



# Guidelines to apply for a Security and/or Investigation Agents Licence Individual and Partnership

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## Licensing and Registration

Level 3  
Chesser House  
91-97 Grenfell Street  
Adelaide SA 5000

GPO Box 1719  
Adelaide SA 5001

Tel 131 882  
Fax 08 8204 9697

[www.cbs.sa.gov.au](http://www.cbs.sa.gov.au)

## Who needs to be licensed?

If you wish to perform (for fee or reward) or contract in South Australia for any of the security or investigation work listed below, you must hold a *Security and/or Investigation Agents Licence* with Consumer and Business Services.

All partners in a partnership must hold their own licences, even if they do not physically perform security or investigation work. If the business is conducted by a body corporate (eg a company), it must hold its own licence; it is not covered by a licence held by one of its directors or shareholders.

## Investigation Agents Licence

### **Collection work**

- Ascertaining the whereabouts of or repossessing goods that are subject to a security interest
- Collecting or requesting the payment of debts
- Executing legal process for the enforcement of a judgement or order of a court
- Executing distress for the recovery of rates, taxes or money

### **Inquiry work**

- Obtaining or providing (without the written consent of a person) information as to the personal character or actions of the person or as to the business or occupation of the person
- Searching for missing persons
- Obtaining evidence for the purpose of legal proceedings (whether the proceedings have been commenced or are prospective)

## Security Agents Licence

### **Crowd control work**

### **Security systems work**

- Providing advice on security alarm or surveillance systems
- Hiring out or otherwise supplying security alarm or surveillance systems
- Installing or maintaining security alarm or surveillance systems

### **Security guard work**

- Protecting or guarding a person or property or keeping a person or property under surveillance
- Preventing, detecting or investigating the commission of an offence, in relation to a person or property

### **Canine handling**

- Hiring out or otherwise supplying dogs or other animals for the purpose of protecting or guarding a person or property

Licences can be restricted to only working as an employee, an employee under supervision or being a partner of a licensed person.

There are some exemptions from the licensing requirements under the *Security and Investigation Agents Act 1995* and *Security and Investigation Agents Regulations 2011*. You can check these at [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au)

## Licence eligibility

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A person is entitled to be licensed as a security and/or investigation agent if they meet the following criteria:

- They hold the required qualifications.
- They have not been convicted of a Prescribed Offence.
- They are a fit and proper person
- They are not suspended or disqualified from practicing or carrying on an occupation, trade or business under Australian law.

*Additionally, if the licence will not be restricted to being an employee:*

- They are not an insolvent under administration (eg bankrupt) within the meaning of the *Corporations Act 2001* of the Commonwealth.
- During the last 5 years they have not been a director of a body corporate wound up for the benefit of creditors when it was being wound up or within 6 months before it commenced winding up.
- They have sufficient business knowledge and experience to properly carry on the business to be authorised by the licence.
- They have sufficient financial resources.

If a person does not have the required qualifications, business knowledge or financial resources, they may be eligible for a licence restricted to carrying on business in partnership with a specified licensee.

## How to apply for a licence

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To apply for a security and/or investigation agents licence, please gather the information below and then call our office or come into our Adelaide office and we will ask you a series of questions and complete the application form for you. You can then check and lodge this form, along with the supporting documentation listed below.

For further information on licensing requirements or to commence the application process, please contact the Commercial Licensing Section on 131 882.

## Information to be provided with your application

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### If applying for an Investigation Agent licence only:

A National Police Certificate is required, except when:

- You have lodged a National Police Certificate with CBS within the previous 12 months; or
- You are an overseas resident who has never resided in Australia.

The certificate must be no more than three months old at the time of lodging your application and must be either an original document or certified copy. To obtain this certificate, please apply direct to the South Australia Police or interstate police authority if you reside in another State.

### If applying for a Security Agent licence or both Security Agent and Investigation Agent licence:

You must complete a Personal Information Declaration Form (provided at the time of application). You will also need to be fingerprinted by South Australia Police. Fingerprinting arrangements are made after lodgement of your application. Please note, if you have resided in another country for at least 12 months in the last 10 years (and were over 17 years of age at the time), you will need to provide an original or certified copy of a Police Certificate (Statement of Offence History) from the local Law Enforcement Agency of each country with your PID form. You must also include a translated copy if the certificate is not in English.

**Qualifications**

You must provide original or certified copies of your qualifications in security and/or investigation work. The approved qualifications are listed on the Schedule of Approved Competency Requirements.

**Fees**

All applications must be accompanied by the application and pre-grant fees.

*Additionally, if the licence will not be restricted to being an employee:*

**Business qualifications**

You must provide original or certified copies of your business qualifications.

