



New South Wales

# Security Industry Amendment (Disqualifying Offences) Regulation 2017

under the

Security Industry Act 1997

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

TROY GRANT, MP  
Minister for Police

## Explanatory note

The objects of this Regulation are:

- (a) to expand the range of drug-related offences that disqualify an applicant from being granted a licence under the *Security Industry Act 1997* to include any drug-related offence of which the applicant is found guilty in the 5 years, or convicted in the 10 years, preceding the application (rather than only a drug-related offence for which a particular threshold penalty is imposed), and
- (b) to clarify the assault offences that disqualify an applicant from being granted such a licence.

This Regulation is made under the *Security Industry Act 1997*, including sections 16 (1) (a) and (b) and 48 (the general regulation-making power).

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### **1 Name of Regulation**

This Regulation is the *Security Industry Amendment (Disqualifying Offences) Regulation 2017*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## **Schedule 1 Amendment of Security Industry Regulation 2016**

**[1] Clause 15 Offences and civil penalties that disqualify applicants**

Omit “section 16 (1) (a) and (b)” from clause 15 (1). Insert instead “section 16 (1) (a)”.

**[2] Clause 15 (1) (b)**

Omit “in respect of which the penalty imposed includes any term of imprisonment (whether or not suspended), a good behaviour bond, a community service order or a penalty of \$500 or more, being an offence”.

**[3] Clause 15 (1) (c)**

Omit the paragraph. Insert instead:

**(c) Offences involving assault**

An offence under the law of any Australian or overseas jurisdiction involving assault of any description, being an offence in respect of which the penalty imposed includes any term of imprisonment (whether or not suspended), a good behaviour bond, a community service order or a penalty of \$200 or more.

**[4] Clause 15 (1A)**

Insert after clause 15 (1):

**(1A) Prescribed offences: section 16 (1) (b)**

For the purposes of section 16 (1) (b) of the Act, the following offences are prescribed offences regardless of whether they are committed in New South Wales:

- (a) an offence referred to in subclause (1) (a), (b) or (d)–(l),
- (b) an offence under the law of any Australian or overseas jurisdiction involving assault of any description, being an offence that, in the opinion of the Commissioner, is a serious assault offence.