



Queensland

# Security Providers Regulation 2008

## Subordinate Legislation 2008 No. 119

made under the

*Security Providers Act 1993*

*State Penalties Enforcement Act 1999*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Security Providers Regulation 2008*.

### **2 Commencement**

This regulation commences on 1 July 2008.

### **3 Definitions**

The dictionary in schedule 2 defines particular words used in this regulation.

## **Part 2 Licences**

### **4 Evidence of identity to accompany particular applications**

- (1) This section applies to an application for a licence for carrying out the functions of 1 or more of the following—
  - (a) a bodyguard;
  - (b) a crowd controller;
  - (c) a private investigator;
  - (d) a security adviser;
  - (e) a security equipment installer;
  - (f) a security officer.
- (2) The application must be accompanied by evidence of the applicant's identity that is satisfactory to the chief executive.

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*Example—*

The chief executive may adopt a system under which—

- (a) points are assigned to the applicant for producing particular evidence of identity; and
- (b) the applicant is required to achieve a total number of points stated by the chief executive.

## **5 Evidence of identity to accompany application for security firm licence**

- (1) An application by an individual for a security firm licence must be accompanied by evidence of the individual's identity that is satisfactory to the chief executive.
- (2) An application by a corporation for a security firm licence must be accompanied by evidence of the identity of each officer of the corporation that is satisfactory to the chief executive.
- (3) An application by a partnership for a security firm licence must be accompanied by evidence of the identity of each partner in the partnership that is satisfactory to the chief executive.

## **6 Photographs and evidence of satisfactory completion of approved course to accompany particular applications**

- (1) This section applies to an application for a licence, or renewal of a licence, for carrying out the functions of 1 or more of the following—
  - (a) a bodyguard;
  - (b) a crowd controller;
  - (c) a private investigator;
  - (d) a security advisor;
  - (e) a security equipment installer;
  - (f) a security officer.
- (2) The application must be accompanied by—

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- (a) if the applicant has not, in the last 2 years, given the chief executive 2 recent passport-size photographs certified to be photographs of the applicant by a person who has known the applicant for at least 1 year—2 recent passport-size photographs certified to be photographs of the applicant by a person who has known the applicant for at least 1 year; and
  - (b) if the application is for a class 1 unrestricted licence—evidence satisfactory to the chief executive of the applicant’s successful completion of an approved training course for carrying out the functions of each type of security provider for which the licence is sought.

## **7 Evidence verifying application statements**

The chief executive may require an applicant for a licence, or renewal of a licence, to produce evidence satisfactory to the chief executive to verify a statement made in the application, including—

- (a) if the applicant is an individual—the individual’s full name, date of birth and place of birth; and
- (b) if the applicant is a corporation—the full name, date of birth and place of birth of each officer of the corporation; and
- (c) if the applicant is a partnership—the full name, date of birth and place of birth of each partner in the partnership.

## **8 What must accompany application for temporary permit**

An application for a temporary permit under section 31C of the Act must—

- (a) be accompanied by—
  - (i) the corresponding authority held by the applicant that is relied on for the application; and
  - (ii) documentary evidence, satisfactory to the chief

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executive, of the applicant's engagement to carry out functions authorised under the corresponding authority at the event for which the permit is sought; and

- (b) state the period during which the applicant intends that the authorised functions will be carried out at the event.

## **9 Security firm—licence in more than 1 name**

If an applicant for a security firm licence proposes to carry on business under more than 1 name, the chief executive must state on the licence the registered business names under which the applicant may carry on business.

## **10 Offence to carry on business in another name**

- (1) An entity must not carry on the business of a security firm under a name other than a name stated on the security firm licence granted to the entity.

Maximum penalty—20 penalty units.

- (2) In this section—  
*entity* includes a partnership.

## **11 Licence to contain licensee's photograph**

- (1) This section applies to a licence for carrying out the functions of 1 or more of the following—
- (a) a bodyguard;
  - (b) a crowd controller;
  - (c) a private investigator;
  - (d) a security adviser;
  - (e) a security equipment installer;
  - (f) a security officer.
- (2) The licence must contain a photograph of the licensee.

