

Court Security Regulation 2011

[2011-408]



New South Wales

Status Information

Currency of version

Repealed version for 1 January 2014 to 31 August 2016 (accessed 15 October 2024 at 7:18)

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—

- **Repeal**

This Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2016.

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 1 September 2016

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New South Wales

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Court Security Regulation 2011



New South Wales

1 Name of Regulation

This Regulation is the *Court Security Regulation 2011*.

2 Commencement

This Regulation commences on 1 September 2011 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the *Court Security Regulation 2005* which is repealed on 1 September 2011 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Court Security Act 2005*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 (Repealed)

5 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.

6 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 principal registrar of the Local Court.

6A 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) glass bottles and other glass containers,
- (b) sporting bats and any other sporting equipment that is capable of being used as a weapon,
- (c) hammers and screwdrivers and any other tools that are capable of being used as a weapon,
- (d) scooters, skateboards and other personal transport items,
- (e) spray cans,
- (f) marker pens.

6B Exemptions from restriction on transmission of court proceedings

Section 9A (1) of the Act does not apply to the transmission of sounds, images or information:

- (a) by a journalist for the purposes of a media report on the proceedings concerned, or
- (b) by a lawyer, or
- (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, or
- (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 his or her duties.

Note—

This clause only confers exemptions from section 9A (1) of the Act and does not limit any power of a court, judicial officer or other person in relation to the conduct of proceedings or the conduct of persons in court premises. This clause also does not affect the requirements of any other law.

7 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.



*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.

8 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.

9 Saving

Any act, matter or thing that, immediately before the repeal of the [Court Security Regulation 2005](#), had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Penalty notice offences

(Clause 8)

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