

# Private Security Regulations

## Exposure Draft

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Victoria

## Private Security Regulations

### Exposure Draft

### Part 1—Preliminary

#### 1 Objectives

The objectives of these Regulations are—

- (a) to prescribe classes of persons to whom the requirement to hold a private security licence or a permit under the **Private Security Act 2004** does not apply; and
- (b) to prescribe procedures for making applications under the Act; and
- (c) to prescribe procedures for the keeping of records and registers under the Act; and
- (d) to prescribe fees, infringement offences and infringement penalties; and
- (e) to prescribe other matters required for the purposes of the Act.

## 2 Authorising provision

These Regulations are made under section 180 of the **Private Security Act 2004**.

## 3 Commencement

These Regulations come into operation on 19 June 2025.

## 4 Revocations

The following Regulations are **revoked**—

- (a) the Private Security Regulations 2016<sup>1</sup>;
- (b) the Private Security Amendment Regulations 2020<sup>2</sup>.

## 5 Definitions

In these Regulations—

*certified copy* means a copy of a document that has been certified in accordance with regulation 43;

*Council* has the same meaning as in section 3(1) of the **Local Government Act 2020**;

*disqualifying offence* has the same meaning as in section 13(1) of the Act;

*public entity* has the same meaning as in section 4(1) of the **Public Administration Act 2004**;

*special body* has the same meaning as in section 4(1) of the **Public Administration Act 2004**;

*the Act* means the **Private Security Act 2004**.

## 6 Security equipment

For the purposes of the definition of *security equipment* in section 3 of the Act, the following equipment is prescribed—

- (a) security camera systems;
- (b) security audio systems;
- (c) security audio or visual recording systems;
- (d) security alarms;
- (e) security alarm monitoring systems;
- (f) safes;
- (g) vaults;
- (h) security intrusion detectors including motion, infrared, microwave or contact detectors;
- (i) electric, electro-mechanical, magnetic or biometric access control devices (other than stock, inventory or product loss prevention monitoring devices).

## 7 Act not applicable to certain classes of persons

For the purposes of section 4(1) of the Act, the following classes of persons are prescribed—

- (a) apprentices undertaking training under a training contract within the meaning of the **Education and Training Reform Act 2006** who—
    - (i) in the course of the apprentice's training, install security equipment; and
    - (ii) are accompanied and directly supervised by the holder of a private security licence who is authorised under the licence to act as a security equipment installer;
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- (b) post-secondary students undertaking work experience or training under a practical placement agreement made under section 5.4.14 of the **Education and Training Reform Act 2006** who—
    - (i) in the course of the student's work experience or training, install security equipment; and
    - (ii) are accompanied and directly supervised by the holder of a private security licence who is authorised under the licence to act as a security equipment installer;
  - (c) persons employed as investigators by a public entity, a special body or a Council;
  - (d) persons employed or engaged to conduct investigations in relation to food hygiene, trade standards or professional standards under a contract with a public entity, a special body or a Council including any employee or sub-contractor who is employed or engaged by those persons to conduct those investigations;
  - (e) persons employed in a business to sell and provide advice to customers about security equipment (other than a business that requires the employer of those persons to hold a private security licence).
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## **Part 2—Private security licences**

### **Division 1—Applications for private security business licences**

#### **8 Prescribed particulars for applications made by natural persons for private security business licences**

For the purposes of section 16(b) of the Act, an application made by a natural person for a private security business licence must contain the following prescribed particulars—

- (a) details of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
- (b) the given names, surname, postal address and residential address of the applicant;
- (c) the date of birth of the applicant and any close associate of the applicant;
- (d) details of any of the following in respect of the applicant and any close associate of the applicant—
  - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
  - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
  - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for the



- private security business licence is made;
- (iv) any declaration of bankruptcy in the preceding 5 years;
- (e) details of whether the applicant and any close associate of the applicant is insolvent under administration;
- (f) details of any membership of an approved security industry organisation held by the applicant that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
- (g) details of the applicant's qualifications, knowledge, training or experience that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
- (h) the trading name of the business carried on by the applicant (if applicable);
- (i) the ABN for the business carried on by the applicant (if applicable).

