

Passed by both Houses



New South Wales

Security Industry (Olympic and Paralympic Games) Bill 1999

Contents

	Page
Part 1 Preliminary	
1 Name of Act	2
2 Commencement	2
3 Definitions	2
Part 2 Security Industry Act 1997	
4 Relationship with Security Industry Act 1997	4
5 Olympic security licence	4
6 Application for Olympic security licence	4
7 Fee for Olympic security licence	4
8 Training requirements for Olympic security licences	5
9 Term of licence	5
10 Licence to be worn by licensee	5
11 Delegation by Commissioner	6
12 Provisions of Security Industry Act 1997 not to apply	6

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Contents

	Page	
Part 3	Security Industry Regulation 1998	
13	Relationship with Security Industry Regulation 1998	7
14	Applications for Olympic security licences	7
15	Lost, stolen or destroyed licence	7
16	Provisions of Security Industry Regulation 1998 not to apply	7
Part 4	Miscellaneous	
17	Enforcement	8
18	Regulations	8
19	Expiry of Act	8

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 1999*



New South Wales

Security Industry (Olympic and Paralympic Games) Bill 1999

Act No , 1999

An Act to enable the issue of a limited licence for security personnel for the Olympic Games and Paralympic Games; and for other purposes.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

Clause 1 Security Industry (Olympic and Paralympic Games) Bill 1999

Part 1 Preliminary

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Security Industry (Olympic and Paralympic Games) Act 1999*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Definitions

In this Act:

Homebush Bay means:

- (a) the land shown by distinctive colouring or marking on the drawing numbered HS-P-P-722 dated 1 November 1999 deposited in the office of Olympic Co-ordination Authority, and
- (b) land that is vested in the State Sports Centre Trust constituted by the *State Sports Centre Trust Act 1984* and that is leased to the Olympic Co-ordination Authority.

Olympic Co-ordination Authority means the Olympic Co-ordination Authority constituted by the *Olympic Co-ordination Authority Act 1995*.

Olympic venues and facilities means venues and facilities that are required for hosting the Olympic Games, including the following:

- (a) venues to conduct sporting events,
- (b) training facilities for competitors,
- (c) media centres and other communications facilities for the media,
- (d) residential accommodation for competitors, officials and members of the media,
- (e) storage facilities for sporting, communication or other equipment,

- (f) catering facilities for venues, training facilities, media centres and residential accommodation,
- (g) helicopter landing facilities,
- (h) transport and other physical infrastructure associated with any of the above venues or facilities,
- (i) any other development (within the meaning of the *Environmental Planning and Assessment Act 1979*) determined by the Director-General of the Olympic Co-ordination Authority to be required for, or as being associated with, the Olympic Games.

the Olympic Games means the Games of the XXVII Olympiad to be held principally in Sydney in the year 2000, and includes:

- (a) the Paralympic Games, being the games for athletes with a disability that are to be held principally in Sydney in the year 2000, and
- (b) a test event, being an event conducted at a venue or facility at which Olympic Games and Paralympic Games sporting events are to be conducted before those Games are held in order to test the capacity and operational functions of the venue or facility to provide for those sporting events.

Part 2 Security Industry Act 1997

4 Relationship with Security Industry Act 1997

- (1) This Part is to be construed with and as if it formed part of the *Security Industry Act 1997*.
- (2) In the event of an inconsistency between this Part and the *Security Industry Act 1997*, this Part prevails to the extent of the inconsistency.

5 Olympic security licence

- (1) In addition to the classes of licence specified in section 9 of the *Security Industry Act 1997*, a licence may be of the class of Olympic security licence.
- (2) An Olympic security licence authorises the licensee to carry on security activities consisting of patrolling, protecting, watching or guarding property, and using security equipment, at:
 - (a) Homebush Bay, and
 - (b) any Olympic venues and facilities,during the period from 1 August 2000 to 30 November 2000, inclusive.

6 Application for Olympic security licence

In addition to the provisions of section 14 (1) and (2) of the *Security Industry Act 1997*, an applicant for an Olympic security licence must:

- (a) provide 2 written references from such class or classes of persons as are prescribed by the regulations under that Act for the purposes of section 14 (3) (b) of that Act to the effect that the applicant is a fit and proper person to work in the security industry, and
- (b) provide such other information and particulars as the Commissioner may require in respect of the application.