**Financial information**

You must provide evidence to show that you meet the financial requirements.

## **Financial requirements**

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To qualify for a licence, other than a licence restricted to carrying on business in partnership, you must have sufficient financial resources for the purposes of properly carrying on the business to be authorised by the licence. The general guideline for this is that you have a minimum of \$10,000 in tangible net assets. Otherwise, you can still qualify for a licence restricted to subcontracting to licensed security and/or investigation agent businesses.

## **Fee schedule**

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Fees and charges effective 1 July 2011 and reviewed annually

No GST is applicable - our ABN is 15 088 976 178

### **Application fees**

Application for a licence	\$401.00
Application to vary licence conditions	\$244.00
Pre-grant fee for a licence restricted to being an employee	\$260.00
Pre-grant fee for a business licence	\$546.00

### **Note**

- The fees payable for your application will be listed on the application form we prepare for you.
- The pre-grant fee is equivalent to the first year's annual fee.
- If your application is refused or withdrawn, your pre-grant fee will be refunded.
- Application fees are generally non-refundable.
- Fees and charges are subject to change and are usually adjusted each financial year.

## Certified copies

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Any copies of documents you supply with your application can be certified by a person authorised to do so under the *Statutory Declarations Act 1959* (see list below). They can do this by comparing the copy against the original, writing “Verified to be a true copy” on the document, signing it and printing their name and profession.

***Please note that any documents lodged with us cannot be returned to you. If you wish to retain your originals, please obtain certified copies and lodge these with your application.***

### Persons who can certify documents

- Bailiff
- CEO of a Commonwealth court
- Chiropractor
- Civil marriage celebrant
- Clerk of a court
- Dentist
- Judge of a court
- Justice of the Peace
- Legal practitioner
- Magistrate
- Master of a court
- Medical practitioner
- Notary public
- Nurse
- Patent attorney
- Pharmacist
- Police officer
- Registrar of a court
- Deputy Registrar of a court
- Sherriff or Sheriff’s officer
- Veterinary surgeon
- Teacher employed on a full-time basis at a school or tertiary education institution
- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- Australian Consular Officer, or Australian Diplomatic Officer, (within the meaning of the *Consular Fees Act 1985*)
- Bank, building society or credit union officer with 5 or more continuous years of service
- Commissioner for Affidavits or Commissioner for Declarations
- Member of the Australian Defence Force who is an officer; a non-commissioned officer with 5 or more years of continuous service; or a warrant officer
- Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
- Member of the Institute of Corporate Managers, Secretaries and Administrators
- Member of the Institution of Engineers, Australia, other than at the grade of student
- Member of the: Parliament of the Commonwealth; or the Parliament of a State; or a Territory legislature; or a local government authority of a State or Territory
- Minister of religion registered under the *Marriage Act 1961*
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service employed in an office supplying postal services to the public
- Permanent employee, with 5 or more years of continuous service, of: the Commonwealth or of a Commonwealth authority; or a State or Territory or of a State or Territory authority; or a local government authority.
- Senior Executive Service officer of the Commonwealth, or of a State or Territory, or of a Commonwealth, State or Territory authority

## Prescribed Offences

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If you been convicted of any of the offences listed below for the licence type sought, you are not entitled to be licensed as a security and/or investigation agent.

### Schedule 1 of the *Security and Investigation Agents Regulations 2011*

#### 1—Licences—section 9(1)(b) and 9(2)(b)(i)

- (1) An offence to which this subclause applies is prescribed for the purposes of section 9(1)(b) and 9(2)(b)(i) of the Act in relation to any function to be authorised by a licence other than the function of controlling crowds if—
  - (a) a sentence of detention or imprisonment of more than 30 months was imposed in respect of the offence; or
  - (b) the offence was committed by a minor and—