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## 12 Change to information about licensee

- (1) A licensee must give the chief executive written notice of any change in the licensee's particulars within 7 days after the change.

Maximum penalty—10 penalty units.

- (2) In this section—

*particulars* means—

- (a) for an individual—
- (i) the individual's name; or
  - (ii) if the individual is carrying on the business of a security firm—the name under which the individual carries on business; or
  - (iii) the individual's postal address; or
  - (iv) the individual's residential address; or
  - (v) if the individual is carrying on the business of a security firm—each place of business of the individual; or
  - (vi) a charge against, or conviction of, the individual for a disqualifying offence; or
- (b) for a corporation—
- (i) the name of the corporation; or
  - (ii) the name under which the corporation carries on business; or
  - (iii) the postal address of the corporation; or
  - (iv) each place of business of the corporation; or
  - (v) the composition of the officers of the corporation; or
  - (vi) a charge against, or conviction of, an officer of the corporation for a disqualifying offence; or
  - (vii) a charge against, or conviction of, a corporation for a disqualifying offence; or

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- (c) for a partnership—
  - (i) the name of the partnership; or
  - (ii) the name under which the partnership carries on business; or
  - (iii) the postal address of the partnership; or
  - (iv) each place of business of the partnership; or
  - (v) the composition of the partners in the partnership; or
  - (vi) a charge against, or conviction of, a partner in the partnership for a disqualifying offence.

## **Part 3                      Registers**

### **Division 1                      Register to be kept by chief executive**

#### **13                      Register of security providers**

- (1) The chief executive must keep a register of security providers.
- (2) The chief executive must note in the register—
  - (a) the name of each person who holds a licence for carrying out the functions of 1 or more of the following—
    - (i) a bodyguard;
    - (ii) a crowd controller;
    - (iii) a private investigator;
    - (iv) a security adviser;
    - (v) a security equipment installer;
    - (vi) a security officer; and

- (b) the name, registered business name, if any, and place of business of each person or partnership that holds a security firm licence; and
  - (c) any other information the chief executive considers necessary or desirable for the effective administration of the Act.
- (3) The chief executive must keep the register open for inspection during business hours.

#### **14 Change in particulars**

The chief executive must note the following in the register of security providers—

- (a) that a particular licence has expired or has been suspended or cancelled;
- (b) that the chief executive has refused to renew or replace a particular licence;
- (c) any change in a licensee's particulars.

#### **15 Chief executive's certificate about contents of register**

A certificate, purporting to be signed by the chief executive, about the contents of a register kept by the chief executive, is evidence of the matters stated in the certificate.

### **Division 2 Registers to be kept by others**

#### **Subdivision 1 Registers to be kept by liquor licensees**

#### **16 Application of sdiv 1**

This subdivision applies if—

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- (a) a liquor licensee engages a person to carry out the functions of a crowd controller for reward at a public place to which a liquor licence relates; and
- (b) the liquor licence is not in relation to an event or occasion.

## 17 Definitions for sdiv 1

In this subdivision—

*liquor licence* means a licence under the *Liquor Act 1992*.

*liquor licensee* means a person who holds a licence under the *Liquor Act 1992*.

## 18 Liquor licensee to keep register of crowd controllers

- (1) The liquor licensee must keep a register of persons engaged by the liquor licensee to carry out the functions of a crowd controller for reward at the public place.

Maximum penalty—20 penalty units.

- (2) The register must be kept in a secure place at the public place.
- (3) The register must state the following in relation to each crowd controller—
  - (a) the crowd controller's full name, residential address and licence number, written in ink and so that they are easily legible;

*Note—*

Under the *Acts Interpretation Act 1954*, section 36, writing includes any mode of representing or reproducing words in a visible form.

