



TASMANIA

---

**SECURITY AND INVESTIGATIONS AGENTS  
AMENDMENT ACT 2019**

**No. 9 of 2019**

---

**CONTENTS**

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





**SECURITY AND INVESTIGATIONS AGENTS  
AMENDMENT ACT 2019**

**No. 9 of 2019**

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

**[Royal Assent 4 June 2019]**

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 2019*.

**2. Commencement**

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

*Security and Investigations Agents Amendment Act 2019*  
*Act No. 9 of 2019*

s. 3

---

**3. Principal Act**

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

**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 –

---

\*No. 19 of 2002

*Security and Investigations Agents Amendment Act 2019*  
*Act No. 9 of 2019*

s. 4

---

- (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;

*Security and Investigations Agents Amendment Act 2019*  
*Act No. 9 of 2019*

s. 5

---

- (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 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.

*[Second reading presentation speech made in:–  
House of Assembly on 27 November 2018  
Legislative Council on 11 April 2019]*