**9 Prescribed particulars for applications made by bodies corporate for private security business licences**

For the purposes of section 16(b) of the Act, an application made by a body corporate for a private security business licence must contain the following prescribed particulars—

- (a) details of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;

- (b) the name of the body corporate;
  - (c) if the applicant is registered under the Corporations Act as a body corporate, the applicant's Australian Company Number;
  - (d) any additional names under which the body corporate intends to carry on the business;
  - (e) the date of birth of the nominated person of the body corporate, each officer of the body corporate and each close associate of the body corporate;
  - (f) details of any of the following in respect of the nominated person of the body corporate, each officer of the body corporate and each close associate of the body corporate—
    - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
    - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
    - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for the private security business licence is made;
    - (iv) any declaration of bankruptcy in the preceding 5 years;
  - (g) details of whether the nominated person of the body corporate, any officer of the body corporate and any close associate of the body corporate is insolvent under administration;
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- (h) details of any membership of an approved security industry organisation held by the nominated person of the body corporate that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
- (i) details of the nominated person's qualifications, knowledge, training or experience that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
- (j) the trading name of the business carried on by the applicant (if applicable);
- (k) the ABN for the business carried on by the applicant (if applicable).

**10 Prescribed documents to accompany applications for private security business licences**

- (1) For the purposes of section 16(c) of the Act, an application made by a natural person for a private security business licence must be accompanied by the following prescribed documents—
    - (a) an electronic copy of a passport-size colour photograph of the applicant;
    - (b) if details of the applicant's membership have been provided under regulation 8(f), a certified copy of a document verifying that membership;
    - (c) if details of the applicant's qualifications or training have been provided under regulation 8(g), a certified copy of a document verifying the applicant's qualifications or training;
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- (d) if details of the applicant's knowledge or experience have been provided under regulation 8(g), a certified copy of a document verifying the applicant's knowledge or experience;
  - (e) a certificate of currency for public liability insurance in relation to the business proposed to be carried on by the applicant;
  - (f) if the applicant carries on the business under a business name, a certified copy of the registration of the applicant's business name under the Business Names Registration Act 2011 of the Commonwealth.
- (2) For the purposes of section 16(c) of the Act, an application made by a body corporate for a private security business licence must be accompanied by the following prescribed documents—
- (a) an electronic copy of a passport-size colour photograph of the nominated person of the body corporate;
  - (b) if details of the nominated person's membership have been provided under regulation 9(h), a certified copy of a document verifying that membership;
  - (c) if details of the nominated person's qualifications or training have been provided under regulation 9(i), a certified copy of a document verifying the nominated person's qualifications or training;
  - (d) if details of the nominated person's knowledge or experience have been provided under regulation 9(i), a certified copy of a document verifying the nominated person's knowledge or experience;
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- (e) a certificate of currency for public liability insurance in relation to the business proposed to be carried on by the applicant;
- (f) if the applicant is registered under the Corporations Act as a body corporate—
  - (i) a certified copy of a certificate of registration under the Corporations Act for the body corporate; and
  - (ii) a certified copy of a document that verifies the appointment of the officers of the body corporate from the Australian Securities and Investments Commission;
- (g) if the applicant is registered under the Corporations Act as a body corporate and trading under a name other than the name specified in the applicant's certificate of registration under the Corporations Act, a certified copy of registration issued to the applicant in that name under the Business Names Registration Act 2011 of the Commonwealth.

## **Division 2—Applications for renewal of private security business licences**

### **11 Prescribed particulars for applications made by natural persons for renewal of private security business licences**

For the purposes of section 36(2)(b) of the Act, an application made by a natural person for renewal of a private security business licence must contain the following prescribed particulars—

- (a) details of each security activity the applicant is proposing to remain authorised to provide
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- the services of other persons to carry on under the licence;
- (b) the given names, surname, date of birth, postal address and residential address of the applicant and any close associate of the applicant;
  - (c) details of any of the following in respect of the applicant and each close associate of the applicant—
    - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
    - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
    - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for renewal is made;
    - (iv) any declaration of bankruptcy in the preceding 5 years;
  - (d) details of whether the applicant and any close associate of the applicant is insolvent under administration;
  - (e) details of any membership of an approved security industry organisation held by the applicant that is relevant to each security activity or any aspect of each security activity the applicant is proposing to remain authorised to provide the services of other persons to carry on under the licence;
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- (f) details of the applicant's qualifications, knowledge, training or experience that is relevant to each security activity or any aspect of each security activity the applicant is proposing to remain authorised to provide the services of other persons to carry on under the licence;
- (g) the trading name of the business carried on by the applicant (if applicable);
- (h) the ABN for the business carried on by the applicant (if applicable).

