



LIN 22/079

Maritime Transport Security (Screening Officer Requirements) Determination 2022

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

Dated 29 August 2022

Michael Minns
Assistant Secretary, Capability
Partnerships, Policy and Capability
Cyber and Infrastructure Security Centre
Department of Home Affairs

1 Name

This instrument is the *Maritime Transport Security (Screening Officer Requirements) Determination 2022*.

2 Commencement

This instrument commences the day after registration.

3 Revocation

Maritime Transport Security (Screening Officer Requirements) Determination 2021 is revoked.

4 Definitions

Note Some terms used in this instrument are defined in the Maritime Act, including *screening officer*, and the Maritime Regulations, including *MSIC*.

In this instrument:

Aviation Act means *Aviation Transport Security Act 2004*.

Aviation Regulations means *Aviation Transport Security Regulations 2005*.

existing screening officer means a screening officer who:

- (a) was engaged or employed by a port facility operator as a screening officer under the Maritime Act or Maritime Regulations, or by a screening authority as a screening officer under the Aviation Act or Aviation Regulations, at any time in the 12 months on or before 16 January 2022; and
- (b) since 16 January 2022 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:

- (a) is not an existing screening officer; and
- (b) was engaged or employed by a port facility operator as a screening officer under the Maritime Act or Maritime Regulations, or by a screening authority as a screening officer under the Aviation Act or Aviation Regulations, after 16 January 2022.

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

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

5 Application

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

6 Qualifications

- (1) A new screening officer who is engaged or employed by a port facility operator that has been served a notice under regulation 7.30 of the Maritime Regulations 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 Maritime Act.
- (2) An existing screening officer who is engaged or employed by a port facility operator that has been served a notice under regulation 7.30 of the Maritime Regulations 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 Maritime Act.

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

7 Training

The training requirement for a person who is a 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 Maritime Act, section 165B.

8 Maritime security identification cards

A screening officer must:

- (a) hold an MSIC; and
- (b) properly display an MSIC at all times while on duty, or as otherwise required by the Maritime Regulations.

9 Uniforms

A screening officer must wear a distinctive and recognisable uniform.