



NSW Police Force

**COST RECOVERY AND USER CHARGES
POLICY**

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2.0	2016	CBM	Rural/regional exemptions (section 5.6)
2.1	2019	FABS	Reviewed and updated Commissioners Forward and Section 5.1 (to include Music Festivals).

Commissioner's Foreword

The New South Wales Police Force administers "user charges" policing services in accordance with Government policy.

There are times when police are required to provide public policing services that go beyond their general responsibilities to the community and which help our clients meet both their business needs and their responsibilities to the community.

Recovering this cost from clients ensures that normal policing services to the community can be maintained.

I encourage all of our clients to consider how their activities may impact on public safety and to cooperate fully with police so that their particular interests and the interests of the wider community can both be addressed.

Michael Fuller APM
Commissioner of Police

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1.0 Overview and Statutory Framework

The New South Wales Police Force has a general responsibility to provide policing services for all people of NSW.

User Charges cover a wide variety of services provided by the NSW Police Force under cost recovery principles on request. User Charges services go beyond the agency's general responsibility to the community to promote public safety and protect community interests.

The Department of Premier and Cabinet guidelines¹ define user charges as “a payment to an agency [producer] for the acquisition of a particular good or service of direct benefit to the payee”.

The aim of the policy on user charges services is to achieve an efficient and equitable use of scarce public resources by ensuring that the cost of providing these services is passed on to those who derive commercial or other benefits from them.

The User Charges scheme is a statutory scheme pursuant to:

- Section 208 of the *Police Act 1990* (NSW);
- Clause 134 of the *Police Regulation 2008*. and
- Section 8 of the *Police Act 1990* (NSW).

This legislative framework outlines the terms under which NSW Police Force can demand payment for user charges services.

Section 8 of the Police Act describes the Commissioner's ability to enter into commercial arrangements:

(4A) The [Commissioner](#) (on behalf of the Crown) may make or enter into contracts or arrangements with any person for the carrying out of works or the performance of services or the supply of goods or materials in connection with the exercise of the functions of the [NSW Police Force](#).

The person requesting the user charges services should plan to meet the cost of the service as part of budgeting. So both parties understand their obligations NSWPF requires clients to enter into an agreement for the provision of particular services for an agreed cost.

¹ *Whole of Government Policy for the Application of User Charges for Major and Special Events*

2.0 Types of Services Provided Under Cost Recovery Arrangements

NSWPF provides the following Goods and Services under cost recovery arrangements:

Special events - crowd and traffic control, public order - these services may be provided for events such as sporting and entertainment events, including fairs, film and stage premieres, exhibitions and agricultural shows, whether at closed venues or stadiums, or open events such as on road cycling events and fun runs, or outdoor concerts.

Criminal record checks - provided for government and non-government agencies to check the background of employees and applicants for employment and for the issuing of visas.

Interviews with police – provided where Police are requested to provide information to legal representatives.

Vehicle and pedestrian traffic management services - provided where police powers are exercised to promote public safety for exclusive use and benefit of the owner or transport contractor, including film shoots, wide load and other vehicle escorts, crane operations, traffic signal maintenance, road closures and building sites.

Supplementary policing services - is an arrangement where a client requests additional policing services in a designated location (e.g. markets, commercial shopping centres) and contributes to the cost of providing those additional policing services. The service is provided by police officers who would not otherwise be rostered for duty. The supplementary policing services should not involve static guard duty.

Technical and Forensic Services - the NSW Police Force provides photography and photogrammetry services through the Forensic Services Group.

Information and reports for insurance and other commercial purposes - Police provide information and reports for insurance investigations and assessments. The information may be an interview with police or in written form.

Provision of police officers, wardrobe and props services to the film, television, advertising and media industries – Police resources can be provided to this industry for traffic management duties and also for major productions including television shows and commercials.

Intellectual property, training and consultancy - where there is a specific need for police expertise, NSW Police Force may enter into commercial contracts for the provision of educational or consultancy services.

Attendance for false alarms - under section 209 of the *Police Act 1990*, police may charge the owner or occupier of a building \$200 for attending false security alarms at non residential premises, where there has been more than one false alarm within a 28 day period (provided section 209 of the *Police Act* has been satisfied)

Other services - NSW Police Force provides a number of other services on a cost recovery basis including:

- Mounted Police
- Water Police
- Aviation services
- Dog Units
- Police Band
- Firearms registration services
- Security industry licensing services

Other miscellaneous services - this policy also covers any other services provided by the NSW Police Force where it is appropriate to apply the cost recovery principles as set out in the provisions above

3.0 Principles for Cost Recovery

Fees for user charges services are generally set to recover full cost, in accordance with New South Wales Treasury *Guidelines for Pricing of User Charges*².

Charges for special events are set to recover only avoidable cost in accordance with the New South Wales *Whole of Government Policy for the Application of User Charges for Major and Special Events*. Avoidable costs are those costs that would be avoided by the NSW Police Force if the good or service were not provided. The event organiser is not being charged for overhead costs that would have been incurred in running the non- commercial activities of the NSW Police Force.

The principle of user charges and the basis for charging for these services has been accepted nationally through the Australasian Police Ministers' Council, *Principles for the Application of User Pays Policies for Police Services*, 1995.

² Available at: http://www.treasury.nsw.gov.au/__data/assets/pdf_file/0018/3843/tpp01-2.pdf