**12 Prescribed particulars for applications made by bodies corporate for renewal of private security business licences**

For the purposes of section 36(2)(b) of the Act, an application made by a body corporate for renewal of a private security business licence must contain the following prescribed particulars—

- (a) details of each security activity the applicant is proposing to remain authorised to provide the services of other persons to carry on under the licence;
  - (b) the name of the body corporate;
  - (c) if the applicant is registered under the Corporations Act as a body corporate, the applicant's Australian Company Number;
  - (d) any additional names under which the body corporate intends to carry on the business;
  - (e) the given names, surname, date of birth, postal address and residential address of the nominated person of the body corporate, each officer of the body corporate and each close associate of the body corporate;
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- (f) details of any of the following in respect of the nominated person of the body corporate, each officer of the body corporate and each close associate of the body corporate—
    - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
    - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
    - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for renewal is made;
    - (iv) any declaration of bankruptcy in the preceding 5 years;
  - (g) details of whether the nominated person of the body corporate, an officer of the body corporate and any close associate of the body corporate is insolvent under administration;
  - (h) details of any membership of an approved security industry organisation held by the nominated person of the body corporate that is relevant to each security activity or any aspect of each security activity the applicant is proposing to remain authorised to provide the services of other persons to carry on under the licence;
  - (i) details of the nominated person's qualifications, knowledge, training or experience that is relevant to each security activity or any aspect of each security activity the applicant is proposing to remain
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authorised to provide the services of other persons to carry on under the licence;

- (j) the trading name of the business carried on by the applicant (if applicable);
- (k) the ABN for the business carried on by the applicant (if applicable).

### **13 Prescribed documents to accompany applications for renewal of private security business licences**

- (1) For the purposes of section 36(2)(c) of the Act, an application made by a natural person for the renewal of a private security business licence must be accompanied by the following prescribed documents—
    - (a) if details of the applicant's membership of an approved security industry organisation have been provided under regulation 11(e), a certified copy of a document verifying that membership unless that document has already been provided under regulation 10(1)(b);
    - (b) if details of the applicant's qualifications or training have been provided under regulation 11(f), a certified copy of a document verifying the applicant's qualifications or training unless that document has already been provided under regulation 10(1)(c);
    - (c) if details of the applicant's knowledge or experience have been provided under regulation 11(f), a certified copy of a document verifying the applicant's knowledge or experience unless that document has already been provided under regulation 10(1)(d);
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- (d) a certificate of currency for public liability insurance in relation to the business carried on by the applicant unless that document has already been provided under regulation 10(1)(e).
- (2) For the purposes of section 36(2)(c) of the Act, an application made by a body corporate for the renewal of a private security business licence must be accompanied by the following prescribed documents—
- (a) if details of the nominated person's membership have been provided under regulation 12(h), a certified copy of a document verifying that membership unless that document has already been provided under regulation 10(2)(b);
  - (b) if details of the nominated person's qualifications or training have been provided under regulation 12(i), a certified copy of a document verifying the nominated person's qualifications or training unless that document has already been provided under regulation 10(2)(c);
  - (c) if details of the nominated person's knowledge or experience have been provided under regulation 12(i), a certified copy of a document verifying the nominated person's knowledge or experience unless that document has already been provided under regulation 10(2)(d);
  - (d) a certificate of currency for public liability insurance in relation to the business carried on by the applicant unless that document has already been provided under regulation 10(2)(e);
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- (e) if the applicant is registered under the Corporations Act as a body corporate, a certified copy of a document that verifies the appointment of the officers of the body corporate from the Australian Securities and Investments Commission unless that document has already been provided under regulation 10(2)(g).

### **Division 3—Applications for private security individual operator licences**

#### **14 Prescribed particulars for applications for private security individual operator licences**

For the purposes of section 16(b) of the Act, an application for a private security individual operator licence must contain the following prescribed particulars—

- (a) details of each security activity the applicant proposes to carry on under the licence;
- (b) the given names, surname, postal address and residential address of the applicant;
- (c) the date of birth of the applicant;
- (d) the name and address of any employer of the applicant;
- (e) details of the applicant's qualifications, knowledge, training or experience relevant to each security activity or any aspect of each security activity the applicant proposes to carry on under the licence;
- (f) details of any of the following in respect of the applicant—
  - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;

- (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
- (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for the private security individual operator licence is made.

**15 Prescribed documents to accompany applications for private security individual operator licences**

For the purposes of section 16(c) of the Act, an application for a private security individual operator licence must be accompanied by the following prescribed documents—

- (a) an electronic copy of a passport-size colour photograph of the applicant;
- (b) if the applicant has provided details of the applicant's qualifications or training under regulation 14(e), a certified copy of a document verifying the applicant's qualifications or training;
- (c) if the applicant has provided details of the applicant's knowledge or experience under regulation 14(e), a certified copy of a document verifying the applicant's knowledge or experience.

