

## LICENSING, REGULATION AND ALCOHOL STRATEGY

### Private Security Firm Licences

#### 1. What Does This Licence Allow Me To Do?

A security firm is an individual, a partnership or a company that engages in the business of supplying, for reward, the services of crowd controllers or security officers.

The licence allows an individual, partnership or company to operate as a security firm. Depending on the conditions of the licence, it allows the licensee to employ persons to undertake the duties of a security officer and/or crowd controller.

A person employed as a security officer or crowd controller must have an appropriate licence.

In the Northern Territory, fines of up to 100 penalty units may apply to individuals carrying out the functions of a security firm, or advertising or in any way claiming that they are willing to do so, or who employ unlicensed persons if they do not hold a current NT Security Firm Licence. Fines of up to 500 penalty units may apply to corporations. The *Penalty Units Act* prescribes the monetary value of a penalty unit, its indexation and change of value by regulation. As at 1 July 2009, a penalty unit means \$130.

#### 2. What Should I Be Aware Of Before Applying For A Licence?

Applicants must meet stringent criteria relating to their character and background. For a corporation, this means all officers. "Officers" includes a director, secretary or executive officer, or a person who can control or substantially influence the conduct of the corporation's affairs.

Applicants or Officers of security firms must consider:

- their willingness to undergo a criminal history check and finger printing; and
- whether he/she will satisfy the Commission of his/her integrity and honesty.

Licensed security firms must also:

- comply with all provisions of the *Private Security Act*;
- immediately report any change in the ownership of the business, including a change of management or Directors;
- immediately report any changes of address.

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#### Katherine

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#### Alice Springs

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Fax: 08 8951 8591

### 3. Do I Need Any Special Knowledge, Experience Or Training?

Persons operating a security firm will not necessarily require any special experience or training.

However, members of management may consider it desirable to hold a security officer's or crowd controller's licence in their own right. If so, those persons will need to meet all requirements, including training, for that particular type of licence.

### 4. What Would Prevent My Company Or I From Being Licensed To Provide Security?

A sole trader or a company with an officer who, in the last 10 years, has been convicted of a disqualifying offence cannot be issued a licence according to *Private Security Act*.

A sole trader or a company with an officer whom the Licensing Commission considers to be inappropriate will not be granted a licence by the Commission. For example, if the officer does not satisfy the criminal history check, the Licensing Commission will not issue the company with a licence.

Where the concern is minor and can be resolved with the Commission, the Commission may grant a licence with conditions attached.

### 5. What Are Disqualifying Offences?

If you are applying for a Security Firm Licence you must meet stringent criteria relating to your character and background before the Licensing Commission will approve your application.

Under the *Private Security Act*, you will not be granted a licence if you have committed a disqualifying offence within the last 10 years. Being charged with a disqualifying offence is also grounds for suspension of the licence.

As of 8 March 2007, the following offences are prescribed as disqualifying:

Criminal Code			
S69	Going armed in public	S192B	Coerced sexual self manipulation
S132	Indecent dealing with a child under 16 years	S193	Assaults with intent to commit an offence
S156	Murder	S194	Kidnapping for ransom
S160	Manslaughter	S195	Kidnapping
S165	Attempt to murder	S196	Deprivation of liberty
S166	Threats to kill	S210	Stealing (where a custodial sentence is imposed that is wholly or partially served)
S177	Acts intending to cause grievous harm or prevent apprehension	S211	Robbery
S181	Grievous harm	S212	Assault with intent to steal
S182	Attempting to injure by explosive substances	S233	False accounting
S186	Bodily harm	S227	Criminal deception
S188(2)	Common assault with specified circumstances of	S228	Blackmail and extortion
		S229	Receiving stolen property

<b>Criminal Code</b>			
S189A	aggravation Assaults on police	S231	Taking reward for recovery of property obtained by means of crime
S189	Unlawful stalking		
S192	Sexual intercourse and gross	S239	Arson

<b>Firearm Act</b>			
S59	Firearms to be registered	S83	Prohibited use of firearms
S61	Manufacture of firearms	S84	Discharge of firearms causing danger, & c.
S63A	Trafficking in firearms	S85	Breach of conditions
S74	Alteration of identification marks	S86	Persons under influence of alcohol or drugs
S77	Silencers and machine guns		
S82	Discharge of firearms on roads, &c.		