7 Fee for Olympic security licence

The fee for an Olympic security licence is to be paid to and retained by the Security Resource Centre established by Australian Security Industry Association Limited.

8 Training requirements for Olympic security licences

- (1) The Commissioner must not grant an application for an Olympic security licence unless the applicant has attained, to the satisfaction of the Commissioner:
 - (a) the approved competency standards, or
 - (b) the approved level of accreditation,for the Olympic security licence training course.
- (2) A person is not eligible to undertake the training course if the person would be refused a security licence under the *Security Industry Act 1997*, subject to section 12 of the *Security Industry (Olympic and Paralympic Games) Act 1999*.
- (3) A person:
 - (a) who dishonestly obtains, or attempts to obtain, a certificate or any other document that purports to be evidence that the person has attained the approved competency standards or the approved level of accreditation referred to in subsection (1), or
 - (b) who:
 - (i) is in possession of such a certificate or document, and
 - (ii) uses it, or attempts to use it, for a dishonest purpose, or
 - (c) who dishonestly issues such a certificate or document,is guilty of an offence.
Maximum penalty (subsection (3)): 20 penalty units in the case of a corporation, or 5 penalty units in the case of an individual.

9 Term of licence

An Olympic security licence remains in force from 1 August 2000 for a period of 4 months, unless sooner surrendered or revoked or it otherwise ceases to be in force.

10 Licence to be worn by licensee

The holder of an Olympic security licence must, at all times while carrying on a security activity, wear the form of the licence that contains a photograph of the licensee.

Maximum penalty: 40 penalty units.

Clause 11 Security Industry (Olympic and Paralympic Games) Bill 1999

Part 2 Security Industry Act 1997

11 Delegation by Commissioner

For the purposes of section 43 (3) of the *Security Industry Act 1997*, the Director, Commercial Security Directorate of the Olympic Security Command Centre is an authorised person in relation to any function of the Commissioner concerning an Olympic security licence.

12 Provisions of Security Industry Act 1997 not to apply

Sections 16 (4) and (5), 24 and 29 of the *Security Industry Act 1997* do not apply in relation to an Olympic security licence.

Part 3 Security Industry Regulation 1998

13 Relationship with Security Industry Regulation 1998

- (1) This Part is to be construed with and as if it formed part of the *Security Industry Regulation 1998*.
- (2) In the event of an inconsistency between this Part and the *Security Industry Regulation 1998*, this Part prevails to the extent of the inconsistency.

14 Applications for Olympic security licences

- (1) Despite clause 6 of the *Security Industry Regulation 1998*, in making an application for an Olympic security licence, the applicant is required to send the application by mail to the address specified for the purpose in the application form.
- (2) For the purposes of section 14 (2) (a) of the *Security Industry Act 1997*, the prescribed fee to accompany an application for an Olympic security licence is \$50.
- (3) For the purposes of section 14 (2) (b) of the *Security Industry Act 1997*, the following particulars are required in relation to an application for an Olympic security licence:
 - (a) the applicant's name and residential address,
 - (b) the applicant's date of birth,
 - (c) evidence of the relevant qualifications for the licence,
 - (d) authority to conduct a background check.

15 Lost, stolen or destroyed licence

A person to whom an Olympic security licence has been granted must, immediately on becoming aware that the licence has been lost, stolen, destroyed, defaced or mutilated, notify the person who granted the licence in writing of that occurrence.

16 Provisions of Security Industry Regulation 1998 not to apply

Clauses 15, 17 and 19 of the *Security Industry Regulation 1998* do not apply in relation to an Olympic security licence.

Clause 17 Security Industry (Olympic and Paralympic Games) Bill 1999

Part 4 Miscellaneous

Part 4 Miscellaneous

17 Enforcement

For the avoidance of doubt, it is declared that:

- (a) the provisions of Part 2 of this Act may be enforced in accordance with the provisions for the enforcement of the *Security Industry Act 1997*, and
- (b) the provisions of Part 3 of this Act may be enforced in accordance with the provisions for the enforcement of the *Security Industry Regulation 1998*.

18 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

19 Expiry of Act

This Act ceases to have effect on 1 December 2000.