## **Division 4—Applications for renewal of private security individual operator licences**

### **16 Prescribed particulars for applications for renewal of private security individual operator licences**

For the purposes of section 36(2)(b) of the Act, an application for the renewal of a private security individual operator licence must contain the following prescribed particulars—

- (a) details of each security activity the applicant is proposing to remain authorised to carry on under the licence;
- (b) the given names, surname, date of birth, postal address and residential address of the applicant;
- (c) the name and address of any employer of the applicant;
- (d) details of the applicant's qualifications, knowledge, training or experience that is relevant to each security activity or any aspect of each security activity the applicant is proposing to remain authorised to carry on under the licence;
- (e) details of any of the following in respect of the applicant—
  - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
  - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;

- (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for renewal is made.

**17 Prescribed documents to accompany applications for renewal of private security individual operator licences**

- (1) For the purposes of section 36(2)(c) of the Act, an application for the renewal of a private security individual operator licence must be accompanied by the following prescribed documents—
    - (a) if details of the applicant's qualifications or training have been provided under regulation 16(d), a certified copy of a document verifying the applicant's qualifications or training unless the document has already been provided under regulation 15(b);
    - (b) if details of the applicant's knowledge or experience have been provided under regulation 16(d), a certified copy of a document verifying the applicant's knowledge or experience unless the document has already been provided under regulation 15(c);
    - (c) a document verifying that the applicant has successfully completed refresher training approved by the Chief Commissioner;
    - (d) if the applicant is proposing to remain authorised to carry on a security activity specified in subregulation (2) under the licence, a document verifying that the applicant has successfully completed any further refresher training approved by the Chief Commissioner;
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- (e) a document verifying that the applicant has a current first aid qualification approved by the Chief Commissioner.
- (2) For the purposes of subregulation (1)(d), the following security activities are specified—
  - (a) acting as a bodyguard;
  - (b) acting as a crowd controller;
  - (c) acting as a security guard.

## **Division 5—General provisions for licences**

### **18 Licence document**

For the purposes of section 40 of the Act, a private security licence document must include the following—

- (a) the type of private security licence granted or renewed;
  - (b) each security activity authorised under the licence;
  - (c) if the licence holder is a natural person—
    - (i) the name of the licence holder; and
    - (ii) a photograph of the licence holder;
  - (d) if the licence holder is a body corporate—
    - (i) the name of the nominated person of the body corporate; and
    - (ii) a photograph of the nominated person of the body corporate;
  - (e) the expiry date of the licence;
  - (f) any name under which the business will operate;
  - (g) any conditions imposed on the licence.
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**19 Application to vary private security licence to  
authorise additional security activity**

- (1) For the purposes of section 42(4)(b) of the Act, the prescribed particulars for an application made by a natural person to vary a private security business licence to authorise an additional security activity are details of any particulars set out in regulations 8 and 11 that have changed since the licence was granted or last renewed.
  - (2) For the purposes of section 42(4)(b) of the Act, the prescribed particulars for an application made by a body corporate to vary a private security business licence to authorise an additional security activity are details of any particulars set out in regulations 9 and 12 that have changed since the licence was granted or last renewed.
  - (3) For the purposes of section 42(4)(b) of the Act, the prescribed particulars for an application to vary a private security individual operator licence to authorise an additional security activity are details of any particulars set out in regulations 14 and 16 that have changed since the licence was granted or last renewed.
  - (4) For the purposes of section 42(4)(c) of the Act, an application made by a natural person to vary a private security business licence to authorise an additional security activity must include the following prescribed documents—
    - (a) a certified copy of a document verifying any membership of an approved security industry organisation held by the applicant that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to provide the services of other persons to carry on under the licence;
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- (b) a certified copy of a document verifying the applicant's qualifications or training that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to provide the services of other persons to carry on under the licence;
  - (c) a certified copy of a document verifying the applicant's knowledge or experience that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to provide the services of other persons to carry on under the licence.
- (5) For the purposes of section 42(4)(c) of the Act, an application made by a body corporate to vary a private security business licence to authorise an additional security activity must include the following prescribed documents—
- (a) a certified copy of a document verifying any membership of an approved security industry organisation held by the nominated person of the body corporate that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to provide the services of other persons to carry on under the licence;
  - (b) a certified copy of a document verifying the nominated person's qualifications or training that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to provide the services of other persons to carry on under the licence;
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- (c) a certified copy of a document verifying the nominated person's knowledge or experience that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to provide the services of other persons to carry on under the licence.
- (6) For the purposes of section 42(4)(c) of the Act, an application to vary a private security individual operator licence to authorise an additional security activity must include the following prescribed documents—
  - (a) a certified copy of a document verifying the applicant's qualifications or training that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to carry on under the licence;
  - (b) a certified copy of a document verifying the applicant's knowledge or experience that is relevant to each additional security activity or any aspect of each additional security activity the applicant is proposing to be authorised to carry on under the licence.

