

## LICENSING, REGULATION AND ALCOHOL STRATEGY

### Probity Checks

#### What Is A Probity Check?

A probity check investigates the background of an organisation (company or other corporate body) or individual to determine their fitness to undertake a specified activity for which authorisation is required.

Probity checks investigate the previous history and activities of organisations and individuals, especially but not only in respect of financial records and legal involvements.

The nature and detail of information required for probity checks varies according to legislative requirements and the type of activity for which authorisation is required.

#### Why Are Probity Checks Carried Out?

Probity checks are carried out to ensure that the highest possible standards apply in activities or services involving the general public, especially where the security of persons or property is at stake.

#### When Are Probity Checks Carried Out?

Probity checks are carried out by the Licensing, Regulation and Alcohol Strategy Division when investigating applications from organisations or individuals for a range of authorisations:

<ul style="list-style-type: none"> <li>• Crowd Controller's Licence</li> <li>• Security Officer's Licence</li> <li>• Liquor Licence</li> <li>• Change of Manager – Liquor Licence</li> <li>• Bookmaker's Permit</li> <li>• Bookmaker's Key Employee Licence</li> <li>• Gaming Machine Licence</li> <li>• Machine Manager's Licence</li> <li>• Gaming Machine Repairer's Licence</li> <li>• Casino Employee's Licence</li> </ul>	<ul style="list-style-type: none"> <li>• Internet Gaming Key Employee's Licence.</li> <li>• Real Estate, Business and Conveyancing Agent Licensing</li> <li>• Registered Agent's Representative</li> <li>• Motor Vehicle Dealers Licence</li> <li>• Travel Agents Licence</li> <li>• Pawnbrokers and Second-hand Dealer Licence</li> <li>• Commercial Agents</li> <li>• Private Bailiff Inquiry Agent</li> <li>• Process Server</li> </ul>
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### LICENSING, REGULATION AND ALCOHOL STRATEGY

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### **What Do Probity Checks Involve?**

A probity check can only commence when appropriate authority is given. In the case of permits and licences issued by the Licensing, Regulation and Alcohol Strategy Division, this authority normally comes from the individual, or the authorised representative of the organisation, that is seeking the licence or permit.

Depending on the particular requirements of the licence or permit, the authority may comprise some or all of the following:

- **Authority to Release Criminal History (often called a police check)**  
This gives consent for a check of criminal records or other information held by the Northern Territory Police Force or by interstate or overseas police services, and for the release of details of any recorded convictions in the Northern Territory or elsewhere. Such information is provided to the Director of Licensing. Spent convictions (convictions over ten years old) may not be considered unless particularly relevant where an applicant or a Director of an applicant Body Corporate is residing or has recently resided in another country, he/she may be required to provide Police Report and financial documentation from that country
- **Authority to Obtain Information**  
This gives consent for an officer of the Licensing, Regulation and Alcohol Strategy Division, or for Northern Territory, interstate or overseas police authorities, or for any other investigative authority, to make any investigations or inquiries deemed necessary to complete the processing of an application for a licence or permit.
- **Authority for Release of Information**  
This authorises the manager or officer in charge of any bank or financial institution to whom the authority is presented, to allow an officer of the Licensing, Regulation and Alcohol Strategy Division, or a member of the Northern Territory Police Force, to inspect and obtain copies of any and all documents, records, or correspondence pertaining to the organisation or individual(s) involved. These may include but are not limited to: loan information, cheque account records, savings deposits records, safe deposit records, passbook records and bank statement sheets.

### **How Are Probity Checks Carried Out?**

If, and only if, the relevant authorities have been signed, the probity check commences. Information is legally obtained by officers of the Licensing, Regulation and Alcohol Strategy Division and/or police, and checked against criteria for issue of the licence or permit being sought.

### **What Are My Rights In Respect Of Probity Checks?**

Probity checks will only be carried out if you give your signed authority.

If a probity check results in refusal by the Licensing, Regulation and Alcohol Strategy Division to issue a licence or permit, you have an avenue of appeal. Contact the Director of Licensing on (08) 8999 1800.

**What Is The Purpose Of Fingerprinting In Relation To Licences And Permits?**

Fingerprinting is a prerequisite for issue of some permits and licences, especially where the safety or security of persons or property is involved. It is a measure designed to provide maximum protection for the public.

Fingerprinting is carried out at Northern Territory police stations. Darwin residents must attend the Mitchell Building Police Station, (police headquarters) Darwin City.

**How Is Fingerprinting Carried Out?**

The first step is to present a completed Authority to Release Criminal History form to the duty officer and to pay the prescribed fee of \$120.

Fingerprinting then follows. This may be immediate or may take some time depending on the level of activity at the station.

At the completion of the process, police provide a signed declaration that fingerprinting has been completed.

Fingerprint checking then becomes part of the wider process of probity checks. Under Section 64 (4) of the *Gaming Machine Act*, fingerprints and palm prints of a person are to be destroyed as soon as practicable after cessation of a licence or after refusal of an application for a Machine Manager's Licence or a Gaming Machine Repairer's Licence.