

Court Security Regulation 2016

[2016-541]



New South Wales

Status Information

Currency of version

Historical version for 18 September 2020 to 23 March 2021 (accessed 4 May 2024 at 20:55)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **See also**

[COVID-19 Legislation Amendment \(Stronger Communities and Health\) Bill 2021](#)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 18 February 2021

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Court Security Regulation 2016



New South Wales

1 Name of Regulation

This Regulation is the [Court Security Regulation 2016](#).

2 Commencement

This Regulation commences on 1 September 2016 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the [Court Security Regulation 2011](#) which is repealed on 1 September 2016 by section 10 (2) of the [Subordinate Legislation Act 1989](#).

3 Definition

(1) In this Regulation—

the Act means the [Court Security Act 2005](#).

Note—

The Act and the [Interpretation Act 1987](#) contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation, except for the Note in the form set out in clause 8.

4 Prescribed containers for exhibits that are restricted items

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 security officer.

5 Permissible uses of recording devices

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 Civil and Administrative Tribunal with the approval of the principal registrar of the Tribunal,
- (b) the use of recording devices in the court premises of the Local Court with the approval of the relevant registrar of the Local Court.

6 Exemptions from restriction on transmission of court proceedings

The transmission of sounds, images or information in any of the following circumstances is prescribed for the purposes of section 9A (2) (f) of the Act—

- (a) transmission by a journalist for the purposes of a media report on the proceedings concerned,
- (b) transmission by a lawyer,
- (c) transmission by a person who is authorised to do so by or under a practice note or policy direction issued by the senior judicial officer of the court concerned,
- (d) transmission by a court officer or member of staff of the court concerned (including a member of staff of a judicial officer of the court) acting in the usual course of his or her duties.

7 Items required to be surrendered for safekeeping

The following things and classes of things are prescribed for the purposes of section 11 (1) (d) of the Act—

- (a) flammable liquids,
- (b) glass bottles and other glass containers,
- (c) sporting bats and any other sporting equipment that is capable of being used as a weapon,
- (d) hammers and screwdrivers and any other tools that are capable of being used as a weapon,
- (e) scooters, skateboards and other personal transport items,
- (f) spray cans,
- (g) marker pens.

7A COVID-19 pandemic—repeal of special provisions

Part 3, Division 1A of the Act is repealed at the beginning of 26 March 2021.

8 Form of identification for security officers

For the purposes of section 21 (3) of the Act, the following form is prescribed—

(*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.

[affix photograph here]

*Name/Authority number: [*insert name or authority number*]
Signature of security officer: [*insert signature*]
Signature of Sheriff: [*insert signature*]

Note—

*Omit either name or authority number, as required.

9 Penalty notices

For the purposes of section 29 of the Act—

- (a) each offence created by a provision specified in Column 1 of Schedule 1 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.

10 Saving

Any act, matter or thing that, immediately before the repeal of the *Court Security Regulation 2011*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Penalty notice offences

(Clause 9)

| Column 1 | Column 2 |
|------------------------|--------------|
| Provision | Penalty (\$) |
| Offences under the Act | |
| Section 7A (2) | 110 |
| Section 10 (4) | 110 |

| | |
|----------------|-----|
| Section 11 (3) | 110 |
| Section 15 (2) | 110 |