- (b) if the services of the crowd controller are supplied by a security firm—the security firm's name and address;
- (c) the number of the identification that must be worn by the crowd controller under section 25;
- (d) the date and time when the crowd controller starts each period of duty at the public place; and

- 
- (e) the date and time when the crowd controller finishes each period of duty at the public place;
  - (f) if the crowd controller is a restricted licensee and is to carry out the functions of a crowd controller under appropriate direct supervision—the name of the crowd controller who—
    - (i) holds an unrestricted licence for carrying out crowd controller functions; and
    - (ii) is to directly supervise the crowd controller for the purpose of giving the appropriate direct supervision;
  - (g) the information mentioned in subsection (4) about each incident at the public place—
    - (i) involving the crowd controller and in which a person is injured; or
    - (ii) requiring a person to be removed from the public place by the crowd controller.
- (4) For subsection (3)(g) the information is as follows—
- (a) the date and time the incident happened;
  - (b) a description of the location at the public place where the incident happened;
  - (c) a description of each person involved in the incident and, if known, the person's name;
  - (d) details of the incident, including, for example, information about whether a person was removed from the premises because of the incident;
  - (e) details of injuries suffered by persons involved in the incident;
  - (f) details of action taken by the crowd controller or member of staff of the public place in response to the incident.
- (5) The liquor licensee must ensure—

[s 19]

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- (a) the particulars mentioned in subsection (3)(a), (b), (c), (d) and (f) are noted in the register, and the register is signed by the crowd controller, before the crowd controller starts each period of duty; and
- (b) the particulars mentioned in subsection (3)(e) are noted in the register, and the register is signed by the crowd controller, immediately after the crowd controller finishes the period of duty; and
- (c) the information mentioned in subsection (3)(g) is noted in the register as soon as practicable after the incident.

Maximum penalty—20 penalty units.

- (6) If the register consists of more than 1 page, it must be—
  - (a) firmly bound along its spine; and
  - (b) sequentially numbered.

## **19 Register of crowd controllers—other matters**

- (1) The liquor licensee must allow the register kept by the liquor licensee under section 18 to be inspected by the chief executive.

Maximum penalty—20 penalty units.

- (2) The liquor licensee must not—
  - (a) remove, or allow a person to remove, a page from the register; or
  - (b) erase or obliterate an entry in the register; or
  - (c) allow a person to erase or obliterate an entry in the register.

Maximum penalty—20 penalty units.

- (3) The liquor licensee must keep the register for at least 7 years after the last entry was made in the register.

Maximum penalty—20 penalty units.

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## **Subdivision 2      Registers to be kept by security firms**

### **20      Security firm to keep register of security providers**

- (1) A security firm must keep a register of security providers engaged by the security firm.

Maximum penalty—20 penalty units.

- (2) The register must state—
- (a) the name of each security provider; and
  - (b) the licence number of each security provider; and
  - (c) the expiry date of each security provider’s licence; and
  - (d) the date of commencement of each engagement.
- (3) If the engagement of a security provider ends, the register must also state the date the engagement ended.
- (4) The security firm must allow the register to be inspected by the chief executive.

Maximum penalty—20 penalty units.

- (5) The security firm must keep the register for at least 7 years after the last entry was made in the register.

Maximum penalty—20 penalty units.

### **21      Security firm to keep register of crowd controllers**

- (1) This section applies if—
- (a) a security firm supplies crowd controller services at a particular public place; and
  - (b) a liquor licensee is not required to keep a register of crowd controllers for the place under subdivision 1.
- (2) The security firm must keep a register of crowd controllers whose crowd controller services are supplied by the security firm at the public place.

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Maximum penalty—20 penalty units.

- (3) The register must be kept—
  - (a) while the services are being supplied—in a secure place at the public place; or
  - (b) otherwise—in a secure place at a place of business of the security firm.
- (4) The register must state the following in relation to each crowd controller—
  - (a) the crowd controller's full name, residential address and licence number, written in ink and so that they are easily legible;

*Note—*

Under the *Acts Interpretation Act 1954*, section 36, writing includes any mode of representing or reproducing words in a visible form.

