

TASMANIA

**SECURITY AND INVESTIGATIONS AGENTS
AMENDMENT BILL 2018**

CONTENTS

1. Short title
2. Commencement
3. Principal Act
4. Section 41 amended (Exemptions)
5. Repeal of Act

**SECURITY AND INVESTIGATIONS AGENTS
AMENDMENT BILL 2018**

*(Brought in by the Minister for Building and Construction, the
Honourable Guy Barnett)*

A BILL FOR

**An Act to amend the *Security and Investigations Agents Act
2002***

Be it enacted by Her Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Security and
Investigations Agents Amendment Act 2018*.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Principal Act

In this Act, the *Security and Investigations
Agents Act 2002** is referred to as the Principal
Act.

*No. 19 of 2002

Security and Investigations Agents Amendment Act 2018
Act No. of 2018

s. 4

4. Section 41 amended (Exemptions)

Section 41 of the Principal Act is amended by inserting after subsection (5) the following subsections:

- (6) A person is not required to hold a licence authorising the undertaking of security activities under this Act if –
 - (a) the person is employed by a business at which goods are sold or offered for sale from a property that is open to the public while the business is operating; and
 - (b) the person so employed is undertaking a security activity within the meaning of section 3B(d) at the property while the business is so operating; and
 - (c) the person so employed is undertaking that security activity –
 - (i) in the course of that employment; and
 - (ii) in relation to the property at which he or she is employed; and
 - (d) the security activity that is undertaken is limited to checking

a bag in the possession of a person leaving the property; and

(e) the property where the business is operating and at which the security activity is undertaken has, at each entrance to the property, a clearly visible sign stating that allowing a bag to be checked is a condition of entry to the property; and

(f) the security activity is carried out in accordance with a code of conduct issued by the Director under subsection (8).

(7) For the purposes of subsection (6) –

bag includes the following items:

(a) a bag;

(b) a parcel;

(c) a carton;

(d) a container;

(e) another item that could reasonably be expected to conceal goods.

(8) The Director may issue codes of conduct under section 38A in respect of a person, or class of persons, who is exempt under this section from the requirement to hold a licence, as if that person, or class of

Security and Investigations Agents Amendment Act 2018
Act No. of 2018

s. 5

persons, while so exempt were undertaking operations or activities under a licence.

5. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which this Act commences.