

LIN 21/051

Maritime Transport Security (Screening Officer Requirements) Determination 2021

I, Michael Pezzullo AO, Secretary of the Department of Home Affairs, make this instrument under section 165A of the *Maritime Transport and Offshore Facilities Security Act 2003*.

Dated 10 June 2021

Michael Pezzullo

Secretary
Department of Home Affairs

 Name

 This instrument is the Maritime Transport Security (Screening Officer Requirements) Determination 2021.

2 Commencement

 This instrument commences immediately after the commencement of Schedule 2 to the *Transport Security Amendment (Testing and Training) Act 2020*.

3 Definitions

*Note* Some terms used in this instrument are defined in the Regulations, including MSIC.

 In this instrument:

***Act*** means the *Maritime Transport and Offshore Facilities Security Act 2003*.

existing screening officer means a screening officer who:

(a) was engaged or employed by a port facility operator as a screening officer at any time in the 12 months before this instrument commences; and

(b) since the commencement of this instrument has not ceased engagement or employment as a screening officer for any period of at least 24 months.

***independent screening decision*** means a decision whether to allow a person, personal effects, carry-on baggage, goods or a vehicle to pass through a screening point, without prompting or guidance from a supervising screening officer.

new screening officer means a screening officer who is:

(a) not an existing screening officer; and

(b) engaged or employed by a port facility operator as a screening officer after this instrument commences.

***Regulations*** means the *Maritime Transport and Offshore Facilities Security Regulations 2003*.

4 Application

 This instrument determines requirements under section 165A of the Act for screening officers.

 5 Qualifications

 (1) A new screening officer must hold any of the following qualifications:

(a) Certificate II in Transport Security Protection;

(b) a qualification that the Secretary is satisfied will enable the holder to carry out the duties of a screening officer under the Act.

 (2) An existing screening officer must hold any of the following qualifications:

(a) Certificate II in Security Operations;

(b) a qualification that the Secretary is satisfied is equivalent to a Certificate II in Security Operations;

(c) training and experience acquired while working as a security guard that is sufficient to satisfy the requirements for obtaining a security guard license in the state or territory where the person intends to work as a screening officer;

(d) Certificate II in Transport Security Protection.

 (3) The qualifications mentioned in this section for a screening officer who is an existing screening officer or a new screening officer are required for the screening officer to carry out each power and function mentioned in Division 6 of Part 8 of the Act.

Note The Secretary may exempt a class of screening officers from any of these requirements—see Act, section 165B.

6 Training

 The training requirement for a person who is a new screening officer or an existing screening officer is that, until the person’s supervisor is satisfied the person is competent as a screening officer and while on duty as a screening officer, the person:

(a) is supervised by a screening officer capable of making an independent screening decision; and

(b) does not make an independent screening decision.

Note The Secretary may exempt a class of screening officers from 1 or more of these requirements—see Act, section 165B.

7 Maritime security identification cards

 A screening officer must at all times display a valid MSIC when on duty.

Note A screening officer must also properly display a valid MSIC when otherwise required by the Regulations.

8 Uniforms

 A screening officer must wear a distinctive and recognisable uniform.