



New South Wales

Firearms (General) Amendment (Security Guards) Regulation 1998

under the
Firearms Act 1996

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Firearms Act 1996*.

PAUL WHELAN, M.P.,
Minister for Police

Explanatory note

The *Security Industry Act 1997* will commence on 1 July 1998 and replace the *Security (Protection) Industry Act 1985* as the relevant law under which security guards are required to be licensed in order to carry on security activities.

The objects of this Regulation are:

- (a) to update references in relation to security guards as a consequence of the changes to the security industry legislation, and
- (b) to provide that the term *security guard*, for the purposes of the *Firearms (General) Regulation 1997*, refers only to those persons who are employed to carry on security activities for which a class IA licence under the *Security Industry Act 1997* is required (namely, patrolling, protecting, watching or guarding any property, including cash in transit), and does not extend to persons acting as bodyguards.

This Regulation is made under the *Firearms Act 1996*, including section 88 (the general regulation making power).

1998 No 271

Clause 1 Firearms (General) Amendment (Security Guards) Regulation 1998

Firearms (General) Amendment (Security Guards) Regulation 1998

1 Name of Regulation

This Regulation is the *Firearms (General) Amendment (Security Guards) Regulation 1998*.

2 Commencement

This Regulation commences on 1 July 1998.

3 Amendment of Firearms (General) Regulation 1997

The *Firearms (General) Regulation 1997* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Omit the definition of *security guard* from clause 3 (1).

Insert instead:

security guard means a person who:

- (a) is employed to carry on a security activity referred to in section 4 (b) of the *Security Industry Act 1997*, and
- (b) is the holder of a class IA licence under that Act.

[2] Clause 23 Recognition of interstate licences—additional purposes

Omit clause 23 (4) (a). Insert instead:

- (a) is licensed, under the law of the other State or Territory in which he or she resides, to carry on security activities referred to in section 4 (b) of the *Security Industry Act 1997*, and

[3] Clause 23 (4)

Omit “on duty in New South Wales as a licensed security guard”.
Insert instead “carrying on those security activities”.

[4] Clause 69 Additional requirements relating to security guards

Omit clause 69 (1) Insert instead:

- (b) produces the person’s class IA licence under the *Security Industry Act 1997*.