- (b) the number of the identification that must be worn by the crowd controller under section 25;
- (c) the date and time when the crowd controller starts each period of duty at the public place;
- (d) the date and time when the crowd controller finishes each period of duty at the public place;
- (e) if the crowd controller is a restricted licensee and is to carry out the functions of a crowd controller under appropriate direct supervision—the name of the person who—
  - (i) holds an unrestricted licence for carrying out crowd controller functions; and
  - (ii) is to directly supervise the crowd controller for the purpose of giving the appropriate direct supervision;
- (f) details of each incident at the public place—
  - (i) involving the crowd controller and in which a person is injured; or

- 
- (ii) requiring a person to be removed from the public place by the crowd controller.
- (5) The security firm must ensure—
- (a) the particulars mentioned in subsection (4)(a), (b), (c) and (e) are noted in the register, and the register is signed by the crowd controller, before the crowd controller starts each period of duty; and
  - (b) the particulars mentioned in subsection (4)(d) are noted in the register, and the register is signed by the crowd controller, immediately after the crowd controller finishes the period of duty; and
  - (c) the details mentioned in subsection (4)(f) are noted in the register as soon as practicable after the incident.

Maximum penalty—20 penalty units.

- (6) If the register consists of more than 1 page, the register must be—
- (a) firmly bound along its spine; and
  - (b) sequentially numbered.

## **22 Register of crowd controllers—other matters**

- (1) If a security firm is required to keep a register of crowd controllers under section 21, the security firm must allow the register to be inspected by the chief executive.

Maximum penalty—20 penalty units.

- (2) The security firm must not—
- (a) remove, or allow a person to remove, a page from the register; or
  - (b) erase or obliterate an entry in the register; or
  - (c) allow a person to erase or obliterate an entry in the register.

Maximum penalty—20 penalty units.



- (a) wear a chequerboard hat; or
- (b) display, or permit to be displayed, a chequerboard hat.

*Example of displaying a hat—*

holding a hat in view in the security provider's hands

Maximum penalty—20 penalty units.

- (2) In this section—

***chequerboard hat*** means a hat displaying a chequerboard design.

*Example—*

a hat that has a chequerboard hatband

## **25 Crowd controller's identification—Act, s 47**

- (1) The prescribed identification for section 47 of the Act is identification that complies with subsections (2) to (5).
- (2) The identification must be worn on a licensed crowd controller's clothing at the chest.
- (3) The identification must consist of—
  - (a) a number at least 3cm in height and 4mm in thickness; and
  - (b) the word 'security' in capital letters at least 1cm in height and 2mm in thickness.
- (4) The numbers and letters must be black on a white background.
- (5) Each crowd controller at a public place must wear a different number.

## **26 Exemptions from holding licence—Act, s 54(2)(b)**

The chief executive may approve that a crowd controller or security officer need not hold the appropriate licence for a specified activity, event or place, despite section 9 of the Act.

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**27 Fees**

The fees payable under the Act are stated in schedule 1.

**28 Partial refund of fees**

The chief executive must refund a reasonable amount of a fee paid on an application for the grant or renewal of a licence if—

- (a) the chief executive refuses to grant or renew the licence; or
- (b) the applicant withdraws the application before the licence is granted or renewed.

## **Part 6 Repeal and transitional provisions**

**29 Repeal**

The Security Providers Regulation 1995 SL No. 25 is repealed.

**30 Application for licence or renewal before commencement**

- (1) This section applies to an application for a licence, or renewal of a licence, made but not decided before the commencement of this section.
- (2) The repealed *Security Providers Regulation 1995* applies in relation to the application.



[s 32]

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s 23(2) .....	4
s 23(3) .....	4

**Authorised person for service of infringement notices**—an inspector appointed under the *Security Providers Act 1993*, section 32’.