## **20 Application to vary or revoke a licence condition**

- (1) For the purposes of section 43(3)(b) of the Act, an application to vary or revoke a condition imposed on a private security licence must contain the following prescribed particulars—
    - (a) details of the applicant's reasons for seeking the variation or revocation of the licence condition;
    - (b) in the case of an application made by a natural person to vary or revoke a condition imposed on a private security business licence, details of any particulars set out in
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- regulations 8 and 11 that have changed since the licence was granted or last renewed;
- (c) in the case of an application made by a body corporate to vary or revoke a condition imposed on a private security business licence, details of any particulars set out in regulations 9 and 12 that have changed since the licence was granted or last renewed;
  - (d) in the case of an application to vary or revoke a condition imposed on a private security individual operator licence, details of any particulars set out in regulations 14 and 16 that have changed since the licence was granted or last renewed.
- (2) For the purposes of section 43(3)(c) of the Act, an application to vary or revoke a condition imposed on a private security licence must be accompanied by a certified copy of a document that verifies the accuracy of the applicant's reasons under subregulation (1)(a).

## **21 Issue of new licence document after variation**

For the purposes of section 44(1) of the Act, a private security licence document must include—

- (a) details of each security activity authorised under the licence as varied; and
- (b) details of any conditions imposed on the licence as varied.

## **22 Issue of new licence document on cancellation or suspension of authority to carry on activity**

For the purposes of sections 45(5) and 59(2) of the Act, a private security licence document must include details of any security activity that remains authorised under the licence.

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## **Division 6—Prescribed fees for private security licences**

### **23 Prescribed fees payable by natural persons for private security business licences**

- (1) Subject to regulations 26 and 27 and for the purposes of section 30(1) of the Act, the prescribed application fee for an application made by a natural person for a private security business licence is the relevant fee set out in Column 3 of the Table.
- (2) For the purposes of section 30(2) of the Act, the prescribed licence fee for a private security business licence held by a natural person is the relevant fee set out in Column 4 of the Table.
- (3) Subject to regulations 26 and 27 and for the purposes of section 39(1)(a) of the Act, the prescribed application fee for an application made by a natural person for the renewal of a private security business licence is the relevant fee set out in Column 3 of the Table.
- (4) For the purposes of section 39(1)(b) of the Act, the prescribed renewal fee for a private security business licence held by a natural person is the relevant fee set out in Column 4 of the Table.

Private Security Regulations  
Exposure Draft  
Part 2—Private security licences

<b>Table</b>			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Number of security activities to be authorised under the licence</i>	<i>Prescribed application fee for licence or renewal of licence</i>	<i>Prescribed licence fee or prescribed renewal fee</i>
1	1	9·68 fee units	1·56 fee units for each month or part of a month for which the licence is granted or renewed
2	2	10·65 fee units	1·66 fee units for each month or part of a month for which the licence is granted or renewed
3	3	11·61 fee units	1·86 fee units for each month or part of a month for which the licence is granted or renewed
4	4	12·58 fee units	1·96 fee units for each month or part of a month for which the licence is granted or renewed
5	5	13·55 fee units	2·06 fee units for each month or part of a month for which the licence is granted or renewed
6	6	14·52 fee units	2·16 fee units for each month or part of a month for which the licence is granted or renewed

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Number of security activities to be authorised under the licence</i>	<i>Prescribed application fee for licence or renewal of licence</i>	<i>Prescribed licence fee or prescribed renewal fee</i>
7	7	15.49 fee units	2.26 fee units for each month or part of a month for which the licence is granted or renewed

**24 Prescribed fees payable by bodies corporate for private security business licences**

- (1) Subject to regulations 26 and 27 and for the purposes of section 30(1) of the Act, the prescribed application fee for an application made by a body corporate for a private security business licence is the relevant fee set out in Column 3 of the Table.
- (2) For the purposes of section 30(2) of the Act, the prescribed licence fee for a private security business licence held by a body corporate is the relevant fee set out in Column 4 of the Table.
- (3) Subject to regulations 26 and 27 and for the purposes of section 39(1)(a) of the Act, the prescribed application fee for an application made by a body corporate for the renewal of a private security business licence is the relevant fee set out in Column 3 of the Table.
- (4) For the purposes of section 39(1)(b) of the Act, the prescribed renewal fee for a private security business licence held by a body corporate is the relevant fee set out in Column 4 of the Table.

