



Queensland

G20 (Safety and Security) Act 2013

Act No. 56 of 2013



Queensland

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Queensland

G20 (Safety and Security) Act 2013

Act No. 56 of 2013

An Act to provide for the safety and security of persons attending the Group of Twenty leaders' summit in Brisbane in 2014 and other related meetings and events in Queensland in 2014, to ensure the safety of members of the community and to protect property during the hosting of the summit and other related meetings and to amend the Criminal Code, the Holidays Act 1983, the Industrial Relations Act 1999, the Right to Information Act 2009 and the Trading (Allowable Hours) Act 1990 for particular purposes

[Assented to 7 November 2013]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *G20 (Safety and Security) Act 2013*.

2 Objectives

- (1) The objectives of this Act are to provide police officers, non-State police officers and appointed persons with special powers—
- (a) to promote the safety and security of persons attending any part of the G20 meeting, which is comprised of the following—
 - (i) the Group of Twenty leaders' summit in Brisbane in 2014 (the *leaders summit*);
 - (ii) the Group of Twenty Finance Ministers' and Central Bank Governors' meeting in Cairns in 2014 (the *Cairns finance meeting*);
 - (iii) any official meeting of sherpas in Queensland in 2014 for preparation or otherwise in relation to the leaders summit, the Cairns finance meeting or any event or meeting related to the summit or finance meeting (a *sherpa meeting*);
 - (iv) any other G20 event; and
 - (b) to ensure the safety of members of the public from acts of civil disobedience in relation to any part of the G20 meeting; and
 - (c) to protect property from damage from civil disobedience in relation to any part of the G20 meeting; and

- (d) to prevent acts of terrorism directly or indirectly related to any part of the G20 meeting; and
 - (e) to regulate traffic and pedestrian movement to ensure the passage of motorcades related to any part of the G20 meeting is not impeded.
- (2) Without limiting subsection (1), the objectives include—
- (a) promoting the safety and security of the venues and facilities used or to be used for any part of the G20 meeting; and
 - (b) promoting the safety and security of accommodation for persons attending any part of the G20 meeting; and
 - (c) promoting the safety and security of motorcade routes used or to be used for transporting persons attending any part of the G20 meeting.

3 Act binds all persons

- (1) This Act binds all persons, including the State and, so far as the legislative power of the Parliament permits, the Commonwealth and the other States.
- (2) Nothing in this Act makes the State, the Commonwealth or another State liable to be prosecuted for an offence.

4 Application of Police Powers and Responsibilities Act 2000 and related matter

- (1) This Act prevails, to the extent of any inconsistency, over the *Police Powers and Responsibilities Act 2000* (the **Police Act**) in relation to a power conferred, or responsibility imposed, under the Police Act on a police officer.
- (2) To remove any doubt, it is declared that the Police Act, section 11(3) does not apply to a provision of this Act that confers a power or imposes a responsibility on a police officer.
- (3) The Police Act, section 624(2) does not apply to a basic search.

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- (4) The Police Act, chapter 17, part 4 applies to an offence against this Act as if the offence were an identifying particulars offence within the meaning of the Police Act.
- (5) The Police Act, chapter 21, part 2, division 3 does not apply in relation to a police officer who is exercising a power under this Act.
- (6) Unless this Act provides otherwise, this Act does not prevent the exercise of a power conferred on a police officer by another Act.

5 General criterion for performance of functions etc.

- (1) This section applies to the performance of a function by any of the following under a provision of this Act—
 - (a) the commissioner;
 - (b) an assistant commissioner or deputy commissioner (including when performing a function under a delegation from the commissioner);
 - (c) a police officer (including a non-State police officer when performing a function under an authorisation as mentioned in section 87);
 - (d) an appointed person.
- (2) A person to whom this section applies must perform a function conferred by this Act having regard to the objectives of this Act.
- (3) In this section—

function includes a power.

performing a function includes exercising a power.

6 Definitions

The dictionary in schedule 7 defines particular words used in this Act.

Part 2 Security areas

Division 1 What is a security area

7 Security areas

Each of the following is a *security area*—

- (a) a declared area;
- (b) a restricted area;
- (c) a motorcade area.

Note—

An area that is or becomes a security area is only a security area for a particular period. See section 8. Accordingly, if a police officer may exercise a power in relation to an area that is a security area, the officer may only exercise the power when the area is a security area.

8 Application of this Act to security areas

- (1) This Act applies in relation to—
 - (a) a declared area or restricted area—only for the period stated in schedule 1 for the area; and
 - (b) a motorcade area—only for the period stated in the declaration of the motorcade area.
- (2) A power conferred by this Act by reference to a security area or other area, or to the G20 period, is also exercisable in relation to any part of the security area or other area, or to any part of the G20 period, unless to do so is inconsistent with the provision conferring the power.
- (3) Each period stated in schedule 1 or section 10—
 - (a) starts at the beginning of the first day of the stated period; and
 - (b) ends at the end of the last day of the stated period.

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9 Declared area

- (1) A **declared area** is any of the following—
 - (a) an area shown hatched on a map in schedule 2 or 3 (a **map area**), subject to any modification mentioned in subsection (2);
 - (b) an area declared to be an additional declared area;
 - (c) the area of the footpath on either side of a motorcade area, unless the area of the footpath is in a restricted area.
- (2) A regulation may provide either or both of the following in relation to a map area and, if a regulation so provides, the map area is modified in the way stated in the regulation—
 - (a) the map area is reduced;
 - (b) an area or place in the map area is not part of the map area.
- (3) The exact location of the boundary of each core declared area is held in digital electronic form by the department.
- (4) Maps showing the exact location of the boundary of each core declared area can be accessed, free of charge, on the department's website.

Editor's note—

The department's website address is <www.police.qld.gov.au>.

- (5) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.

10 Motorcade area

- (1) Subject to subsections (2) and (3), a senior police officer may declare any of the following a **motorcade area**—
 - (a) an area of a road, other than a footpath;
 - (b) an area of waterway.