## Schedule 1      Fees

section 27

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### Applications for licences

1	Application for a class 1 licence for carrying out the functions of 1 type of security provider other than a security firm—	
	(a) for 1 year .....	222.60
	(b) for 3 years .....	448.30
2	Application for a class 1 licence for carrying out the functions of more than 1 type of security provider other than a security firm—	
	(a) for 1 year .....	278.20
	(b) for 3 years .....	564.90
3	Application for a class 1 restricted licence for carrying out the functions of 1 type of security provider other than a security firm, for 6 months .....	126.00
4	Application for a class 1 restricted licence for carrying out the functions of more than 1 type of security provider other than a security firm, for 6 months .....	154.80
5	Application for a class 1 security firm licence—	
	(a) for 1 year .....	1 114.00
	(b) for 3 years .....	2 250.10
6	Application for a class 2 licence for carrying out the functions of 1 type of security provider other than a security firm—	
	(a) for 1 year .....	133.50
	(b) for 3 years .....	269.00
7	Application for a class 2 licence for carrying out the functions of more than 1 type of security provider other than a security firm—	
	(a) for 1 year .....	166.90
	(b) for 3 years .....	339.90

## Schedule 1

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8 Application for a class 2 security firm licence—	
(a) for 1 year .....	668.40
(b) for 3 years .....	1 350.00
9 Application for a class 1 and class 2 security firm licence—	
(a) for 1 year .....	1 425.90
(b) for 3 years .....	2 880.10
<b>Renewal of licences</b>	
10 Renewal of a class 1 licence for carrying out the functions of 1 type of security provider other than a security firm—	
(a) for 1 year .....	112.30
(b) for 3 years .....	336.90
11 Renewal of a class 1 licence for carrying out the functions of more than 1 type of security provider other than a security firm—	
(a) for 1 year .....	142.80
(b) for 3 years .....	427.30
12 Renewal of a class 1 security firm licence—	
(a) for 1 year .....	568.00
(b) for 3 years .....	1 704.00
13 Renewal of a class 2 licence for carrying out the functions of 1 type of security provider other than a security firm—	
(a) for 1 year .....	67.40
(b) for 3 years .....	202.20
14 Renewal of a class 2 licence for carrying out the functions of more than 1 type of security provider other than a security firm—	
(a) for 1 year .....	85.60
(b) for 3 years .....	256.40
15 Renewal of a class 2 security firm licence—	
(a) for 1 year .....	340.80
(b) for 3 years .....	1 022.40

	\$
16 Renewal of a class 1 and class 2 security firm licence—	
(a) for 1 year .....	727.10
(b) for 3 years .....	2 181.30

### Replacement of licences

17 Replacement of a class 1 or 2 licence for carrying out the functions of 1 type of security provider other than a security firm.....	24.00
18 Replacement of a class 1 or class 2 licence for carrying out the functions of more than 1 type of security provider other than a security firm .....	34.00
19 Replacement of a security firm licence .....	54.00

### Particular amendments of licences

20 Amendment of an individual's class 1 licence to authorise the carrying out of the functions of an additional type of security provider other than a security firm—for each additional type of security provider.....	56.00
21 Amendment of an individual's class 2 licence to authorise the carrying out of the functions of an additional type of security provider other than a security firm—for each additional type of security provider.....	33.00
22 Amendment of a security firm licence to authorise the carrying out of the functions of an additional type of security provider—for each additional type of security provider .....	170.00

### Inspections of register and copies of entries in register

23 Inspection of register of security providers kept by the chief executive.....	13.60
24 Copy of an entry in the register .....	13.60
25 Certified copy of an entry in the register.....	24.00

## Schedule 2      Dictionary

### section 3

*liquor licence*, for part 3, division 2, subdivision 1, see section 17.

*liquor licensee* see section 17.

*officer*, of a corporation, see section 13(1) of the Act.

*registered business name* means a business name registered under the *Business Names Act 1962*.

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#### ENDNOTES

- 1 Made by the Governor in Council on 8 May 2008.
- 2 Notified in the gazette on 9 May 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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