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<b>Table</b>			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Number of security activities to be authorised under the licence</i>	<i>Prescribed application fee for licence or renewal of licence</i>	<i>Prescribed licence fee or prescribed renewal fee</i>
1	1	16·13 fee units	2·54 fee units for each month or part of a month for which the licence is granted or renewed
2	2	17·74 fee units	2·83 fee units for each month or part of a month for which the licence is granted or renewed
3	3	19·35 fee units	3·08 fee units for each month or part of a month for which the licence is granted or renewed
4	4	20·97 fee units	3·32 fee units for each month or part of a month for which the licence is granted or renewed
5	5	22·59 fee units	3·56 fee units for each month or part of a month for which the licence is granted or renewed
6	6	24·21 fee units	3·80 fee units for each month or part of a month for which the licence is granted or renewed

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Part 2—Private security licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Number of security activities to be authorised under the licence</i>	<i>Prescribed application fee for licence or renewal of licence</i>	<i>Prescribed licence fee or prescribed renewal fee</i>
7	7	25·83 fee units	4·04 fee units for each month or part of a month for which the licence is granted or renewed

**25 Prescribed fees for private security individual operator licences**

- (1) Subject to regulations 26 and 27 and for the purposes of section 30(1) of the Act, the prescribed application fee for an application for a private security individual operator licence is the relevant fee set out in Column 3 of the Table.
- (2) For the purposes of section 30(2) of the Act, the prescribed licence fee for a private security individual operator licence is the relevant fee set out in Column 4 of the Table.
- (3) Subject to regulations 26 and 27 and for the purposes of section 39(1)(a) of the Act, the prescribed application fee for an application for the renewal of a private security individual operator licence is the relevant fee set out in Column 3 of the Table.
- (4) For the purposes of section 39(1)(b) of the Act, the prescribed renewal fee for a private security individual operator licence is the relevant fee set out in Column 4 of the Table.



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<b>Table</b>			
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Number of security activities to be authorised under the licence</i>	<i>Prescribed application fee for licence or renewal of licence</i>	<i>Prescribed licence fee or prescribed renewal fee</i>
1	1	4·4 fee units	1·36 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed
2	2	4·84 fee units	1·56 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed
3	3	5·28 fee units	1·66 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed
4	4	5·72 fee units	1·76 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed
5	5	6·16 fee units	1·86 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed

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Exposure Draft  
Part 2—Private security licences

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Item</i>	<i>Number of security activities to be authorised under the licence</i>	<i>Prescribed application fee for licence or renewal of licence</i>	<i>Prescribed licence fee or prescribed renewal fee</i>
6	6	6·60 fee units	1·96 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed
7	7	7·04 fee units	2·06 fee units for each period of 2 months or part of a period of 2 months for which the licence is granted or renewed

## 26 Reduced application fees for simultaneous applications

- (1) This regulation applies if a person makes an application for a private security licence or the renewal of a private security licence at the same time as the person makes an application for the issue or renewal of a licence under the **Firearms Act 1996**.
- (2) For the purposes of sections 30(1) and 39(1)(a) of the Act, the prescribed application fee for an application for a private security licence or the renewal of a private security licence to which this regulation applies, is 50% of the prescribed application fee for that application set out in Column 3 of the relevant Table to regulation 23, 24 or 25.

## **27 Reduced application fee for certain applications**

- (1) This regulation applies if a person makes an application for a private security licence or the renewal of a private security licence for a licence period of less than 3 years.
- (2) For the purposes of sections 30(1) and 39(1)(a) of the Act, the prescribed application fee for an application for a private security licence or the renewal of a private security licence to which this regulation applies is—
  - (a) if regulation 26 applies, the amount of the prescribed application fee calculated in accordance with regulation 26, divided by 36 and multiplied by the number of months of the proposed licence period; or
  - (b) in any other case, the amount of the prescribed application fee for that application set out in Column 3 of the relevant Table to regulation 23, 24 or 25, divided by 36 and multiplied by the number of months of the proposed licence period.

## **28 Prescribed fees for variation of licences**

- (1) For the purposes of section 42(5)(a) of the Act, the prescribed application fee is—
  - (a) in the case of a private security business licence held by a natural person, 4·84 fee units; or
  - (b) in the case of a private security business licence held by a body corporate, 8·06 fee units; or
  - (c) in the case of a private security individual operator licence, 2·2 fee units.

