



Court Security Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 16 October 2023

David Hurley
Governor-General

By His Excellency's Command

Mark Dreyfus KC
Attorney-General

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Part 1—Preliminary

1 Name

This instrument is the *Court Security Regulations 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	18 October 2023

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Court Security Act 2013*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Act means the *Court Security Act 2013*.

AFP Commissioner means the Commissioner within the meaning of the *Australian Federal Police Act 1979*.

NSW Sheriff means the Sheriff within the meaning of the *Sheriff Act 2005* (NSW).

NSW sheriff's officer means a sheriff's officer within the meaning of the *Sheriff Act 2005* (NSW).

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NT deputy sheriff means a person appointed to be a deputy sheriff under the *Sheriff Act 1962* (NT).

Part 2—Security officers and authorised court officers

6 Appointment of security officers—prescribed qualifications

- (1) For the purposes of section 9 of the Act, this section prescribes the qualifications a person must have to be appointed by the administrative head of a court as a security officer.
- (2) The qualifications are:
 - (a) either:
 - (i) a Certificate II in Security Operations; or
 - (ii) another qualification that the administrative head of the court considers is at least equivalent to a Certificate II in Security Operations; and
 - (b) successful completion of training mentioned in subsection (3).
- (3) For paragraph (2)(b), the training is training that:
 - (a) is approved in writing by the administrative head of the court; and
 - (b) is designed:
 - (i) to make the person familiar with the Act and this instrument, and the court's security policies and protocols; and
 - (ii) to give the person competence in exercising the powers of a security officer under the Act.

7 Appointment of authorised court officers—prescribed training

- (1) For the purposes of section 10 of the Act, this section prescribes the training a person must have completed to be appointed by the administrative head of a court as an authorised court officer.
- (2) The training is training that:
 - (a) is approved in writing by the administrative head of the court; and
 - (b) is designed:
 - (i) to make the person familiar with the Act and this instrument, and the court's security policies and protocols; and
 - (ii) to give the person competence in exercising the powers of an authorised court officer under the Act.

8 Identity cards—prescribed form

- (1) For the purposes of paragraph 12(2)(a) of the Act, this section prescribes the form an identity card issued to a person must be in.
- (2) An identity card must state the following:
 - (a) the name of the person to whom the card is issued;
 - (b) that the person is a security officer or an authorised court officer (as applicable);
 - (c) the date the card was issued to the person;

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- (d) the date the card will expire.

9 Identity cards—exceptions to requirement to issue identity card

For the purposes of subparagraph 13(a)(ii) of the Act, the NSW Sheriff is prescribed.

10 Where powers may be exercised—prescribed persons

For the purposes of subparagraph 33(b)(ii) of the Act, the following persons are prescribed:

- (a) the NSW Sheriff;
- (b) a NSW sheriff's officer;
- (c) a NT deputy sheriff.

11 Complaints about AFP security officers

- (1) For the purposes of subsections 35(2) and 37(2) of the Act, this section provides for how an administrative head of a court must deal with a complaint made under subsection 35(1) or 37(2) of the Act in relation to a security officer who is not appointed under section 9 of the Act.
- (2) The administrative head of the court must refer the complaint to:
 - (a) the AFP Commissioner; or
 - (b) a person who has been delegated, under section 69C of the *Australian Federal Police Act 1979*, any of the AFP Commissioner's powers, functions and duties under Part V of that Act.

Schedule 1—Repeals

Court Security Regulation 2013

1 The whole of the instrument

Repeal the instrument.