-
- (2) For the Cairns finance meeting, a senior police officer may only declare an area in Cairns a motorcade area during the period 16 to 22 September 2014.
 - (3) For the leaders summit, a senior police officer may only declare an area in Brisbane a motorcade area during the period 14 to 17 November 2014.
 - (4) A declaration under subsection (1) has effect—
 - (a) when it is published on the prescribed website; or
 - (b) if it can not be published on the prescribed website—when it is publicly published in another way.
 - (5) However, a declaration can not take effect before it is published under subsection (4).
 - (6) A motorcade area remains in force until the declaration is revoked by a notice by a senior police officer published on the prescribed website.
 - (7) If there is overlap between a motorcade area and a declared area, the provisions that apply to a motorcade area prevail to the extent of any inconsistency with the provisions that apply to a declared area.

11 Restricted area

- (1) A *restricted area* is any of the following—
 - (a) an area shown hatched on a map in schedule 4 or 5 (a *map area*), subject to any modification mentioned in subsection (2) to (4) for the area;
 - (b) an area declared to be an additional restricted area.
- (2) A regulation may provide either or both of the following in relation to a map area and, if a regulation so provides, the map area is modified in the way stated in the regulation—
 - (a) the map area is reduced;
 - (b) an area or place in the map area is not part of the map area.
- (3) The restricted area shown on the map in schedule 5, part 3—

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- (a) includes the bus interchange and turning area under the concourse and the entry to and exit from the bus terminal to Chippendall Street; but
 - (b) does not include the following—
 - (i) the disabled access ramp on Chippendall Street;
 - (ii) the footpath that leads into the driveway of the Christ Church Milton at the eastern end of Chippendall Street;
 - (iii) the Energex substation MLT, including the driveway leading from the substation to Castlemaine Street;
 - (iv) the upper level concourse including the pedestrian bridge.
- (4) Each core restricted area stated in column 1 of the following table does not include the building stated in column 2—

Column 1 Restricted area	Column 2 Building excluded
restricted area shown on the map in schedule 5, part 5	building at 111 George Street, Brisbane
restricted area shown on the map in schedule 5, part 6	building at 53 Albert Street, Brisbane
restricted area shown on the map in schedule 5, part 7	Admiralty Tower 1 at 35 Howard Street, Brisbane Admiralty Tower 2 at 501 Queen Street, Brisbane
restricted area shown on the map in schedule 5, part 8	Waterfront Place at 1 Eagle Street, Brisbane
restricted area shown on the map in schedule 5, part 12	Australian Government Centre at 281 Ann Street, Brisbane

-
- (5) Without limiting subsection (2), a core restricted area may be reduced by a senior police officer by causing the boundary of the core restricted area after the reduction to be indicated by a cordon, barrier or similar thing.
 - (6) Also, if a senior police officer causes the cordon, barrier or similar thing to be—
 - (a) moved 1 or more times within the original boundary—the boundary of the core restricted area is as indicated by the cordon, barrier or similar thing; or
 - (b) removed—the boundary of the core restricted area reverts to the boundary of the core restricted area before it was reduced by the senior police officer under subsection (5).
 - (7) If there is overlap between a restricted area and declared area, the provisions that apply to a restricted area prevail to the extent of any inconsistency with the provisions that apply to a declared area.
 - (8) The exact location of the boundary of each core restricted area is held in digital electronic form by the department.
 - (9) Maps showing the exact location of the boundary of each core restricted area can be accessed, free of charge, on the department's website.

Editor's note—

The department's website address is <www.police.qld.gov.au>.

- (10) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.

Division 2 Additional security areas

12 Additional (non-emergency) security area

- (1) A regulation may declare an area of land or water, other than a core security area, to be either of the following for the period stated in the regulation—

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- (a) an additional restricted area;
 - (b) an additional declared area.
- (2) The commissioner may, with the Minister's approval, by written order declare an area of land or water, other than a core security area, to be either of the following for the period stated in the order—
- (a) an additional restricted area;
 - (b) an additional declared area.
- (3) However, the commissioner may declare an area to be an additional restricted area or additional declared area only if the commissioner is reasonably satisfied—
- (a) declaring the area to be an additional restricted area or additional declared area will assist in promoting the safety and security of the G20 meeting or the safety or security of the public; and
 - (b) there is not enough time to make a regulation under subsection (1).
- (4) An order made under subsection (2) has effect when it is published on the prescribed website or a later time stated in the order.
- (5) The Minister must table an order made under subsection (2) in the Legislative Assembly within 14 sitting days after the order is made.
- (6) A failure by the Minister to table an order under subsection (5) does not affect the order's validity.
- (7) The period for which an area is declared to be an additional restricted area or additional declared area must be no longer than until the end of the G20 period.
- (8) A regulation or order may declare an area is an additional restricted area or additional declared area at all times during the G20 period or only at the times stated in the regulation or order.

(9) In this section—

core security area means a core declared area or core restricted area.

enough time to make a regulation means enough time—

- (a) to prepare and draft the regulation and related documents; and
- (b) to obtain Cabinet consent to the making of the regulation; and
- (c) for the Governor in Council to make the regulation; and
- (d) for the regulation to be notified as mentioned in the *Statutory Instruments Act 1992*, section 47.

13 Additional (emergency) security area

(1) The commissioner may, by written order, make a declaration of the type mentioned in section 12(2) without the Minister's approval if the commissioner is not only reasonably satisfied about the matters mentioned in section 12(3) in relation to an area but is also reasonably satisfied—

- (a) it is necessary to declare the area of land or water to be an additional restricted area or additional declared area as a matter of urgency; and
- (b) a delay to obtain the Minister's approval would be likely to substantially compromise the safety and security of the G20 meeting.

