



New South Wales

Commercial Agents and Private Inquiry Agents Amendment (Miscellaneous) Regulation 2007

under the

Commercial Agents and Private Inquiry Agents Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Commercial Agents and Private Inquiry Agents Act 2004*.

JOHN WATKINS, M.P.,
Minister for Police

Explanatory note

The object of this Regulation is to amend the *Commercial Agents and Private Inquiry Agents Regulation 2006*:

- (a) to specify further offences (being offences relating to the participation in criminal groups and recruiting persons to engage in criminal activity) that disqualify a person from applying for a licence to carry on business in respect of any commercial agent activity or private inquiry agent activity, and
- (b) to provide that the following are not required to hold a master or an operator licence in respect of any commercial agent activity or private inquiry agent activity:
 - (i) persons carrying on investigations relating to disciplinary matters or workplace grievances or other investigations of a similar nature on behalf of public sector agencies,
 - (ii) any person providing an employment placement service.

This Regulation is made under the *Commercial Agents and Private Inquiry Agents Act 2004*, including sections 4, 5, 11 and 39 (the general regulation-making power).

2007 No 111

Commercial Agents and Private Inquiry Agents Amendment
Clause 1 (Miscellaneous) Regulation 2007

**Commercial Agents and Private Inquiry Agents
Amendment (Miscellaneous) Regulation 2007**

under the

Commercial Agents and Private Inquiry Agents Act 2004

1 Name of Regulation

This Regulation is the *Commercial Agents and Private Inquiry Agents Amendment (Miscellaneous) Regulation 2007*.

**2 Amendment of Commercial Agents and Private Inquiry Agents
Regulation 2006**

The *Commercial Agents and Private Inquiry Agents Regulation 2006* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 5 Major and minor offences

Insert after clause 5 (1):

- (1A) An offence under section 93IK or 351A of the *Crimes Act 1900* is also declared to be a **major offence** for the purposes of the Act.

[2] Clause 10 Certain persons not required to hold master licence

Insert after clause 10 (1) (f):

- (g) any person carrying on investigations relating to disciplinary matters or workplace grievances or other investigations of a similar nature on behalf of an agency that comprises the whole or part of a public sector service within the meaning of the *Public Sector Employment and Management Act 2002*,
- (h) any person providing an employment placement service (within the meaning of section 60P of the *Fair Trading Act 1987*).

[3] Clause 16 Certain persons not required to hold operator licence

Insert after clause 16 (1) (e):

- (f) any person carrying on investigations relating to disciplinary matters or workplace grievances or other investigations of a similar nature on behalf of an agency that comprises the whole or part of a public sector service within the meaning of the *Public Sector Employment and Management Act 2002*,
- (g) any person providing an employment placement service (within the meaning of section 60P of the *Fair Trading Act 1987*).