



NSW POLICE FORCE
INSTRUMENT OF EXEMPTION
SECURITY INDUSTRY ACT 1997

I, Paul Bush, Acting Director, Security Licensing & Enforcement Directorate, as delegate of the Commissioner of Police, exempt, pursuant to Section 6AA(1) of the *Security Industry Act 1997* (the 'Act'), the following persons or class of persons as described in the Schedule to this exemption from the requirement to hold a licence under section 7(1) or (2).

Signed the 23rd day of June 2023

A handwritten signature in black ink, appearing to be 'Paul Bush', with a long horizontal stroke extending to the right.

Paul Bush
A/Director
Security Licensing & Enforcement Directorate
NSW Police Force
Delegate of the Commissioner of Police

Schedule: Exemptions s.6AA(1) *Security Industry Act 1997*

SCHEDULE:

Number	Persons or Class of Persons	Conditions
1	Persons employed by Transport Asset Holding Entity, Sydney Trains, or NSW Trains for the purpose of undertaking security activities (other than contract security guards who are engaged to perform watch and guard duty at Rail Corporation New South Wales, Sydney Trains, or NSW Trains properties)	Only to the extent to which the persons act in that capacity.
2	Authorised fire officers under the control of Fire and Rescue NSW or a local council or similar body	Only to the extent to which the officers act in that capacity.
3	Persons employed in the Office of the Sheriff, Department of Justice	Only to the extent to which the persons act in that capacity.
4	The NSW Independent Casino Commission	Only to the extent to which it is exercising functions under section 141 of the <i>Casino Control Act 1992</i> .
5	Inspectors appointed under section 20 of the <i>Gaming and Liquor Administration Act 2007</i>	Only to the extent to which the inspectors act in that capacity.
6	Persons employed at a detention centre within the meaning of the <i>Children (Detention Centres) Act 1987</i>	Only to the extent to which the persons act in that capacity.
7	Persons who, in the course of their employment with an employer (being an employer who is not conducting a business in the security industry)— (a) provide internal advice (but no other type of security activity) in relation to security matters concerning the employer's business, including providing internal advice to a related body corporate (within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth) of the employer,	Only to the extent to which the persons act in that capacity.

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	(b) install, maintain, repair or service internal security equipment (but no other type of security activity) in connection with the employer's business	
8	Licensees under the <i>Liquor Act 2007</i> and employees who perform activities relating to the exclusion of persons from licensed premises as authorised by that Act (other than any such employee who is employed for the purposes of carrying on security activities)	Only to the extent to which they act in that capacity.
9	Persons who inspect, examine or scan tickets or other documents (other than for the purpose of determining a person's age) relating to the entry or admission of persons to premises (whether licensed or not), or who otherwise screen the entry of persons to premises (but not with a dog), for the purpose of a function, sporting or other event or entertainment	Only to the extent to which the persons act in that capacity and do not physically restrain or eject persons from, or prevent their entry to, such premises.
10	Persons who are engaged in the building and construction industry or who provide basic home maintenance services who, in the course of their building activities or maintenance services install, or engage persons to install, basic security equipment such as locks	Only to the extent to which the persons do so in the course of their building activities or maintenance services.
11	Architects, engineers and other persons engaged in the building and construction industry who, in the course of their activities, provide incidental advice on basic security equipment	Only to the extent to which the persons provide that advice.
12	Persons who are engaged in the selling of the equipment, methods, principles or services referred to in section 4 (1) (e) of the Act by means of making telephone calls to seek out persons who may be prepared to enter, as consumers, into contracts for the supply of such equipment, methods, principles or services	Only to the extent to which the persons act in that capacity.
13	Persons who sell, by wholesale (other than directly to the public) only, equipment referred to in section 4 (1) (e) of the Act	Only to the extent to which the persons sell such equipment.
14	Persons who are employed by or in any government agency (whether of this State, of the Commonwealth or of another State or Territory) that exercises functions in relation to national security	Only to the extent to which the persons carry out national security duties in the course of that employment
15	Officers and employees of the Australian Security Intelligence Organisation	Only to the extent to which the officers and employees are exercising functions under the <i>Australian Security Intelligence Organisation Act 1979</i> of the Commonwealth.