(2) If the commissioner makes an order under subsection (1)—

- (a) as soon as practicable after the order is made, the commissioner must inform the Minister about the making of the order and its terms; and
- (b) the order has effect—
 - (i) if the commissioner is reasonably satisfied as mentioned in subsection (1)(b) because a threat has been made against the life of a G20 participant—when the order is made; or

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- (ii) otherwise—when it is published on the prescribed website.
- (3) However, a person can not be convicted of an offence against this Act relating to an area of land or water that is, by order under subsection (1), an additional restricted area or additional declared area if the relevant act or omission committed by the person happened after the order was made but before it is published on the prescribed website, unless the person was advised about the order and its making.
- (4) The Minister must table an order made under subsection (1) in the Legislative Assembly within 14 sitting days after the order is made.
- (5) A failure by the Minister to table an order under subsection (4) does not affect the validity of the order.

Division 3 Accreditation or approval to enter particular security areas

14 Accreditation issued by Commonwealth

- (1) A person may have access to a restricted area or part of a restricted area under the authority of an accreditation issued by the Commonwealth (*Commonwealth accreditation*).
- (2) The Commonwealth accreditation is subject to any limitation or restriction stated in the accreditation.

Example of a restriction—

A kitchen hand may have access to the kitchen of the Brisbane Convention and Exhibition Centre only during the periods the kitchen hand is rostered for duty.

15 Approval given by senior police officer

- (1) A senior police officer may give a person either or both of the following (each of which is an *access approval*)—
 - (a) an approval authorising the person to have access to all or part of a restricted area;

- (b) an approval authorising the person to have access to all or part of a motorcade area.

Examples of persons to whom an approval may be given under this subsection—

- a Queensland Ambulance Service ambulance officer
 - a Queensland Fire and Rescue Service fire service officer
 - a doctor
 - a person who is critical infrastructure personnel
- (2) However, a senior police officer may give a person an access approval only if the officer is reasonably satisfied—
- (a) it is necessary for the person to have access to the security area, or part of the security area, as stated in the approval; and
- (b) the access is not inconsistent with the safety and security of the G20 meeting.
- (3) A person given an access approval may have access to a restricted area, part of a restricted area, a motorcade area or part of a motorcade area, under the authority of the approval.
- (4) An approval under subsection (1)—
- (a) may be given orally or in writing; and
- (b) is subject to any limitation or restriction applying to the approval.

Part 3 Lawful assembly

16 Purpose of pt 3

- (1) The purpose of this part is to allow for lawful assemblies in declared areas while ensuring the safety and security of the G20 meeting.

[s 17]

Note—

See sections 7 and 8 about security areas and the application of the Act to security areas. Generally speaking, the periods when an area may be a security area are as follows—

- (a) for the Cairns finance meeting—16 to 22 September 2014;
 - (b) for the leaders summit in Brisbane—1 to 17 November 2014.
- (2) A lawful assembly in a declared area is allowed but no assembly is allowed in a restricted area or motorcade area.

17 Application of Peaceful Assembly Act 1992

The *Peaceful Assembly Act 1992* does not apply to an assembly in a security area.

18 When assembly is lawful

- (1) An assembly in relation to any part of the G20 meeting is lawful if—
- (a) it is held in a declared area; and
 - (b) the assembly does not disrupt any part of the G20 meeting; and
 - (c) an offence is not committed under this Act by at least 2 persons who are acting in concert and participating in the assembly; and
 - (d) a violent disruption offence is not committed by a person participating in the assembly; and
 - (e) an offence involving damage or destruction to property is not committed by a person participating in the assembly; and
 - (f) the assembly does not enter into a restricted area or motorcade area.

- (2) In this section—

assembly means an assembly held in a public place, whether or not the assembly is at a particular place or moving, but does not include a group of unrelated spectators.

violent disruption offence means an offence if—

- (a) the offence involves violence against a person or damage to property; and
- (b) the offence is intended or is likely to disrupt any part of the G20 meeting.

19 Organising an assembly

- (1) At least 48 hours before holding a proposed assembly, the organiser of the proposed assembly must give the commissioner notice of the proposed assembly, including its location, time and date.
- (2) The commissioner must make a person (a ***liaison officer***) available to consult with the organiser to negotiate the most suitable location, date and time for the proposed assembly to—
 - (a) ensure assemblies with conflicting interests are separated by appropriate distance; and
 - (b) provide the organiser with information about any relevant requirements and restrictions under this Act.
- (3) Neither of the following make an assembly unlawful—
 - (a) a failure by the organiser of a proposed assembly to give notice under subsection (1) or to consult with the relevant liaison officer under subsection (2);
 - (b) a refusal by the organiser to change the date and time of the proposed assembly.

[s 20]

Part 4 Special powers in relation to security areas

Division 1 Searches of the person

Subdivision 1 Types of search

20 What is a *basic search*

A *basic search* is any or all of the following—

- (a) a search using any or all of the following electronic screening devices—
 - (i) a walk-through detector;
 - (ii) an x-ray scanner to scan a person;
 - (iii) a handheld scanner;
 - (iv) an explosive detector;
 - (v) an x-ray machine for property;
- (b) a search of a person's belongings, including any or all of the following—
 - (i) requiring the person to remove 1 or more items of outer clothing worn by the person and searching the clothing;
 - (ii) removing all articles from within the person's clothing and searching the articles;
 - (iii) requiring the person to remove the person's headwear, gloves and footwear and searching the headwear, gloves and footwear;
 - (iv) requiring an article in the person's belongings to be searched;
 - (v) placing an item in the person's belongings in or on an x-ray machine.

21 What is a *frisk search*

A *frisk search*, of a person, is any or all of the following—

- (a) a search of the person conducted by quickly running the hands over the person's outer clothing;
- (b) a search of anything worn by the person that is conveniently and voluntarily removed by the person;
- (c) a search of headwear, gloves, footwear or outer clothing removed from the person;
- (d) a search of anything carried by the person.

22 What is a *specific search*

A *specific search*, of a person, is any or all of the following—

- (a) a search of anything worn by the person that is conveniently and voluntarily removed by the person;
- (b) a search of headwear, gloves, footwear or clothing removed from the person;
- (c) a strip search of the person;
- (d) a medical x-ray of the person;
- (e) a search of anything carried by the person.

