



New South Wales

Security Industry Amendment (Fees) Regulation 2008

under the

Security Industry Act 1997

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

ANTHONY KELLY, M.L.C.,
Minister for Police

Explanatory note

The objects of this Regulation are as follows:

- (a) to provide that fees payable in respect of the issue of new licences (other than a class 1 licence that will be in force for less than 1 year) under the *Security Industry Act 1997* (*the Act*) are now payable in two stages, an administrative fee that is to accompany the application for the licence, and a licence fee payable before the issue of the licence,
- (b) to increase certain fees payable in respect of the issue of new licences under the Act,
- (c) to introduce a new fingerprinting fee of \$40 if an applicant for a licence has not had his or her fingerprints taken before in relation to a licence issued under the Act.

This Regulation is made under the *Security Industry Act 1997*, including sections 14 (2) (a) and 48 (the general regulation-making power).

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Clause 1 Security Industry Amendment (Fees) Regulation 2008

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1 Name of Regulation

This Regulation is the *Security Industry Amendment (Fees) Regulation 2008*.

2 Commencement

This Regulation commences on 1 January 2009.

3 Amendment of Security Industry Regulation 2007

The *Security Industry Regulation 2007* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 12

Omit the clause. Insert instead:

12 Licence fees**(1) Class 1 licence—less than 1 year term**

For the purposes of sections 14 (2) (a) and 48 (2) (i) of the Act, the prescribed fee in respect of a class 1 licence that will be in force for less than 1 year is \$80 to accompany an application for the licence.

Note. Clause 10 (b) provides for class 1 licences to be issued for less than 1 year in certain circumstances.

(2) Class 1, class 2 and provisional licences—1 year term

For the purposes of sections 14 (2) (a) and 48 (2) (i) of the Act, the prescribed fees in respect of a class 1, class 2 or provisional licence that will be in force for a period of 1 year are:

- (a) \$90 to accompany an application for the licence, and
- (b) \$65 to be paid before the issue of the licence.

(3) Class 1 and 2 licences—5 year term

For the purposes of sections 14 (2) (a) and 48 (2) (i) of the Act, the prescribed fees in respect of a class 1 or class 2 licence that will be in force for a period of 5 years are:

- (a) \$90 to accompany an application for the licence, and
- (b) \$415 to be paid before the issue of the licence.

(4) Master licences

For the purposes of sections 14 (2) (a) and 48 (2) (i) of the Act, the prescribed fees in respect of a master licence are as follows:

- (a) if the licensee is to be self-employed and no licensed security industry employees are to be employed by the licensee under the licence during the term of the licence:
 - (i) \$115 to accompany an application for the licence, and
 - (ii) \$360 to be paid before the issue of the licence,
- (b) if a total of no more than 10 licensed security industry employees are to be employed by the licensee during the term of the licence:

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- (i) \$140 to accompany an application for the licence, and
 - (ii) \$830 to be paid before the issue of the licence,
- (c) if a total of more than 10 and no more than 50 licensed security industry employees are to be employed by the licensee during the term of the licence:
 - (i) \$165 to accompany an application for the licence, and
 - (ii) \$1,860 to be paid before the issue of the licence,
- (d) if a total of more than 50 licensed security industry employees are to be employed by the licensee during the term of the licence:
 - (i) \$190 to accompany an application for the licence, and
 - (ii) \$3,720 to be paid before the issue of the licence.
- (5) For the purposes of sections 14 (2) (a) and 48 (2) (i) of the Act, in addition to any fee payable under subclauses (1)–(4), an application for a licence is to be accompanied by a fingerprinting fee of \$40 if the applicant has not had his or her fingerprints taken before in relation to a licence under the Act.

[2] **Clause 24 Application for variation of master licence**

Omit clause 24 (1) and (2). Insert instead:

- (1) The Commissioner may, on the application of the holder of a master licence, vary the subclass of that licence (the *old subclass*) to another subclass (the *new subclass*).
- (2) If the fees payable under clause 12 in respect of the new subclass are higher than those payable under that clause in respect of the old subclass, the fee payable on an application under subclause (1) is the difference between those fees.

BY AUTHORITY
