



New South Wales

# **Security Industry Amendment (Transitional Arrangements) Regulation 1998**

under the

Security Industry Act 1997

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Security Industry Act 1997*.

Paul Whelan

Minister for Police

## **Explanatory note**

The object of this Regulation is to exempt, on a transitional basis until 1 January 1999, members of the Retail Traders' Association and their employees from the requirement to be licensed under the *Security Industry Act 1997* to carry on security activities.

This Regulation is made under the *Security Industry Act 1997*, including section 6 (3) and clause 1 of Schedule 2.

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## **Security Industry Amendment (Transitional Arrangements) Regulation 1998**

### **1 Name of Regulation**

This Regulation is the *Security Industry Amendment (Transitional Arrangements) Regulation 1998*.

### **2 Commencement**

This Regulation is taken to have commenced on 1 July 1998.

### **3 Amendment of Security Industry Regulation 1998**

The *Security Industry Regulation 1998* is amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

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**Schedule 1    Amendment**

(Clause 3)

**Clause 32**

Insert after clause 31:

**32 Transitional exemption—retail trade industry**

- (1) This clause applies to the following persons:
  - (a) any person who is a member of the Retail Traders' Association of New South Wales and who, immediately before 1 July 1998, was employing persons to carry on security activities referred to in section 4 (a)–(f) of the Act (but who was not required to hold a class 2 licence under the *Security (Protection) Industry Act 1985* because the person was not conducting a security business).
  - (b) any person who is an employee of a person referred to in paragraph (a) and who, immediately before 1 July 1998, was employed by that person to carry on a security activity referred to in section 4 (a)–(f) of the Act (but who did not, or was not required to, hold a licence under the *Security (Protection) Industry Act 1985* in respect of that activity).
- (2) A person to whom this clause applies is exempt from the requirement under the Act to hold a licence authorising the person to carry on the security activity previously carried on by the person, but only until:
  - (a) 1 January 1999, or
  - (b) such time as a licence is granted under the Act authorising the person to carry on the security activity concerned,whichever first occurs
- (3) The exemption provided by this clause is subject to the condition that the person concerned must make an application for the appropriate licence in accordance with the Act and this Regulation before 1 November 1998.