Subdivision 2 Who may conduct search in security area

23 Who may conduct search in a restricted area

- (1) A police officer or appointed person may conduct a basic search of a person attempting to enter, about to enter, in or leaving a restricted area.
- (2) A police officer may conduct a frisk search of a person attempting to enter, about to enter, in or leaving a restricted area.

[s 24]

- (3) A police officer may conduct a specific search of a person attempting to enter, about to enter, in or leaving a restricted area or part of a restricted area if—
 - (a) the person does not hold a Commonwealth accreditation or access approval authorising access to the area or part; or
 - (b) the officer reasonably suspects the person may be in possession of a prohibited item without lawful excuse.
- (4) However, subsection (3)(a) does not apply to any person on board a train that—
 - (a) is in transit between Roma Street Station and South Bank Station; and
 - (b) is not authorised by Aurizon Operations Limited ACN 124 649 967 to stop at South Brisbane Station.

24 Who may conduct a search in a declared area

- (1) A police officer may conduct a basic search of a person attempting to enter, about to enter, in or leaving a declared area.
- (2) A police officer may conduct a frisk search of a person attempting to enter, about to enter, in or leaving a declared area if the officer reasonably suspects the person—
 - (a) may be in possession of a prohibited item without lawful excuse; or
 - (b) is a prohibited person; or
 - (c) is an excluded person.
- (3) A police officer may conduct a specific search of a person attempting to enter, about to enter, in or leaving a declared area if—
 - (a) the officer reasonably suspects the person may be in possession of a prohibited item without lawful excuse; and
 - (b) either—

- (i) the officer reasonably suspects a frisk search of the person will not locate the prohibited item; or
 - (ii) a frisk search of the person has not located the prohibited item.
- (4) Also, a police officer may conduct a specific search of a prohibited person or excluded person attempting to enter, about to enter, in, or leaving a declared area.

25 Who may conduct a search in a motorcade area

- (1) A police officer or appointed person may conduct a basic search of a person attempting to enter, about to enter, in or leaving a motorcade area.
- (2) A police officer may conduct a frisk search of a person attempting to enter, about to enter, in or leaving a motorcade area.
- (3) A police officer may conduct a specific search of a person attempting to enter, about to enter, in or leaving a motorcade area if the officer reasonably suspects the person—
 - (a) does not hold a Commonwealth accreditation or access approval authorising the person to be in the motorcade area; or
 - (b) may be in possession of a prohibited item without lawful excuse.

Subdivision 3 Method of conducting searches

26 Method of conducting basic search

To conduct a basic search of a person, a police officer or appointed person may do any or all of the following—

- (a) stop the person;
- (b) detain the person;
- (c) move the person to a place to be searched;

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- (d) direct the person on how to stand for the purpose of the search, including, for example, direct the person to stand with the person's arms raised to the person's sides so that a scanner can be run over the person's clothing;
- (e) require the person to walk through a walk-through detector;
- (f) require the person to stand in or walk through an electronic scanner or screening device;
- (g) require the person to remove the person's headwear, gloves, footwear or outer clothing;
- (h) search any item the person has removed under paragraph (g);
- (i) require the person to remove any item the person is carrying and put it in a particular place, including on an x-ray machine;
- (j) operate any electronic scanner or screening device in the way it was designed to be used;
- (k) for the purpose of the search, take control of any item the person is carrying;
- (l) search any item the person is carrying.

27 Method of conducting frisk search

- (1) To conduct a frisk search of a person, a police officer may do any or all of the following—
 - (a) stop the person;
 - (b) detain the person;
 - (c) move the person to a place to be searched;
 - (d) direct the person on how to stand for the purpose of the search, including, for example, direct the person to stand with the person's arms raised to the person's sides;
 - (e) require the person to remove the person's headwear, gloves, footwear or outer clothing;

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- (f) require the person to remove any item the person is carrying and put it in a particular place, including on an x-ray machine;
 - (g) remove any headwear, gloves, footwear or outer clothing the person is wearing if the person refuses to do so;
 - (h) search any item the person has removed under paragraph (e) or that is removed under paragraph (g);
 - (i) operate any electronic scanner or screening device in the way it was designed to be used;
 - (j) for the purpose of the search, take control of any item the person is carrying;
 - (k) search any item the person is carrying.
- (2) The police officer may touch clothing the person is wearing by quickly running the officer's hands over the person's outer clothing but only if the person is the same sex as the officer.
- (3) Subsection (2) does not apply if—
- (a) a police officer of the same sex is not immediately available; and
 - (b) compliance with subsection (2) may pose a serious threat to a person's safety.

Examples for paragraph (b)—

- 1 The person is reasonably suspected of carrying a firearm and may pose a risk to the safety of a police officer.
- 2 The person is reasonably suspected of carrying an explosive device.

28 Method of conducting specific search

- (1) To conduct a specific search of a person, a police officer may do any or all of the following—
- (a) stop the person;
 - (b) detain the person;

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- (c) move the person to a place to be searched;
 - (d) direct the person on how to stand for the purpose of the search, including, for example, direct the person to stand with the person's arms raised to the person's sides;
 - (e) require the person to remove the person's headwear, gloves, footwear or clothing;
 - (f) require the person to remove any item the person is carrying and put it in a particular place, including on an x-ray machine;
 - (g) remove any headwear, gloves, footwear or clothing the person is wearing if the person refuses to do so;
 - (h) search any item the person has removed under paragraph (e) or that is removed under paragraph (g);
 - (i) operate any electronic scanner or screening device in the way it was designed to be used;
 - (j) for the purpose of the search, take control of any item the person is carrying;
 - (k) search any item the person is carrying;
 - (l) if a police officer reasonably suspects the person may be concealing an explosive device in the person's body—require the person to have a medical x-ray.
- (2) However, a police officer may only conduct a specific search requiring a person to remove clothing, other than outer clothing, if the person is the same sex as the officer.
- (3) Subsection (2) does not apply if—
- (a) a police officer of the same sex is not immediately available; and
 - (b) compliance with subsection (2) may pose a serious threat to a person's safety.
- (4) A specific search of a person that involves the removal of clothing, other than outer clothing, must be carried out at a place where there is reasonable privacy for the person, unless

a failure to search the person immediately may pose a serious threat to a person's safety.

