulation is made under the *Prohibited Weapons Act 1989*, including sections 5 and 20 (the general regulation making power).

Prohibited Weapons Amendment (Security Guards) Regulation 1998

1 Name of Regulation

This Regulation is the *Prohibited Weapons Amendment (Security Guards) Regulation 1998*.

2 Commencement

This Regulation commences on 1 July 1998.

3 Amendment of Prohibited Weapons Regulation 1997

The *Prohibited Weapons Regulation 1997* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Schedule 1 Authorised persons for prohibited weapons

Omit clause 2 (c). Insert instead:

- (c) persons employed to carry on a security activity referred to in section 4 (b) of the *Security Industry Act 1997* and holding a class 1 A licence under that Act,

[2] Schedule 2 Authorised persons for prohibited articles

Omit clause 2 (c). Insert instead:

- (c) persons employed to carry on a security activity referred to in section 4 (b) of the *Security Industry Act 1997* and holding a class 1A licence under that Act,