



New South Wales

Court Security Regulation 2005

under the

Court Security Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Court Security Act 2005*.

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Attorney General

Explanatory note

The objects of this Regulation are:

- (a) to prescribe the Victims Compensation Tribunal as a court to which the *Court Security Act 2005 (the Act)* applies, and
- (b) to prescribe the kinds of bags and containers in which exhibits that are restricted items must be enclosed when brought into court premises, and
- (c) to prescribe certain uses of recording devices in court premises as being permissible uses for the purposes of section 9 of the Act, and
- (d) to prescribe the form of identification for security officers who are not also sheriff's officers, and
- (e) to prescribe certain offences under the Act as penalty notice offences.

This Regulation is made under the *Court Security Act 2005*, including paragraph (n) of the definition of *court* in section 4 (1) and sections 8 (2) (a) (ii), 9 (2) (e), 21 (3), 29 and 30 (the general regulation-making power).

This Regulation relates to matters of a machinery nature and matters not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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Clause 1 Court Security Regulation 2005

Court Security Regulation 2005

under the

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1 Name of Regulation

This Regulation is the *Court Security Regulation 2005*.

2 Commencement

This Regulation commences on 9 January 2006.

3 Definition

In this Regulation:

the Act means the *Court Security Act 2005*.

4 Definition of “court”: sec 4 (1)

The Victims Compensation Tribunal is prescribed for the purposes of paragraph (n) of the definition of *court* in section 4 (1) of the Act.

5 Prescribed containers for exhibits that are restricted items: sec 8 (2) (a) (ii)

A bag or container is prescribed for the purposes of section 8 (2) (a) (ii) of the Act if:

- (a) the insignia of the Sheriff is printed on the bag or container in a conspicuous position, and
- (b) the bag or container is issued by a court security officer.

6 Permissible uses of recording devices: sec 9 (2) (e)

The use of recording devices in any of the following circumstances is prescribed for the purposes of section 9 (2) (e) of the Act:

- (a) the use of recording devices in the court premises of the Administrative Decisions Tribunal with the approval of the registrar of the Tribunal,
- (b) the use of recording devices in the court premises of a Local Court with the approval of the registrar of the Court.

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7 Prescribed form of identification for security officers: sec 21 (3)

The prescribed form for a certificate of identification referred to in section 21 (3) of the Act for a security officer appointed under section 21 (1) (b) of the Act is Form 1 in Schedule 1.

8 Penalty notice offences and penalties: sec 29

- (1) For the purposes of section 29 of the Act:
 - (a) each offence created by a provision specified in Column 1 of Schedule 2 is an offence for which a penalty notice may be served, and
 - (b) the penalty prescribed for each such offence is the amount specified opposite the provision in Column 2 of that Schedule.
- (2) If the reference to a provision in Column 1 of Schedule 2 is qualified by words that restrict its operation to specified kinds of offences, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.

Schedule 1 Forms

Form 1 Certificate of identification

(Clause 7)

(Court Security Act 2005, section 21 (3))

I, the Sheriff of New South Wales, certify that the holder of this certificate:

[Insert name of security officer]

whose photograph, *name/authority number and signature appear below, is a security officer for the purposes of the *Court Security Act 2005* who is authorised to exercise in court premises the powers of a security officer under that Act.

[Insert Name or Authority number]

*Name/Authority number



.....
Signature of security officer

.....
Signature of Sheriff

*Omit either name or authority number, as required

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Schedule 2 Penalty notice offences

Schedule 2 Penalty notice offences

(Clause 8)

Column 1	Column 2
Provision	Penalty (\$)
Offences under the Act	
Section 10 (4)	110
Section 11 (3)	110
Section 15 (2)	110

BY AUTHORITY