- (5) A radiologist or radiographer, or a police bomb technician acting under the guidance of a radiologist or radiographer, may conduct a medical x-ray for a police officer for subsection (1)(1).

29 Removal of headwear

- (1) This section applies if—
- (a) either—
 - (i) a police officer or appointed person requires a person to remove the person's headwear under this Act; or
 - (ii) a police officer or appointed person intends to remove a person's headwear under this Act; and
 - (b) the person is a member of a religious group and the headwear is of a type customarily worn by members of the group.
- (2) The headwear may only be removed—
- (a) in the presence of a police officer, or appointed person, of the same sex as the person; and
 - (b) at a place that does not allow a person of the opposite sex to the person to view the headwear being removed.
- (3) Subsection (2) does not apply if—
- (a) a police officer or appointed officer of the same sex is not immediately available; and
 - (b) compliance with subsection (2) may pose a serious threat to a person's safety.

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Subdivision 4 Requirement for searching children and persons with impaired capacity

30 Special requirement for child or person with impaired capacity

- (1) This section applies if either of the following is to be subjected to a specific search—
 - (a) a child;
 - (b) a person with impaired capacity, who may not be able to understand the purpose of the search.
- (2) The police officer must conduct the search in the presence of an independent person who can provide support for the child or person with impaired capacity.
- (3) However, the police officer may search the person in the absence of an independent person if the officer reasonably suspects an immediate search is necessary to protect a person's safety.

Division 2 Stop and search powers

31 Power to stop and search vehicles for restricted area or motorcade area

- (1) A police officer or appointed person may do either or both of the following—
 - (a) stop a vehicle attempting to enter, or in, a restricted area or motorcade area;
 - (b) require the person in charge of the vehicle to allow the vehicle to be searched.
- (2) For searching the vehicle, a police officer or appointed person may do any or all of the following—

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- (a) detain the vehicle and the person in charge of the vehicle for as long as is reasonably necessary to conduct the search;
 - (b) move, or require the person in charge of the vehicle to move, the vehicle to a place suitable to conduct the search;
 - (c) search any thing in or on the vehicle and, for that purpose, open (including by using force to open) or require the person in charge of the vehicle to unlock and open a part of the vehicle or any thing in or on the vehicle;
 - (d) undertake an electronic inspection or search of the vehicle, including for example, with a machine known as a Backscatter van;
 - (e) place a seal, lock or other similar device on the vehicle to—
 - (i) prevent a person opening a section of the vehicle;
or
 - (ii) indicate a person has opened a section of the vehicle;

Examples—

- place a tape seal over a door handle
 - place a lock on the roller door of a delivery truck to prevent it being opened
- (f) open the seal, lock or other similar device placed on a vehicle as mentioned in paragraph (e).

32 Power to stop and search vehicles for declared area

- (1) A police officer may stop a vehicle attempting to enter, about to enter or in a declared area, and require the person in charge of the vehicle to allow it to be searched, if the officer reasonably suspects the vehicle may contain a prohibited item.
- (2) For searching the vehicle, a police officer may do any or all of the following—

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- (a) detain the vehicle and the person in charge of the vehicle for as long as is reasonably necessary to conduct the search;
- (b) move, or require the person in charge of the vehicle to move, the vehicle to a place suitable to conduct the search;
- (c) search any thing in or on the vehicle and for that purpose open (including by using force to open) or require the person in charge of the vehicle to unlock and open a part of the vehicle or any thing in or on the vehicle;
- (d) undertake an electronic inspection or search of the vehicle, including, for example, with a machine known as a Backscatter van.

Division 3 Searches of premises

33 Power to enter and search premises in a restricted area without a warrant

- (1) A police officer may enter and search any premises in a restricted area without a warrant.
- (2) For subsection (1), the police officer must use only the amount of force reasonably necessary in the circumstances.
- (3) However, subsection (1) does not authorise a police officer to enter a part of premises being used for residential purposes other than—
 - (a) with the consent of the occupier of the part; or
 - (b) under the authority of—
 - (i) a search warrant, including, for example, under the Police Act, chapter 7, part 1; or
 - (ii) a written law, including, for example, the Police Act, chapter 7, part 2; or

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- (c) if a police officer reasonably suspects an offence may be committed within or from the premises and the offence will endanger the safety of a person.

Division 4 Use of detection dogs

34 Use of detection dogs

- (1) A police officer or appointed person may, under subsection (2), use a dog trained for a weapons or explosives detection purpose (a *detection dog*) to detect weapons or explosives.
- (2) A detection dog may be used in relation to—
 - (a) a person or vehicle attempting to enter, about to enter, in or leaving a security area (including anything in or on the vehicle); or
 - (b) any of the following in a security area or an area abutting a security area (*abutting area*)—
 - (i) a building or other structure;
 - (ii) a place;
 - (iii) any other thing whether it is in or on a building, other structure or place in the security area or an abutting area, or in the possession of a person in the security area or abutting area;
 - (c) for a motorcade area—a person or vehicle in the vicinity of the motorcade area.
- (3) However, a detection dog can not be used in relation to a part of premises being used for residential purposes, other than in the circumstances mentioned in section 33(3)(a), (b) or (c).
- (4) For subsection (2) but subject to subsection (3), a police officer or appointed person may take a detection dog into any place or onto any premises.
- (5) Subsections (1) to (4) apply despite any other Act.

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- (6) Sections 10.21B and 10.21C of the *Police Service Administration Act 1990* apply to a detection dog as if it were a police dog.

35 Protection from liability relating to use of detection dog

The Police Act, section 38 applies in relation to the use of a detection dog as if—

- (a) the circumstances to which that section applies include—
- (i) a police officer, or appointed person, whose duties include handling a detection dog is using the dog as mentioned in section 34; and
 - (ii) the detection dog physically intrudes onto a person or the clothing of a person, or otherwise comes into contact with a person, while the detection dog is being used as mentioned in section 34, or the detection dog causes damage to a thing that has in or on it, or may have had in it or on it, a weapon or explosive; and
- (b) a reference in the section to a drug detection dog were a reference to a detection dog and a reference to the handler were a reference to that police officer or appointed person.