- (i) in the case of a minor dealt with in relation to the offence as an adult—the conviction was within the previous 10 years; or
    - (ii) in any other case—the conviction was within the previous 5 years; or
  - (c) the offence was committed by an adult and the conviction was within the previous 10 years.
- (2) Subclause (1) applies to the following offences:
- (a) an indictable offence;
  - (b) common assault or an offence of violence;
  - (c) an offence against the *Controlled Substances Act 1984* involving a controlled drug, other than a simple cannabis offence within the meaning of section 45A of that Act;
  - (d) an offence against the *Firearms Act 1977*, other than an offence against section 15C, 18, 21A, 21AB or 26 of that Act;
  - (e) an offence against section 15 or 15A of the *Summary Offences Act 1953*;
  - (f) an offence against the *Police Act 1998*;
  - (g) an offence against the *Listening and Surveillance Devices Act 1972*;
  - (h) an offence against the *Telecommunications (Interception) Act 1979* of the Commonwealth;
  - (i) an offence against the Act or regulations made under the Act or the repealed *Commercial and Private Agents Act 1986* or regulations made under that Act;
  - (j) an offence substantially similar to any of the above offences against the law of the Commonwealth, another State or a Territory, or a place outside Australia.
- (3) An offence to which this subclause applies is prescribed for the purposes of section 9(1)(b) and 9(2)(b)(i) of the Act in relation to the function of controlling crowds to be authorised by a licence if—
- (a) a sentence of detention or imprisonment of more than 30 months was imposed in respect of the offence; or
  - (b) the offence was committed by a minor and—
    - (i) in the case of a minor dealt with in relation to the offence as an adult—the conviction was within the previous 10 years; or
    - (ii) in any other case—the conviction was within the previous 5 years; or
  - (c) the offence was committed by an adult and the conviction was within the previous 10 years.
- (4) Subclause (3) applies to the following offences:
- (a) an indictable offence;
  - (b) common assault or an offence of violence;
  - (c) an offence against the *Controlled Substances Act 1984* involving a controlled drug;
  - (d) an offence against the *Firearms Act 1977*, other than an offence against section 15C, 18, 21A, 21AB or 26 of that Act;
  - (e) an offence against section 15 or 15A of the *Summary Offences Act 1953*;
  - (f) an offence against the *Police Act 1998*;
  - (g) an offence against the Act or regulations made under the Act or the repealed *Commercial and Private Agents Act 1986* or regulations made under that Act;
  - (h) an offence substantially similar to any of the above offences against the law of the Commonwealth, another State or a Territory, or a place outside Australia.

- (5) The following offences are prescribed for the purposes of section 9(1)(b) and 9(2)(b)(i) of the Act in relation to any function to be authorised by a licence if the conviction was within the previous 5 years:
- (a) a summary offence against Part 5 of the *Criminal Law Consolidation Act 1935*;
  - (b) an offence substantially similar to the above offence against the law of the Commonwealth, another State or a Territory, or a place outside Australia.

## **Business qualifications**

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To meet the business knowledge and experience requirements to be granted a security and/or investigation agents licence, you must hold one of the qualifications below.

Please Note:

- All qualifications and documentation submitted with an application must be in the person's full and legal name and must be an original or certified copy.
- If you do not presently hold one of the approved qualifications but believe you have equivalent knowledge, you can have this assessed by contacting any Registered Training Organisation that delivers an approved qualification listed below and seeking Recognition of Prior Learning for that qualification.

1

One of the following approved qualifications:

- **Develop and implement a Business Plan** (PRSSM507A) from the asset security training package. (Tactical Training Australia Pty Ltd, TAFE SA ADELAIDE SOUTH - Marlestone Campus); or
- **Prepare a Business Plan** (PRSAS28A) from the asset security - training package (TAFE SA ADELAIDE SOUTH - Adelaide Campus, Tactical Training Australia Pty Ltd, Chubb Security Australia & Security Institute Pty Ltd).

OR

2

A Statement of Attainment showing successful completion of, or status granted in, the following two units of competency conferred by a Registered Training Organisation to deliver the units:

- BSBSBM401A/ BSBSMB401A - Establish business & legal requirements/Establish legal and risk management requirements of small business; and
- BSBSBM402A/BSBSMB402A - Undertake financial planning/Plan small business finances.

Registered Training Organisations known to CBS offering the units of competency:

TAFE SA ADELAIDE SOUTH - Adelaide Campus (08) 8410 0000

TAFE SA ADELAIDE SOUTH - Marlestone Campus (08) 8226 4744

TAFE SA REGIONAL - Mount Gambier Campus (08) 8735 1555

TAFE SA REGIONAL - Whyalla Campus (08) 8648 8788

TAFE SA NORTH - Tea Tree Gully Campus (08) 8207 8000

TRAINING PROSPECTS - Elizabeth East (08) 8287 2566

OR

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3

An academic statement showing successful completion of, or status granted in (Recognition of current competencies), the four modules from the Certificate IV in Small Business Management:

- Cost Profit Breakeven; and
- Business Finance; and
- Ownership Structures; and
- Business Law.

OR

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4

The applicant is a company listed on the Australian Stock Exchange or a subsidiary of a listed company.

OR

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5

Successful completion of a business, economics or accounting related degree or diploma from Australia or New Zealand.

OR

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6

Currently hold a contractor licence under the *Building Work Contractors Act 1995*, *Plumbers, Gas Fitters and Electricians Act 1995* or *Security and Investigation Agents Act 1995*, which authorises you to carry on business as a sole trader or as a sole director or currently hold an interstate licence to contract as a security and/or investigation agent.