

NSW Master licence holders - Q & As

Q: How many licensees that are subject to the 1 November deadline have not fully complied with their training upgrade requirements?

A: Approximately 15,000, however the SIR has received extraordinarily high numbers of lodgements (i.e. training certificates and/or applications to surrender subclasses) in recent days.

Q: How will the revocation of non-compliant licensees be managed by the SIR?

A: The SIR will require some weeks to process all lodgements and identify licensees who have failed to comply with the training upgrade requirements. Revocation notices are expected to be issued by the SIR to non-compliant licensees in late November. The revocation notices will not become effective until 8 January 2009 and will only become effective if the licensee fails to take action to comply before this date. Revocation notices will be sent by normal post to the licensee's last known address (on the SIR's licence records).

Q: Will the SIR continue to accept training certificates and/or applications to surrender subclasses after 1 November from licensees that were subject to that deadline?

A: Yes. If a licensee makes the necessary lodgements after 1 November 2008 but before revocation notices are issued by the SIR, they will not receive a revocation notice. If a licensee makes the necessary lodgements after the revocation notices are issued but before they become effective on 8 January 2009, their revocation will not become effective. Training certificates will be accepted by the SIR even if issued by the approved RTO after 1 November 2008.

Q: So the SIR has extended the deadline?

A: No, the official deadline remains 1 November 2008. Revocation action will be commenced by the SIR as soon as it has processed on-hand lodgements. The period from the issue of revocation notices to close of business 7 January 2009 represents an appeal period, during which licensees subject to revocation action may successfully appeal by complying with their training upgrade requirements. The appeal period that will be provided by the SIR is more generous than its 28 days legislative obligation.

Q: Why not just promote this as a deadline extension?

A: Affected licensees (and their employers) have had more than sufficient time and notice (since August 2007) to ensure compliance with the training upgrade requirements, yet 15,000 licensees have failed to do so. If licensees misperceive that their deadline has been extended to cob 7 January 2009, there is a real risk that they will again defer compliance action and similarly high numbers of licensees will face revocation action on 8 January 2009. If licensees fail to take advantage of the offered revocation appeal period, or approved RTOs are unable to accommodate the level of demand for training and assessment, the licensees (and their employers) must accept that the revocation of their licence is a direct result of their failure to comply with the 1 November deadline.

Q: Can non-compliant licensees continue to work after 1 November 2008?

A: Yes. They will continue to be able to carry on the security activities authorised by their security licence until the revocation of their licence becomes effective on 8 January 2009. Again, revocation will only become effective if the licensee fails to comply before cob 7 January 2009. Employers should validate their employees' licences on 9 January 2009 using the SIR's Public Register of Licences (@ www.police.nsw.gov.au/sir) and make any necessary adjustments to their Friday night and weekend rosters.

Q: Why did the SIR not provide earlier advice on these timeframes?

A: It was evident to the SIR that considerable numbers of licensees were taking "last minute" action to comply with their training upgrade requirements and the SIR did not wish to jeopardise this compliance momentum by providing information that could be misinterpreted as a deadline extension. It was also necessary for the SIR to brief the Minister for Police and gain his support prior to communicating details of the revocation processes and timeframes.

Q: If a licensee completes the required training upgrade after 8 January 2009 will the SIR reinstate their licence?

A: Other than in exceptional circumstances (eg. demonstrated SIR error or significant compassionate grounds), the SIR will not reinstate revoked licences. If the licensee has attained the necessary competencies, they may supply the relevant training certificates to the SIR with an application for a new licence. If the licensee is unable to attain the competencies for a new Class 1 licence, they will need to complete a Prelicensing course before applying for a Provisional licence.

Q: Who can provide the necessary training and assessment to licensees who have not yet complied with their training upgrade requirements?

A: Only the approved RTOs listed on the SIR's website. Licensees should ensure that their chosen training organisation is an approved RTO before commencing training.

Q: Should licensees call the SIR's 1300 number to confirm that their lodgements have been received and their training upgrade requirements have been satisfied?

A: The SIR's Customer Service Centre is experiencing extraordinarily high demand levels. Licensees are encouraged to verify that they have fully satisfied their training upgrade requirements by entering their licence number into the SIR's Public Register of Licences and viewing the Additional Notes field. Due to the large numbers of certificates and amendment applications being received by the SIR, licensees must allow at least 10 working days for their lodgements to be processed before the Public Register is updated.