Division 5 Power to require reason for entry and personal details

36 Power to require reason for entry to, or presence in, particular security area

- (1) A police officer or appointed person may—
- (a) stop a person attempting to enter a restricted area or motorcade area and require the person to state the person's reason for wanting to enter the area; or

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- (b) stop a person in a restricted area or motorcade area and require the person to state the person's reason for being in the area.
- (2) A police officer may—
 - (a) stop a person attempting to enter a declared area and require the person to state the person's reason for wanting to enter; or
 - (b) stop a person in a declared area and require the person to state the person's reason for being in the area.
 - (3) If a police officer or appointed person makes a requirement of a person under subsection (1) or (2), the officer or person must warn the stopped person that failure to provide a lawful excuse for wanting to enter, or for being in, the relevant security area may result in the person being refused entry to, or being removed from, the area.

37 Power to require personal details at a security area

- (1) A police officer may—
 - (a) stop a person attempting to enter a security area and require, as a condition of entry, the person to disclose the person's personal details; or
 - (b) stop a person in a security area and require the person to disclose the person's personal details; or
 - (c) stop a person attempting to enter or in a restricted area or motorcade area and require the person to produce for inspection—
 - (i) an identity card given to the person under section 90; or
 - (ii) a Commonwealth accreditation or access approval held by the person authorising access to the restricted area or motorcade area.
- (2) An appointed person may—

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- (a) stop a person attempting to enter a restricted area or motorcade area and require, as a condition of entry, the person disclose the person's personal details; or
 - (b) stop a person in a restricted area or motorcade area and require the person to disclose the person's personal details; or
 - (c) stop a person attempting to enter or in a restricted area or motorcade area and require the person to produce for inspection—
 - (i) an identity card given to the person under section 90; or
 - (ii) a Commonwealth accreditation or access approval held by the person authorising access to the restricted area or motorcade area.
- (3) A police officer or appointed person who requires a person to disclose the person's personal details under subsection (1) or (2)—
- (a) must, if reasonably practicable, warn the person that failure to comply with the requirement is an offence for which the person may be arrested; and
 - (b) may require the person to remove any headwear the person is wearing; and
 - (c) may remove the headwear if the person refuses to do so.

Note for subsection (3)—

See section 29. Also see section 49 and the Police Act, section 615.

- (4) A police officer or appointed person who has stopped a person under this section may detain the person for as long as is reasonably necessary for this section.

38 Power to require personal details for offence etc.

- (1) A police officer may stop a person and require the person to disclose the person's personal details if the officer reasonably suspects the person—

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- (a) has committed an offence, or is about to commit an offence, that is intended to, or may, disrupt any part of the G20 meeting; or
 - (b) is posing or may pose a serious threat to the safety and security of the G20 meeting.
- (2) A police officer who stops a person under subsection (1) may detain the person for as long as is reasonably necessary for this section.
- (3) A police officer who requires a person to disclose the person's personal details under subsection (1)—
- (a) must, if reasonably practicable, warn the person that failure to comply with the requirement is an offence for which the person may be arrested; and
 - (b) may require the person to remove any headwear the person is wearing; and
 - (c) may remove the headwear if the person refuses to do so.

Division 6 Road closures etc.

39 Power to close a road, easement, access or waterway

- (1) For a G20 purpose, a senior police officer may close to use by a person or vehicle—
- (a) a road; or
 - (b) an access or easement, whether private or public; or
 - (c) a waterway; or
 - (d) a part of a place mentioned in paragraph (a), (b) or (c).
- (2) Without limiting subsection (1), a senior police officer may close all or part of a road that intersects with a motorcade area if the officer is reasonably satisfied that leaving the road open is likely to cause considerable delay to traffic using the road.
- (3) To remove any doubt, it is declared that a road, or part of a road, does not stop being a public place under an Act, or a

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road for the purposes of the *Transport Operations (Road Use Management) Act 1995*, the *Motor Accident Insurance Act 1994* or another Act, because—

- (a) it is closed to use by a person or vehicle under this section; or
- (b) its use, or entry to it, is otherwise restricted under this Act.

40 Checkpoint, cordon and road impeder

(1) For a purpose mentioned in subsection (3), a senior police officer may cause—

- (a) 1 or more checkpoints to be established; or

Examples of checkpoints—

- a fenced area into which vehicles are driven for a search
- a gateway into a security area

- (b) 1 or more cordons to be placed around an area; or

- (c) 1 or more road impeder to be placed on a road, or waterway restrictors to be placed on a waterway, leading into or out of, or that is located in, a security area.

Examples of road impeder—

- moveable road spikes
- water filled barriers
- cars parked across a road blocking entry to an area

(2) If a road impeder is placed as mentioned in subsection (1)(c) and the senior police officer is reasonably satisfied it is necessary for it to remain in place, the officer may cause the road impeder to remain in place for all or part of the remainder of the G20 period.

(3) The purposes are as follows—

- (a) stopping and searching a person or vehicle under this Act;

- (b) preventing a person approaching, entering or remaining in a security area;

Examples—

- 1 A barrier may surround the Brisbane Convention and Exhibition Centre to prevent a person entering it.
- 2 A barrier may be established to prevent a group of persons from approaching a security area.
- 3 A road impeder may be placed across a road to prevent vehicles containing persons intent on rioting from travelling into a security area.

- (c) preventing a vehicle entering or remaining in a restricted area without the approval of a police officer or appointed person;

- (d) providing a barrier around all or part of a security area in a way that may limit the effect of the detonation of an explosive device or any thing or substance propelled, projected or thrown.

