

Sheriff Regulation 2021

[2021-463]



New South Wales

Status Information

Currency of version

Current version for 15 September 2021 to date (accessed 28 April 2024 at 12:51)

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—

- **Staged repeal status**

This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2026

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 15 September 2021

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Sheriff Regulation 2021



New South Wales

1 Name of Regulation

This Regulation is the *Sheriff Regulation 2021*.

2 Commencement

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

Note—

This Regulation repeals and replaces the *Sheriff Regulation 2016*, which would otherwise be repealed on 1 September 2021 by the *Subordinate Legislation Act 1989*, section 10(2).

3 Definition

In this Regulation—

the Act means the *Sheriff Act 2005*.

Note—

The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

4 Delegation of Sheriff's functions

For the purposes of the Act, section 5(c), the Sector Supervisor of the NSW Police Force on Lord Howe Island is prescribed.

5 Oath or affirmation of office

For the purposes of the Act, section 7(1), the following form is prescribed—

I, _____, do [**swear/solemnly, sincerely and truly declare and affirm*] that I will well and truly serve our Sovereign Lady the Queen as [**the Sheriff/a sheriff's officer*] without favour or affection, malice or ill-will until I am legally discharged, and that while I continue to be [**the Sheriff/a sheriff's officer*] I will to the best of my skill and knowledge discharge all my duties faithfully according to law. [***So help me God.*]

* Omit whichever does not apply.

** Omit if affirmation.

5A COVID-19 pandemic—extension of prescribed period

The **prescribed period** referred to in the Act, section 7C(14) ends at the beginning of 26 March 2022.

6 Bodies with operating name that includes “sheriff”

For the purposes of the Act, section 11(4), a body that has, among its primary objects, the object of providing public entertainment is declared to be a body to which the Act, section 11 does not apply.

7 Matters for consideration for consents

For the purposes of the Act, section 12(3), the following matters are prescribed—

- (a) whether an application for registration of the operating name under the [Business Names Registration Act 2011](#) of the Commonwealth has been, or would likely be, refused,
- (b) whether an application for incorporation of an association under the operating name under the [Associations Incorporation Act 2009](#) has been, or would likely be, refused,
- (c) whether the operating name suggests a connection to the Sheriff or to sheriff’s officers,
- (d) whether the operating name is used, or is proposed to be used, in connection with—
 - (i) carrying on a security activity within the meaning of the [Security Industry Act 1997](#), or
 - (ii) exercising a security officer’s function under the [Court Security Act 2005](#).

8 Form of certificates of identification for sheriff’s officers

For the purposes of the Act, section 13, the following form is prescribed—

([Sheriff Act 2005](#), section 13)

I, the Sheriff of New South Wales, certify that the holder of this certificate, [*insert name of sheriff’s officer*] whose photograph, authority number and signature appear below, is a sheriff’s officer for the purposes of the [Sheriff Act 2005](#).

<p>[affix photograph here]</p>

Authority number: [*insert authority number*]

Signature of sheriff’s officer: [*insert signature*]

Signature of Sheriff: [*insert signature*]

9 Repeal and savings

- (1) The *Sheriff Regulation 2016* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Sheriff Regulation 2016*, had effect under that Regulation continues to have effect under this Regulation.