

Guidance sheet

Office of Fair Trading

Security personnel within Queensland airports

Under the *Security Providers Act 1993* (SPA), the Chief Executive has clarified the application of the SPA and how it interacts with relevant federal government legislation if you engage in the work of a security provider in Queensland airports.

The federal government, through the Department of Home Affairs, regulates all airports in Australia. This is achieved by application of the Commonwealth *Aviation Transport Security Act 2004* (ATSA) and the *Aviation Transport Security Regulations 2005* (Regulations).

The ATSA establishes minimum security requirements for civil aviation in Australia at airports by imposing obligations on you if you are engaged in civil aviation related activities. In particular, you must develop and comply with aviation security programs.

The ATSA allows the federal government to classify an airport in Queensland as a 'security controlled airport' and imposes on the airport operator a range of security related obligations, including:

- patrolling of airport grounds
- conducting on-board security
- screening of people, vehicles or goods for prohibited items and weapons, either when entering a secure zone or boarding an aircraft
- physically restraining and removing people from airports
- general security related functions within public terminals.

Excluding Australian Federal Police and Queensland Police Service law enforcement officers, Australian Defence and Customs personnel, all of whom are covered separately, the ATSA prescribes two primary categories of security personnel, authorised to undertake security work at an airport, as follows:

- screening officer
- airport security guard.

Under the ATSA regulations an airport security guard is required to be licenced as a security guard in the State or Territory in which the airport is located. In Queensland this means SPA. The ATSA does not require an airport screening officer to hold a licence under the SPA.

All people involved in the training and qualifications of security officers in airport precincts in Queensland must familiarise themselves with the relevant licensing requirements of the ATSA, Regulations and the SPA.

Screening officer

The screening officer role is described in s.93 of the ATSA and in short, provides for a screening officer to work in a specially designated secure area to operate luggage and body scanning equipment, conduct a frisk search of a person and while doing so, exercise detection and restraint powers.

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Following consultation with the Department of Home Affairs, the Australian Airports Association and national security industry stakeholders, the Chief Executive considers the role of screening officer to be highly specialised, involves unique training and is separate and distinct from any comparable licence category under the SPA.

The Chief Executive considers a screening officer is **not required** to hold a collateral licence under the SPA, in order to be employed at a Queensland airport. This is on the condition that the screening officer acts only within the parameters and work description of a screening officer role.

Airport security guard

An airport security guard is distinguished from a screening officer and in the view of Chief Executive, essentially the airport security guard role is similar to that of crowd controller or security officer under the SPA.

S.92 of the ATSA provides an airport security guard with the power to physically restrain a person under prescribed circumstances, like a crowd controller under the SPA. The airport security guard role can also include many of the patrol, surveillance and guarding functions more typically associated with a security officer under the SPA.

Unlike a screening officer, an airport security guard is obliged under the Regulations to be licensed as a security guard in the State or Territory in which the airport is located, if required by State or Territory legislation.

In the view of the Chief Executive, an airport security guard **is required** to hold a collateral licence under the SPA in order to be employed at a Queensland airport. As to whether such licence would be a security officer or a crowd controller licence under the SPA would depend on what particular type of work was being performed.

Any such determination would be governed by an assessment by the Department of Home Affairs, in conjunction with the owner or operator of the airport, any subcontractor firms contracted to provide security services and the employees themselves. An application to OFT would need to adhere to the current security training requirements governing an applicant's eligibility for a licence.

Possible conflicts between roles

The Chief Executive considers if you want to be employed solely as a screening officer, there is no requirement for you to be licensed under the SPA. In small, regional airports security staff may be employed as screening officers, but due to the infrequency of flights and limited work for a screening officer at other times, a practice may have developed for screening officers to undertake some extra duties, more properly the province of airport security guards.

The position of the Chief Executive is if you want to be employed as an airport security guard or perform similar functions while only being certified as a screening officer, then a licence from OFT is required. Any non-compliance would constitute a breach of the SPA.

Additional information

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