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16	Persons who are employed in the Department of Education who perform control room or centre monitoring operations solely on behalf of that Department	Only to the extent to which the persons act in that capacity.
17	Persons who are employed by Transport for NSW for the purposes of revenue protection activities	Only to the extent to which they carry out those duties in the course of that employment.
18	Persons who are employed by Transport for NSW whose duties include observing, watching and guarding, by electronic means, State Transit Authority of NSW properties,	Only to the extent to which the persons carry out those duties in the course of that employment.
19	Persons who are employed by Transport for NSW or the Transport Asset Holding Entity whose duties include providing training in and assessment of security activities (other than persons engaged from external sources by those entities to provide security training)	Only to the extent to which the persons carry out those duties in the course of that employment.
20	Persons who are employed in a security business	Who do not perform any security activities.
21	Persons employed in the Department of Communities and Justice whose duties include advising on crime prevention strategies or community safety work	Only to the extent to which the persons carry out those duties in the course of that employment.
22	Persons employed by or in a local council whose duties include advising on crime prevention strategies or community safety work	Only to the extent to which the persons carry out those duties in the course of that employment.
23	Persons who are employed by or in a Commonwealth government agency who provide security advice to the government agency in connection with the functions of the agency by or in which they are employed	Only to the extent to which the persons provide such advice.
24	Persons who are employed in the retail industry who, in the course of that employment, conduct customer bag checks	Only bag checks that are carried out in accordance with guidelines sponsored by the Australian Retailers Association (NSW) and endorsed by NSW Fair Trading), but only to the extent to which the persons act in that capacity.

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25	Apprentices or trainees (within the meaning of the <i>Apprenticeship and Traineeship Act 2001</i>) while carrying on security activities of a type that may be authorised under a class 2 licence in the course of their apprenticeship or training with a person who is the holder of a licence authorising that person to carry on those security activities	(a) not if the apprentice or trainee concerned would be refused a licence because of section 16 of the Act, and (b) if the apprentice or trainee is a first-year apprentice or trainee, only while the apprentice or trainee is directly supervised by a holder of a licence authorising the holder to carry on those security activities. <i>A first-year apprentice or trainee is a person who is recognised by the Department of Education as a first-year apprentice or trainee under the Apprenticeship and Traineeship Act 2001.</i>
26	Persons who are employed by providers of domestic air services or international air services (within the meaning of the <i>Aviation Transport Security Regulations 2005</i> of the Commonwealth) and who conduct pre-flight searches of aircraft for security purposes	Only to the extent to which the persons act in that capacity.
27	Firearms dealers (within the meaning of the <i>Firearms Act 1996</i>) and who sell equipment referred to in section 4 (1) (e) of the <i>Security Industry Act 1997</i> (being a safe or vault for firearms),	Only to the extent to which the dealers act in that capacity.
28	Management companies or sub management companies which are engaged to manage or assist in the management of a correctional centre under Part 12 of the <i>Crimes (Administration of Sentences) Act 1999</i>	Only to the extent to which the companies act in that capacity.
29	Persons who are employed by a management company or sub management company engaged to manage or assist in the management of a correctional centre under Part 12 of the <i>Crimes (Administration of Sentences) Act 1999</i> and who are authorised under section 240 of that Act	Only to the extent to which the persons act in that capacity.
30	Persons who are employed or engaged for the purposes of carrying out RSA supervisory duties (within the meaning of clause 53G (5) of the <i>Liquor Regulation 2008</i>) on licensed premises (within the meaning of the <i>Liquor Act 2007</i>)	Only to the extent to which the person carries out those duties and does not physically restrain or eject persons from, or prevent their entry to, such premises.
31	Persons who provide other persons to carry out security activities in respect of which that other person is exempt from the operation of the Act	Only in relation to providing those other persons to carry out the security activities in respect of which the other person is exempt.
32	A member of staff or employee of the Public Service or a public authority of New South Wales, another State or Territory or the Commonwealth	To the extent the person, in that capacity, acts as a private investigator.

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33	A law practice or an Australian legal practitioner or a person undertaking practical legal training under the supervision of an Australian legal practitioner	To the extent the person, in that capacity, acts as a private investigator.
34	A registered company auditor within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth	To the extent the person, in that capacity, acts as a private investigator.
35	A general insurer within the meaning of the <i>Insurance Act 1973</i> of the Commonwealth, a person carrying on the business of an insurance loss adjuster on behalf of a general insurer (a loss adjuster), or an employee of a general insurer or loss adjuster	To the extent the person, in that capacity, acts as a private investigator.
36	An officer or employee of an authorised deposit-taking institution	To the extent the person, in that capacity, acts as a private investigator.
37	A person conducting an investigation in relation to employees or staff on behalf of a government sector agency within the meaning of the <i>Government Sector Employment Act 2013</i>	To the extent the person, in that capacity, acts as a private investigator.
38	A person providing employment placement services within the meaning of the <i>Fair Trading Act 1987</i> , section 48	To the extent the person, in that capacity, acts as a private investigator.
39	A person employed as a medical practitioner at a hospital	Only while acting in the capacity of a medical practitioner
40	A qualified accountant	Only while acting as an accountant.
41	A corporation providing accounting services by way of a qualified accountant who is acting as an accountant.	Only to the extent that the corporations provide accounting services.