

Court Security Regulation 2021

[2021-457]



New South Wales

Status Information

Currency of version

Historical version for 14 July 2023 to 30 November 2023 (accessed 29 December 2024 at 23:45)

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—

- **Does not include amendments by**
[Court Security and Surveillance Devices Amendment \(Body-Worn Recording Devices\) Regulation 2023 \(511\)](#) (not commenced — to commence on 1.12.2023)
- **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This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2026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 2023

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Court Security Regulation 2021



New South Wales

1 Name of Regulation

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This Regulation repeals and replaces the *Court Security Regulation 2016*, which would otherwise be repealed on 1 September 2021 by the *Subordinate Legislation Act 1989*, section 10(2).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

4 Bags and containers for exhibits that are restricted items

For the purposes of the Act, section 8(2)(a)(ii), a bag or container is prescribed if—

- (a) the Sheriff's insignia 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

For the purposes of the Act, section 9(2)(e), the use of recording devices in the following circumstances is prescribed—

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

the Local Court.

6 Permissible transmission of court proceedings

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

- (a) by a journalist for the purposes of a media report on the proceedings concerned,
- (b) by a lawyer,
- (c) 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) 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 the court officer's or member's duties.

7 Things required to be surrendered for safekeeping

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

- (a) flammable liquids,
- (b) glass containers, including glass bottles,
- (c) sporting equipment that may be used as a weapon, including sporting bats,
- (d) tools that may be used as a weapon, including hammers and screwdrivers,
- (e) personal transport items, including scooters and skateboards,
- (f) spray cans,
- (g) marker pens.

7A (Repealed)

8 Form of certificates of identification for security officers

For the purposes of the Act, section 21(3), 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.



*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 Repeal and savings

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

Schedule 1 Penalty notice offences

1 Application of Schedule

- (1) For the purposes of the Act, section 29—
 - (a) each offence created by a provision specified in this Schedule is an offence for which a penalty notice may be issued, and
 - (b) the amount payable for the penalty notice is the amount specified opposite the provision.
- (2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—
 - (a) that limited kind of offence, or
 - (b) an offence committed in those limited circumstances.

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