



New South Wales

Security Industry Amendment (Savings and Transitional) Regulation 2009

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 *Security Industry Amendment Act 2008* amends clause 18 of the *Security Industry Regulation 2007* to expand the range of penalties that will exclude a person from obtaining a security licence under section 16 (1) (a) and (b) of the *Security Industry Act 1997*. The object of this Regulation is to amend an associated savings provision to make it clear that a person who applies for a licence after the commencement of the amendment will be excluded from being granted the licence if such a penalty was incurred before the commencement but that the clause does not operate (with section 26 (1A) of the *Security Industry Act 1997*) to require the revocation of an existing licence if the licensee has incurred such a penalty.

This Regulation is made under the *Security Industry Act 1997*, including section 48 (the general regulation-making power) and clause 1 (1) of Schedule 2.

2009 No 80

Clause 1 Security Industry Amendment (Savings and Transitional) Regulation 2009

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Security Industry Act 1997

1 Name of Regulation

This Regulation is the *Security Industry Amendment (Savings and Transitional) Regulation 2009*.

2 Amendment of Security Industry Regulation 2007

The *Security Industry Regulation 2007* is amended by omitting clause 47A (as inserted by the *Security Industry Amendment Act 2008*) and by inserting instead the following clause:

47A Offences and civil penalties that disqualify applicants

- (1) Clause 18 (1) (b), to the extent that its application is varied by the *Security Industry Amendment Act 2008*, extends to an offence of which a person is convicted or found guilty before the commencement of the amendment.
- (2) Despite subclause (1), clause 18 (1) (b), as so varied, and section 26 (1A) of the Act do not operate to require the Commissioner to revoke a licence that is in force on the commencement of the amendment.

BY AUTHORITY