<b>Misuse Of Drugs Act</b>			
S5	Supplying dangerous drug	S9(1)	Possession
S6	Receiving or possessing tainted property	S16	Obtaining prescription by deception
S7	Cultivation	S17	Obtaining dangerous drug or precursor by deception
S8	Manufacture and production		

<b>Weapons Control Act</b>			
S6	Prohibited weapons	S8	Offensive weapons
S7	Controlled weapons	S9	Body armour

### **Other**

Any conviction under Commonwealth legislation where the penalty for the offence is imprisonment for two years or more.

## **6. What Are The Initial Costs Involved In Obtaining A Licence?**

Please refer to the relevant schedule of fees for further details regarding the grant and renewal of security licences. Different fees\* apply where the application is for a Sole Trader, Partnership or Corporation. Applicants can nominate the duration of the licence up to three years.

An additional fee\* applies for the criminal history check (fingerprint and name check) of each person named in the application. Upon renewal of a licence, only a name check is required of each.

### **7. Are There Any Ongoing Costs To Having A Licence?**

Yes. There will be ongoing costs associated with the renewal of a licence. A licensee has the option of renewing their license for one, two or three years. The renewal fees\* are the same as the licence issue fees.

In addition, each partner or officer of the security firm must undergo a Police Name Check on renewal of the licence.

### **8. How Long Is My Licence Valid For?**

A security firm licence is valid for one, two or three years. To renew your licence, complete the application renewal form and pay the relevant fee\*. An application for renewal must be made not earlier than 3 months before and not later than one month before, the licence expires.

Note: Under the *Private Security Act* a licence can be suspended, cancelled or refused renewal on the grounds of:

- the licence being obtained on the basis of incorrect or misleading information;
- an officer contravening a condition;
- an officer committing an offence against the Act;
- an officer is no longer deemed an appropriate person to be in possession of the licence; or
- an officer being charged with a disqualifying offence.

### **9. What Is The Application Process?**

Territory Business Centre provides relevant application forms and the Authority to Release Criminal History form. These forms are also available at the Licensing, Regulation and Alcohol Strategy website at [www.nt.gov.au/justice/licenreg](http://www.nt.gov.au/justice/licenreg).

For fingerprinting, you must attend a Police Station (Peter McAulay Centre, Berrimah). The prescribed fingerprinting fee\* is payable at the time of lodgement of the Authority and submission of fingerprints.

The application will not progress until all necessary persons submit evidence of lodgement of fingerprints, and consent to periodic police checks during the life of the licence.

When renewing a licence the fingerprint check is not necessary. However, a name check by the Police will be required to ensure the on-going integrity of the licensee or officer. A signature on name check form must be witnessed by an authorised person (in the NT a member of the NTPFES).

You may then submit your completed application form along with the relevant fees\* at the Territory Business Centre.

## 10. Is My Licence Recognised Interstate?

The operation of a security firm is considered a business, not an occupation, therefore is not covered by mutual recognition principles. Accordingly, security firm licences are not recognised between states and territories. It will be necessary to meet the licensing requirements of each State or Territory in which it is proposed to operate.

## 11. If I Have Any Further Questions Or Concerns Who Can I Talk To?

For general questions about starting a business and the licensing process for security firms, contact a Territory Business Centre. Toll Free Line: 1800 193 111 (Australia Wide)

For questions about a specific licence application, contact Licensing, Regulation and Alcohol Strategy on (08) 8999 1800.

*\*Please refer to the relevant schedule of fees.*

### TERRITORY BUSINESS CENTRES

TOLL FREE LINE: 1800 193 111 (Australia Wide)

<b>Darwin</b>	<b>Katherine</b>	<b>Tennant Creek</b>	<b>Alice Springs</b>	<b>Postal Address</b>
Development Hse 76 The Esplanade Darwin NT 0800 Phone: (08) 8982 1700	1 Randazzo Bldg 18 Katherine Tce Katherine NT 0850 Phone: (08) 8972 8906	Shop 2, Barkly Hse Cnr Paterson & Davidson Sts Tennant Creek NT 0860 Phone: (08) 8962 4411	Peter Sitzler Bldg 67 Nth Stuart Hwy Alice Springs NT 0870 Phone: (08) 8951 8524	GPO Box 9800 Darwin NT 0801 <a href="mailto:territory.businesscentre@nt.gov.au">territory.businesscentre@nt.gov.au</a>

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