Examples of an explosive device or a thing or substance propelled, projected or thrown—

- a bomb placed in or on a vehicle near a motorcade area
- a container containing acid that is catapulted into a declared area
- a Molotov cocktail thrown towards a restricted area
- a ball bearing fired from a shanghai into a security area

- (4) A checkpoint, cordon, road impeder or waterway restrictor may consist of a barrier or other device designed to prevent or limit the passage of persons, vehicles or vessels or to slow or stop the entry of persons, vehicles or vessels to an area.

Example—

Moveable road spikes designed to puncture the tyres of a vehicle may be used inside the entrance to a restricted area.

- (5) For this section, a police officer may use the assistance the police officer considers necessary.

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Examples—

- 1 The police officer may use a crane and its operator to put a barrier in place.
- 2 The police officer may use a semi-trailer driver to park a semi-trailer across a road to block vehicular access to the road.
- 3 The police officer may use a barge and its crew to place buoys in the Brisbane River.

Division 7 Powers to prevent entry or remove

41 Power to prevent person or vehicle entering, or to remove a person from, restricted area or motorcade area

- (1) A police officer or appointed person may prevent a person entering a restricted area or motorcade area, or remove a person from a restricted area or motorcade area, if the officer or appointed person reasonably suspects—
 - (a) the person does not hold a Commonwealth accreditation or access approval authorising access to the area; or
 - (b) the person (either alone or with others) intends to, or may, disrupt any part of the G20 meeting.
- (2) A police officer or appointed person may prevent a vehicle entering a restricted area or motorcade area if—
 - (a) no person in or on the vehicle holds a Commonwealth accreditation or access approval authorising access to the area; or
 - (b) the officer or person is reasonably satisfied that preventing the vehicle from entering the area is necessary for the safety and security of the G20 meeting.

42 Power to prevent person or vehicle entering, or to remove a person from, declared area

- (1) A police officer may prevent a person entering a declared area or remove a person from a declared area if the officer reasonably suspects—
 - (a) the person (either alone or with others) intends to, or may, disrupt any part of the G20 meeting; or
 - (b) the person, without lawful excuse, is in possession of a prohibited item.
- (2) Before acting under subsection (1), a police officer must give a direction to the person not to enter the area or to immediately leave the area.
- (3) The direction may be given—
 - (a) to a person individually or to a group of people generally; and
 - (b) in an amplified way.

Example—

A direction not to enter a declared area may be given to a group of persons engaged in a violent demonstration, by a police officer using a loud hailer or by playing an electronically recorded direction over an amplification system.

- (4) Subsection (2) does not apply to a police officer if the officer is reasonably satisfied it is not practicable to comply with the subsection.
- (5) A police officer may prevent a vehicle from entering a declared area if—
 - (a) a prohibited item is found in or on the vehicle as a result of a search under section 32; and
 - (b) the officer is reasonably satisfied that preventing the vehicle from entering the area is necessary for the safety and security of the G20 meeting.

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43 Power to remove a person from a closed road

A police officer may remove a person who, without lawful excuse, is on a road that is closed under section 39, including, for example, removing the person to a place away from the road.

44 Power to seize and remove obstruction object

- (1) A police officer or person acting under the direction of a police officer may seize and remove an obstruction object.
- (2) It is lawful for a police officer or person acting under the direction of a police officer to use force to cut, sever, detach or break any thing securing an obstruction object.
- (3) An obstruction object seized under subsection (1) is forfeited to the State.

45 Power to remove vehicle from restricted area

- (1) A police officer or a person acting under the direction of a police officer may remove from a restricted area a vehicle unlawfully in the area.
- (2) The relevant person for the vehicle is liable for all reasonable towing and storage fees for the vehicle relating to its removal and storage.
- (3) In this section—

relevant person, for a vehicle, means the person who is or was in control of the vehicle when it entered into, or was parked in, a restricted area or an area that, after the vehicle entered or was so parked, becomes a restricted area.

46 Power to remove vehicle from motorcade area

- (1) A police officer or a person acting under the direction of a police officer may remove from a motorcade area a vehicle in, or parked in, the area.

- (2) The relevant person for the vehicle is liable for all reasonable towing and storage fees for the vehicle relating to its removal and storage if—
- (a) at the time of the removal, the vehicle is in, or parked in, a motorcade area; and
 - (b) there was adequate signage indicating vehicles must not be in, or parked in, the motorcade area (even if the area was not a motorcade area at or about the time the vehicle entered the area or was parked in the area).
- (3) In this section—

relevant person, for a vehicle, means the person who is or was in control of the vehicle when it entered into, or was parked in, a motorcade area or an area that, after the vehicle entered or was so parked, becomes a motorcade area.

47 Power to remove vehicle from declared area

A police officer or a person acting under the direction of a police officer may remove a vehicle from a declared area if a police officer reasonably suspects the vehicle may—

- (a) pose a risk to the safety and security of the G20 meeting; or
- (b) obstruct any part of the G20 meeting.

Examples of vehicles that may be removed under this section—

- an unattended vehicle parked near a restricted area that could contain an explosive device
- a vehicle parked near a motorcade area that could obstruct a motorcade

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Division 8 Direction for safety or security

48 Power to give a direction

- (1) A police officer may give a direction to a person (including a person in charge of a vehicle) if the officer is reasonably satisfied it is necessary to give the direction for—
 - (a) the safety and security of the G20 meeting; or
 - (b) in relation to a G20 purpose—the safety or security of a member of the public.
- (2) Power under subsection (1) includes power to direct a person—
 - (a) not to enter an area; and
 - (b) to leave an area; and
 - (c) to move to a stated location within an area.

Examples for paragraph (c)—

- 1 A police officer may direct a person to move the person's vehicle from a roadway if a motorcade needs to use the roadway as an alternative route.
 - 2 A police officer may direct a person to move to a location 100m beyond the perimeter of a restricted area if a serious threat to security in the area is reported.
- (3) The direction may be given—
 - (a) to a person individually or to a group of people generally; and
 - (b) in an amplified way.

Division 9 Use of force by appointed persons

49 Power to use force

An appointed person has the same power to use force for the purposes of the person's appointment that a police officer has under the Police Act, sections 614 and 615.

