



SLED ADVISORY COUNCIL

Communiqué Meeting 8 6 March 2014

Assistant Commissioner Mark Jenkins, Commander, State Crime Command opened the meeting and welcomed members.

Cameron Smith, Director, Security Licensing & Enforcement Directorate (SLED) advised that the draft “Guide to Compliance for Master Licensees” continues to be work in progress as the Guide’s development has identified some changes that need to be made to the legislation. General discussion followed regarding the use of the word “recurrent” in the legislation in relation to sign-on and other registers. Mr Smith undertook to prepare a paper with proposed legislative amendment for consideration by the Ministry.

Mr Smith indicated that the forum regarding alcohol related violence and assaults in and around licensed premises has been delayed until possibly May 2014 as issues regarding the agenda need to be resolved.

Michelle Morgan, General Manager, Operations, SLED provided statistics on applications for Temporary Excess Provision of Services (TEPS) permits and indicated that, based on the figures, it is the view of the SLED that the scheme is working in the spirit of the legislation.

Mr Smith updated the Council on recent activities of the SLED. These include:

- recruitment action is ongoing for nine positions in the Industry Regulation Unit (IRU) including the Manager, Compliance & Enforcement and the Manager, Approved Training;
- the Assessment & Prevention team has a significant workload associated with Tattoo Parlour licensing;
- the SLED will have a role in the new licensing/registration scheme for Combat Sports;
- licence processing is now up to date following the introduction of the new licensing system;
- on 21 February 2014, the Security Industry Amendment (Apprentices and Trainees Exemption) Regulation 2014 became effective limiting the requirement that a technical sector apprentice or a trainee be directly supervised in order to be exempt from the operation of the *Security Industry Act 1997* to first-year apprentices or trainees only;
- the SLED has received five licence applications from individuals on relevant visas following legislative changes to expand licence eligibility; and
- to date, no applications have been received from individuals before the completion of their training following relevant legislative changes.

There was general discussion amongst Council members regarding industrial relations issues and Government tender processes for security services. A Government procurement representative will be invited to attend the next Council meeting.

Julian Claxton provided an overview of his agenda paper regarding IT firms offering security related services. Mr Claxton recommended that IT security practitioners be licensed similar to the Class 2A category, with evidence of their experience or credentials set as a minimum standard, and companies offering IT security services should be required to hold a Master licence, similar to the structure currently in place for all other security operators.

Mr Smith advised that the SLED had previously received advice that data security was not captured under the security industry legislation and the recommendation(s) would therefore require legislative change. Mr Smith was of the view that the physical security related examples provided in the agenda paper were licensable activities under existing security industry legislation and any details of these being performed by unlicensed persons should be provided to the SLED for assessment.

General discussion followed regarding the definition of IT services vs IT security and the expansion of security industry legislation to capture data security. The SLED undertook to raise these issues with the Ministry for its consideration.

The Council considered comments concerning the ongoing abuses of subcontracting. General agreement by members that the 'Grandfathering' clause (a provision that means that subcontracting requirements such as client agreement and disclosure do not apply to contracts entered into before 1 November 2012) creates a commercial inequity and therefore should be removed. The SLED undertook to raise the Council's recommendation with the Ministry.

Mr Smith advised that current industry membership of the Council expires on 31 October 2013 and the next industry representatives will be selected by a vote of the outgoing industry representatives at the end of their term. General discussion followed regarding the benefits of reappointing some existing members. Mr Smith confirmed that the Council information sheet (published September 2012) specifies that industry representatives are not eligible for appointment as Council members in consecutive terms.

The next Council meeting will be on Thursday 5 June 2014.