



NSW Police Force

# Wearing and Producing your Provisional, Class 1 or Class 2 Licence

FACT SHEET 10

*This Fact Sheet provides information on the requirements for Provisional, Class 1 and Class 2 licence holders to wear their photographic licence while performing security activities and to produce it for inspection upon demand.*

*The amended Security Industry Act 1997 provides greater detail on how a licence must be worn to ensure that licensees are clear on their responsibilities.*

## Why do I need to wear my licence?

Security licensees hold positions of trust. They are involved in the protection of people and assets, including critical infrastructure, business premises, domestic dwellings, cash and precious items. The regulation of the security industry seeks to ensure that the community can place trust in the industry, by excluding unsuitable operators through measures such as mandatory fingerprinting, citizenship and residency requirements, criminal and other background checks, etc.

It is essential that users of security services and the general public can readily identify that they are dealing with a licensed security operative who has been rigorously assessed via these control measures. Security users and the public also have a right to know the name of the person they are dealing with in relation to security matters.

## Does it matter how I wear my licence?

Section 36 of the Security Industry Act requires Provisional, Class 1 and Class 2 licence holders to wear their licence, so that it is clearly visible, at all times while performing security activities. The licensee cannot wear a copy of the licence; the original licence card must be worn.

To ensure that the licence is clearly visible, the amended Act requires it to be attached:

- to the licensee's outer clothing (i.e. not covered by a jacket or other garment)

- at or above the licensee's waist
- at the front or side of the licensee's body
- with the front face (i.e. the side with the photograph) clearly visible to a person standing in front of the licensee.

The licensee must not cover any part of the licence, for example the licensee's name, so as to prevent it being seen.

## Are there any exemptions from the requirement to wear the licence?

The Security Industry Act authorises the Commissioner of Police to grant exemptions to certain licensees from the requirement to wear their licence in recognition of the special nature of their duties.

The Commissioner has determined that exemptions should only be granted if wearing the licence would compromise the effectiveness of the security activities performed. At this time, the only activities for which exemptions may be granted are those of the following nature that are performed in a genuine covert manner in plain clothes:

- The transport of cash and/or other valuables
- Loss prevention
- Discreet close personal protection (i.e. bodyguarding).

Master licence holders may apply to the Security Industry Registry for an exemption on behalf of employees involved in these activities. The exemption, if granted, will be issued to the Master licensee and will apply to any of their employees performing the specified activities.

The Commissioner has also determined that Class 2C, 2E and 2F licensees may remove their licences when working in confined spaces, if there is a genuine risk of losing or damaging the licence and/or there are potential safety risks in wearing the licence.



### **I have previously been granted an exemption. Is it still valid?**

Any exemption from the requirement to wear a licence, including any approval of an alternative licensee identification system, which was granted prior to 4 October 2003 is no longer valid. Affected licensees should immediately commence wearing their licences as required by section 36 of the Security Industry Act.

Exemptions that have been issued to Master licensees, on behalf of their employees, since 4 October 2003 will have identified the covert activities for which they apply and remain valid.

### **Who can ask to see my licence?**

Section 35 of the Security Industry Act requires licensees to produce their licences for inspection if requested by a police officer or any other member of the NSW Police Force, or any other person with whom they have dealings while carrying on security activities. This means that even if a licensee is wearing their licence correctly, a person has the right to inspect the licence if, for example, they wish to take a note of the licensee's name and licence number.

A licensee who is exempt from the requirement to wear their licence is still required to carry it with them at all times while performing security activities and produce it on demand.

### **What are the penalties for failing to comply with these requirements?**

The maximum penalty for failing to wear a licence and/or produce a licence for inspection is \$5,500. Police may also issue penalty notices for these offences for an amount of \$550 per offence.

## **Security Industry Registry**

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Parramatta NSW 2124

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1300 362 001

**Fax**  
1300 362 066

**Email**  
sir@police.nsw.gov.au

**Website**  
<http://www.police.nsw.gov.au/sir>

### **Where can I find more information?**

The information provided in this Fact Sheet is for general guidance only; it does not constitute legal advice. Licensees should familiarise themselves with the amended Security Industry Act 1997 and the Security Industry Regulation 2007, which are available on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).



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