- (2) For the purposes of section 42(5)(b) of the Act, the prescribed variation fee is—
- (a) in the case of a private security business licence held by a natural person, 13·86 fee units; or
  - (b) in the case of a private security business licence held by a body corporate, 23·09 fee units; or
  - (c) in the case of a private security individual operator licence, 6·23 units.

**29 Prescribed application fee for application to vary or revoke a licence condition**

For the purposes of section 43(4) of the Act, the prescribed application fee is 2·25 units.

**30 Prescribed fee for duplicate licence document**

For the purposes of section 125(2)(a) of the Act, the prescribed fee is 2·92 fee units.

## **Part 3—Permits**

### **31 Overseas bodyguard with temporary interstate or Territory permit**

For the purposes of section 67(b) of the Act, the kind of permit is a permit that authorises the person to act as a bodyguard in another State or a Territory for the duration of a special event that is conducted in that State or Territory and in Victoria.

### **32 Prescribed fees for permits**

- (1) For the purposes of section 69(1) of the Act, the prescribed application fee is—
  - (a) in the case of an application for a permit under section 64 or 65 of the Act, 4·4 fee units; or
  - (b) in the case of an application for a permit under section 66 of the Act, 8·8 fee units.
- (2) For the purposes of section 69(2) of the Act, the prescribed permit fee is—
  - (a) in the case of a permit under section 64 or 65 of the Act, 4·15 fee units; or
  - (b) in the case of a permit under section 66 of the Act, 8·3 fee units.

## **Part 4—Nominated persons and record keeping**

### **33 Nominated person of body corporate**

For the purposes of section 124(9)(c) of the Act, the following documents and information are prescribed in respect of a person who is nominated as the nominated person of a body corporate—

- (a) an electronic copy of a passport-size colour photograph of the person;
  - (b) the date of birth of the person;
  - (c) details of any of the following in relation to the person—
    - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
    - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
    - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for the private security business licence is made;
  - (d) details of any declaration of bankruptcy made by the person;
  - (e) details of whether the person is insolvent under administration;
  - (f) proof of the person's identity in the form approved by the Chief Commissioner, if the Chief Commissioner so requires;
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- (g) details of any membership of an approved security industry organisation held by the person that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
  - (h) if paragraph (g) applies, a certified copy of a document verifying the person's membership; and
  - (i) details of the person's qualifications and training that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
  - (j) if paragraph (i) applies, a certified copy of a document verifying the person's qualifications or training;
  - (k) details of the person's knowledge or experience that is relevant to each security activity or any aspect of each security activity the applicant is proposing to provide the services of other persons to carry on under the licence;
  - (l) if paragraph (k) applies, a certified copy of a document verifying the person's knowledge or experience.
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### **34 Permanent records to be kept by licence holders**

For the purposes of section 134(1)(a) of the Act, the holder of a private security licence must keep permanent records of the following prescribed particulars—

- (a) the given names, surname and address of any person who has requested that the holder—
  - (i) in the case of a private security individual operator licence, carry on a security activity under the licence; or
  - (ii) in the case of a private security business licence, provide the services of other persons to carry on a security activity under the licence;
- (b) the date the request referred to in paragraph (a) was received by the holder;
- (c) a description of the nature of the security activity carried on;
- (d) the dates on which the security activity was carried on;
- (e) in the case of a private security business licence, the names and addresses of any persons engaged or employed by the holder to carry on the security activity under the licence.

### **35 Inspection of permanent records**

The holder of a private security licence who is required to keep a permanent record under section 134 of the Act must make the record available for inspection at the holder's registered address by a police officer or an authorised person at any time during normal business hours.

Penalty: 10 penalty units.

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## **Part 5—Crowd controllers**

### **36 Crowd controllers must wear identification**

For the purposes of section 138 of the Act, a crowd controller's identification must—

- (a) be clearly visible; and
- (b) consist of—
  - (i) a number not less than 4 centimetres in height and 5 millimetres in thickness; and
  - (ii) the word "SECURITY" in letters not less than 5 millimetres in height; and
- (c) be worn on the crowd controller's chest.

### **37 Information required to be entered in the register**

For the purposes of section 142(1)(f) of the Act, a crowd controller must enter the following information in the register for each day on which the crowd controller acts as a crowd controller—

- (a) the crowd controller's start and finish times;
- (b) the crowd controller's signature.

