



INDUSTRY BULLETIN *January 2012*

WELCOME

Welcome to the first bulletin of 2012. This news bulletin provides information regarding current issues relevant to the Security and Investigations Agents Act 2002 (the Act) in Tasmania.

In this bulletin:

- Amnesty period ending
- Changing your manager – removal of fee
- No longer working in the industry but still have a current licence
- Completing a consent to check and release national police record form
- Working unlicensed
- Number of licences issued in 2011
- Office of Consumer Affairs – Information update

AMNESTY PERIOD ENDING

Since the introduction of the new licence activities on 1 July 2011, there has been an amnesty period for current licence holders with Security Guard or Security Agent endorsements to undertake Security Guarding with Dog, Security Guarding with Firearm, Monitoring Room Operator and Body Guard activities without incurring any penalties for undertaking the work without the endorsement on their licence.

This amnesty period will run out on 31 January 2012.

So if you carry a firearm after 31 January and you do not have Security Guarding with Firearm, or you monitor a surveillance camera feed and do not have 'monitoring room operator' endorsed on your licence, you are working without the correct endorsement on your licence. If you are caught undertaking these activities you can incur an on the spot infringement notice.

Please Note: When adding an activity to an Employee licence if the appointed Manager / Agent does not have the activity endorsed on their licence we will not be able to endorse the activities on the employee licence, an employee licence holder will instead be issued a certificate to seek employment for the activity.

For further information on how to get the endorsement added to your licence please go to our website www.consumer.tas.gov.au/new_requirements/licence_activities.

CHANGING YOUR MANAGER – REMOVAL OF FEE

To help employee licence holders to keep their manager details up to date a fee will no longer be charged to change your manager details.

A fee is still required if you are changing your name, removing the condition of provisional, adding or removing an activity to a licence, requesting a replacement licence or asking for a baton endorsement.

NO LONGER WORKING IN THE INDUSTRY BUT STILL HAVE A CURRENT LICENCE

So you have a current licence but you have decided that you no longer want to work in the industry what do you do?

Section 17 of the Act requires you to surrender your licence and identity card to the Director.

All you need to do is post your Identity Card back to this office with a letter advising you now longer require the licence.

Postal Address:

Consumer Affairs and Fair Trading
GPO Box 1244
Hobart Tas 7001

COMPLETING A CONSENT TO CHECK AND RELEASE A NATIONAL POLICE CERTIFICATE FORM

We have had a number of applicants complete a consent to check and release a national police certificate form as well as our application or reapplication form.

Please note you **do not** need to complete the consent to check and release a national police certificate form. Our office has an arrangement with Criminal History Services and will provide the required information to them on your behalf, they will then forward the results back to our office.

All you are required to do is complete our application or reapplication form, lodge at Service Tasmania with the required documents and pay the application and fingerprints fees, then make an appointment to have your fingerprints taken.

WORKING UNLICENSED

In 2011 audits were conducted at work sites to check that employees, managers and employers were correctly licensed. While the level of compliance with the Act was high, several warnings and infringement notices were issued. Failure to comply with the Act can result in persons in breach of the Act being prosecuted. In the event of a conviction such persons could be liable for substantial penalties including the cancellation of their licenses.

The programme of conducting audits will continue in 2012.

NUMBER OF LICENCES ISSUED IN 2011

In 2011 this office received 2480 applications for a licence under the Security and Investigations Agents Act.

The following table reflects Agent and Employee Applications received in each respective month.

	<i>Agent Applications</i>	<i>Employee Applications</i>
<i>January</i>	26	140
<i>February</i>	12	156
<i>March</i>	26	215
<i>April</i>	22	101
<i>May</i>	27	152
<i>June</i>	26	183
<i>July</i>	58	180
<i>August</i>	37	180
<i>September</i>	47	204
<i>October</i>	47	239
<i>November</i>	38	203
<i>December</i>	19	142

OFFICE OF CONSUMER AFFAIRS – INFORMATION UPDATE

In other news relating to the Office of Consumer Affairs:

RESIDENTIAL TENANCY REVIEW

As part of the review of the Residential Tenancy Act, the Minister for Corrections and Consumer Protection, Nick McKim MP, has released a Final Report and Consultation Paper. The Paper contains a number recommendations for reforming residential tenancy laws in Tasmania, which cover a range of issues including certainty of tenure, rent increases, minimum standards of accommodation, maintenance and repair obligations, rent bidding and water efficiency. The Paper has been prepared in consultation with a reference group made up of representatives from the real estate industry, tenant and community groups and follows the release of a Discussion Paper in 2009 and a Statewide Residential Tenancy Conference in 2010. There is broad support among members of the reference group for most of the recommendations in the Paper, although they are not specifically endorsed by individual members. Much of the debate has been about the detail of the recommendations and there is general agreement about the direction of the reforms.

Copies of the paper and further information about the review are available at: www.consumer.tas.gov.au/renting/review_of_the_residential_tenancy_act_1997. Hard copies of the Paper can be obtained by calling 1300 65 44 99.

Closing date for submissions: - 24 February 2012.

If you have would like to discuss the review in person or have any questions about the review, please contact the Office of Consumer Affairs and Fair Trading on 1300 654 499.

CLAIMING A BOND BACK FROM THE RENTAL DEPOSIT AUTHORITY (RDA)

How do you claim a bond back?

At the end of your lease, the property owner or agent has three days to give you a Claim Form. They must have completed their section and signed it.

If the property owner or agent is claiming any part of the bond, the form must show the claim amount prior to the tenant signing the form. They should also provide the tenant with a notice stating the reasons for the claim. If they are not claiming any of the bond, the amount should be shown as \$0 on the Claim Form.

Tenants should not be asked to sign a blank Claim Form.

If the property owner cannot be contacted or has not given you a completed Claim Form within three days of the end of the lease (or has not contacted you to let you know when they will give the Claim Form to you) then you can lodge your own Claim Form separately.

Once you have a Claim Form

You complete your part of the Claim Form and make sure the Bond Number and your bank account details are correct. You must then sign the form.

If anyone else signed the original Bond Lodgement Form or a Transfer Form, then you must also get them to complete and sign their part of the Claim Form.

The RDA cannot pay a claim unless the signatures shown on the Claim Form match those on the original Bond Lodgement Form, or the Transfer Form.

The RDA will pay the bond to the parties in the proportions they agreed to on the Claim Form. A tenant can only claim back the proportion amount that they contributed on the original Bond Lodgement Form or Transfer Form.

Once the Claim Form is completed you can either lodge the form at Service Tasmania or fax the Claim Form directly to the RDA on 1300 737 487.

What happens after the Claim Form has been lodged?

All people who contributed to the bond will be notified immediately when the RDA receives a claim. It is important that you put your current contact details, so you receive the notification.

If all the parties agree to the claims and sign the Claim Form at the end of the tenancy, the RDA will pay out the bond as soon as possible.

If a person has not signed the Claim Form, he or she may submit another Claim Form within 10 days of the notification. If this does not happen, or if a claim is received for a different amount, the claim will be referred to the Residential Tenancy Commissioner for resolution.

CONTACT DETAILS

Department of Justice
Consumer Affairs and Fair Trading
Telephone: 1300 654 499
Facsimile: 03 6233 4882
Email: CAFT.licensing@justice.tas.gov.au
Website: www.consumer.tas.gov.au



Tasmania
Explore the possibilities