

What's New

On our website

A list of all license holders is now available on our website on the Publications page, this list shows the names, type of licence, expiry date and any conditions placed on a licence. It is very useful for those of you that want to ensure your staff are licensed.

Do you want to know what was in the last Security Industry Bulletin, because if you do, previous copies of the bulletin are available to view on our website.

On the drawing board

We are currently developing preprinted renewal notices, to make things easier for applicants. From early next year all a person will need to do is sign the form, and drop it in to Service Tasmania with the required attachments. All their details will be preprinted on the form.

Reminder - With New Year Celebrations fast approaching

Licensed Premises Only on an identity card - What does this mean??

If you have an Employee (Crowd Controller) licence with the words 'licensed premises only' written across the bottom. This means you are only eligible to undertake the activities of a Crowd Controller while employed by a Licensee of licensed premises (meaning you can only work in a pub or club).

A person working at an event other than at a licensed premises (for example at a sporting event, place of entertainment, a festival, business or social function or a protest); Will be in breach of this requirement and may be subject to a fine of up to \$10,000.

The condition may be removed by adding to your licence the details of an Agent Licence holder authorised to undertake the activities of a Crowd Control Agent. Forms to make this change are available from our website or Service Tasmania.

Displaying and carrying your Identity Card

For those of you who undertake the activities of a security guard, you must clearly display your identity card on your person. Unless you have an exemption from the Commissioner of Corporate Affairs in which case you then must carry your card on your person and produce the card when requested to do so.

If you undertake crowd control activities you must wear an identifying number and carry your identity card on your person and produce the card when requested to do so.

For those of you who undertake inquiry or commercial or commercial sub agent activities, you must carry your identity card on your person and must produce the card when requested to do so.

Licensees that breach any of the above requirements may be fined up to \$10,000.

Investigation Officers

Under the *Security and Investigation Agents Act 2002*, the Office of Consumer Affairs or Tasmania Police may carry out investigations to confirm that you are complying with the requirements of the Act.

An officer from Consumer Affairs will carry an identity card showing that they are an Investigation Officer from Consumer Affairs & Fair Trading this card entitles the holder to enter any venue in order to carry out an investigation.

During an investigation an Officer from Consumer Affairs or Tasmania Police may enter a premises and request to see, take copies or seize any relevant document. If you do not comply with the requirements you may be fined.

Application Process

What happens when an application or reapplication form is lodged?

When a form is received by Consumer Affairs we check that all the relevant sections have been completed and that you have enclosed with the application the required photos and other documents.

If the form is not correctly completed or documentation is missing, a letter will be sent to you and your application will be filed until the required information is received.

When the application form is correct, we are required under Section 7(2) of the Act, to send a copy of your application to Tasmania Police. The Commissioner of Police will report back to this office any matters that he thinks may affect the issue of a licence. The method of the enquiries and the time frame to complete the report is determined by the Tasmanian Police, but generally takes 3 weeks.

So long as the Commissioner of Police raises no matter of concern with the issue of a licence, you may receive your licence by registered post a few days after the report has been received by this office.

Applicants who were born overseas

When a person makes application for a licence under the *Security and Investigation Agents Act* who has been born overseas they must supply a copy of one of the following:

- ♦ Australian Citizenship papers
- ♦ Australian passport
- ♦ Certificate of residency
- ♦ Foreign passport
- ♦ Visa papers

If you already hold a licence under the Act, and you did not provide one of the above previously, then you will be required to when you reapply.

If the information is not provided with the application it will not be processed.

Employers: If a person does not hold Australian Citizenship and they have spent less than 3 years in Australia, it is the Commissioner's view that this is insufficient time to establish good character for the purposes of an application.

Keeping licence details current

Address details

Any person who holds a licence must keep their address details up to date, you must advise this office within 30 days if you have changed address. Just complete an 'Application to Amend Registered Details' form which is available from our website or from any Service Tasmania outlet.

Photos on licence

Photos need to be updated every three years, this means for an Agent - Individual new photos need to be supplied with each application. For employee licence holders this means the same photos can be used for 3 licences in a row before you need to supply updated photos.

Photos need to meet the Australian Passport guidelines. These guidelines are set out on our website.

Agents who are no longer the manager for a guard / crowd controller / commercial sub agent

If you are the manager of a person who holds an employee licence and that person is no longer in your employment. You should advise this office as soon possible as you could be held responsible for any misconduct. All you need to do is write to us on your letterhead and advise us of the date that the person ceased in your employment.

We will immediately remove your details, suspend the licence and request the licensee to notify us the details of their new manager.

Commercial Agents

Those who hold a commercial agents licence are required under Section 28 of the Act to maintain a Trust Account

- (1)** The holder of an agent licence in respect of the operation of a commercial agency must
 - (a)** maintain a trust account in an authorised deposit-taking institution in this State; and
 - (b)** deposit any money received for or on behalf of a client into that trust account; and
 - (c)** keep that money in that trust account until
 - (i)** paid to the client or reimbursed as the client directs; or
 - (ii)** ordered otherwise by an order of a court.

This trust account is to be audited in accordance with Section 30 of the Act within two months after 30 June in each year.

The ACCC and the Australian Securities and Investments Commission (ASIC) have jointly developed a guide for those involved in debt collection. This guideline reflects the ACCC's and ASIC's view of how relevant provisions of the Trade Practices Act and the ASIC Act apply to debt collection conduct.

The guideline contains information on the role of the guideline, ASIC and the ACCC in the area of debt collection, an overview of other relevant statutory and common law obligations and remedies not administered by the ACCC or ASIC, and practical guidance for collectors and creditors.

A link to this document can be found on the links page of our website.