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## Part 6—Infringement offences and infringement penalties

### 38 Infringement offences and infringement penalties

- (1) For the purposes of section 163(1)(b) of the Act, a prescribed offence is an offence set out in Column 2 of the Table.
- (2) The prescribed infringement penalty—
  - (a) for an offence against section 59(1), 62(1), 114(1), 117(1), 128(3), 129(2), 129(4), 133 or 138 of the Act is 2·5 penalty units; and
  - (b) for an offence against section 141(1) or 176(1) of the Act is 5 penalty units; and
  - (c) for an offence against section 134(1) or (2) of the Act is 10 penalty units; and
  - (d) for a prescribed offence is the penalty set out in Column 3 of the Table in respect of the corresponding prescribed offence set out in Column 2 of the Table.

**Table**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item</i>	<i>Prescribed offence</i>	<i>Prescribed Infringement penalty</i>
1	Regulation 35	2·5 penalty units

## **Part 7—Miscellaneous**

### **39 Chief Commissioner to keep register**

For the purposes of section 173(1) of the Act, the prescribed particulars are those set out in Schedule 1.

### **40 Parts of the register that may be inspected**

For the purposes of section 173(2) of the Act, the part of the register that is prescribed for the purposes of inspection is the part containing the following particulars—

- (a) the name of each licence holder and permit holder;
- (b) the business addresses of each licence holder and permit holder;
- (c) the names and addresses of the employers of each licence holder and permit holder (if applicable);
- (d) each security activity the licence holder or permit holder is authorised to carry out or provide the services of other persons to carry out under the licence or permit;
- (e) any conditions imposed on the licence or permit relating to supervision, training or the carriage and use of equipment;
- (f) the expiry date of the licence or permit.

**41 Requirement to notify Chief Commissioner of changes to close associates**

For the purposes of section 174(2)(d) of the Act, the following documents and information are prescribed in respect of a person who has become, or ceased to be, a close associate of the holder of a private security business licence—

- (a) the date of birth of the person;
- (b) details of any of the following in relation to the person—
  - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
  - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
  - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for the private security business licence is made;
- (c) proof of the person's identity in the form approved by the Chief Commissioner, if the Chief Commissioner so requires.

**42 Requirement to notify Chief Commissioner of changes to officers**

For the purposes of section 175(2)(c) of the Act, the following documents and information are prescribed in respect of a person who becomes, or ceases to be, an officer of a body corporate that holds a private security business licence—

- (a) the date of birth of the person;
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- (b) details of any of the following in relation to the person—
  - (i) a conviction for an indictable offence or a disqualifying offence in the preceding 10 years;
  - (ii) a finding of guilt for an indictable offence or a disqualifying offence in the preceding 5 years for which a conviction was not recorded;
  - (iii) any charges that have been laid for committing an indictable offence or a disqualifying offence that are pending at the time the application for the private security business licence is made;
- (c) if the body corporate is registered under the Corporations Act, a certified copy of a document that verifies the appointment of the person as an officer of the body corporate from the Australian Securities and Investments Commission;
- (d) details of any declaration of bankruptcy made by the person;
- (e) details as to whether the person is insolvent under administration;
- (f) proof of the person's identity in the form approved by the Chief Commissioner, if the Chief Commissioner so requires.

#### **43 Certified copies of documents**

If a person is required to provide a certified copy of a document for purposes of Part 2 or 4 of these Regulations, the document must be certified by an authorised certifier within the meaning of section 3 of the **Oaths and Affirmations**

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**Act 2018** in accordance with section 41 of that  
Act.

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## **Schedule 1—Register of licence and permit holders**

Regulation 39

- 1 Name of each licence holder and permit holder.
  - 2 Registered address of each licence holder and permit holder.
  - 3 Any other address at which the licence holder or permit holder carries on business (other than the holder's registered address).
  - 4 Additional business names (if any).
  - 5 Name and address of any close associate of the licence holder or permit holder.
  - 6 If the licence holder or permit holder is a body corporate, the name, date of birth and address of the nominated person and each officer of the body corporate.
  - 7 If the licence holder or permit holder is a natural person, the date of birth of the licence holder or permit holder.
  - 8 Type of licence or permit.
  - 9 Each security activity authorised under the licence or permit.
  - 10 Any conditions imposed on the licence or permit.
  - 11 Date that the current licence or permit was granted or issued.
  - 12 Date that the original licence or first permit was granted or issued (if known).
  - 13 Expiry date of the current licence or permit.
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## Endnotes

<sup>1</sup> Reg. 4(a): S.R. No. 64/2016 as amended by S.R. No. 23/2020.

<sup>2</sup> Reg. 4(b): S.R. No. 23/2020.

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### Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**. The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2024 is \$16.33. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

### Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2024 is \$197.59. The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.