Part 5 **Prohibited persons and excluded persons**

Division 1 **Prohibited persons**

50 **Prohibited persons list may be compiled**

- (1) The commissioner may compile a list of persons who should not be permitted entry into any security area (the *prohibited persons list*).
- (2) The commissioner may place a person's name on the prohibited persons list if the commissioner is reasonably satisfied the person—
 - (a) may pose a serious threat to the safety or security of persons or property in a security area; or
 - (b) may, by the person's actions opposing any part of the G20 meeting, cause injury to persons or damage to property outside a security area; or
 - (c) may disrupt any part of the G20 meeting.
- (3) The commissioner may include with the prohibited persons list identifying details and a photo of a person whose name is on the list.

51 **Notice that person's name is on prohibited persons list**

- (1) If the commissioner places a person's name on the prohibited persons list and it is reasonably practicable for the commissioner to do so, the commissioner must cause the person to be personally served with a notice stating—
 - (a) the person's name is on the list; and
 - (b) the person must not enter any security area on and after the date stated in the notice until the end of 17 November 2014; and

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Note—

See schedule 1 for when areas are declared areas or restricted areas.

- (c) if the person believes the person's name should not be included on the list—the person may make a written submission to the commissioner by a stated date about the inclusion.
- (2) If the person makes a written submission to the commissioner by the stated date, the commissioner must—
 - (a) consider the written submission; and
 - (b) make a decision to retain the person's name on the list or to remove the person's name from the list.
 - (3) The commissioner must give the person written notice of a decision mentioned in subsection (2)(b) and, if the decision is to retain the person's name on the prohibited persons list, the commissioner's reasons for the decision.
 - (4) Despite subsection (3) and any rule of natural justice to the contrary, the commissioner need not give reasons for the commissioner's decision to retain a person's name on the prohibited persons list (or for placing the name on the list under section 50) if the commissioner is reasonably satisfied disclosure to the person of any information in relation to the decision—
 - (a) may be against Australia's national security interests; or
 - (b) could damage international relations between Australia and another nation; or
 - (c) may be prohibited by a law of the Commonwealth or a State; or
 - (d) may place the safety of an informant in jeopardy.
 - (5) If subsection (4) applies, the notice under subsection (3) must include a statement that the commissioner need not give reasons for the decision.

52 Public publication that person on prohibited persons list

- (1) This section applies if it is not reasonably practicable for the commissioner to cause a person to be personally served with a notice as mentioned in section 51(1).
- (2) The commissioner may publicly publish—
 - (a) a notice stating the person is a prohibited person; and
 - (b) the person’s photo and description.

Example—

The commissioner may for a person who is a known terrorist, has illegally entered Australia and can not be located, publish a notice that the person is a prohibited person and the person’s photo and description.

- (3) Without limiting subsections (2) and (6), public publication includes publication in any of the following ways—
 - (a) in a newspaper published in Australia;
 - (b) in an electronic media interview given by or for the commissioner;
 - (c) on a website;
 - (d) through a social media program.
- (4) The commissioner need not make the prohibited persons list publicly available.
- (5) The commissioner may circulate the prohibited persons list to any or all of the following—
 - (a) a police officer or appointed person;
 - (b) a person or agency providing security or intelligence for any part of the G20 meeting, including providing security for a G20 participant;
 - (c) the Commonwealth G20 Taskforce;
 - (d) the department of the Commonwealth in which the *Migration Act 1958* is administered.
- (6) If, under section 51, the commissioner decides to remove a person’s name from the prohibited person’s list, the commissioner must—

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- (a) give written notice to any person or agency to whom that list was circulated under subsection (5); and
- (b) if a notice was publicly published under subsection (2), publicly publish a notice about the removal.

53 When a person becomes a prohibited person

A person becomes a *prohibited person* if—

- (a) the person is personally served with a notice as mentioned in section 51(1); or
- (b) the commissioner publishes a notice as mentioned in section 52(2) in relation to the person.

54 Powers relating to prohibited persons

- (1) A police officer may do any of the following—
 - (a) prevent a prohibited person from entering a restricted area, declared area or motorcade area;
 - (b) remove a prohibited person and anything in the prohibited person's possession from a restricted area, declared area or motorcade area to—
 - (i) another place within that security area or another security area; or
 - (ii) a place outside a security area.
- (2) An appointed person may—
 - (a) prevent a prohibited person from entering a restricted area or motorcade area; or
 - (b) remove a prohibited person from a restricted area or motorcade area to a place outside a restricted area or motorcade area.
- (3) Action taken under this section in relation to a prohibited person does not prevent the taking of proceedings against the person for an offence.

Division 2 Excluded persons

55 Exclusion of persons from security area

- (1) This section applies if a police officer is reasonably satisfied a person is any of the following—
- (a) a person who, without lawful excuse, fails to comply with a requirement made of the person under section 37(1) or (2) that the person disclose the person's personal details;
 - (b) a person who, without lawful excuse, fails to comply with a requirement made of the person under section 31(1)(b) or 36(1) or (2);
 - (c) a person who, without lawful excuse, resists, hinders or obstructs a police officer, or an appointed person, who is conducting a search under this Act;

Note—

See part 4 in relation to searching people, vehicles and premises.

- (d) a person who, without lawful excuse, is in possession of a prohibited item in a security area;
- (e) a person who fails to surrender a prohibited item to a police officer under section 60(3) and may pose a serious threat to the G20 meeting;
- (f) a person who, without lawful excuse, fails to comply with a direction given to the person under section 48 if the direction is given to the person when the person is in a security area;
- (g) a person who, without lawful excuse, is on a road that is closed under section 39;
- (h) a person who, without lawful excuse, fails to comply with a limitation or restriction that applies to a Commonwealth accreditation or access approval held by the person;

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- (i) a person who, with intention to disrupt any part of the G20 meeting, participates in an assembly in a security area;
 - (j) a person who committed, or omitted to do, an act relating to any part of the G20 meeting and is arrested in relation to the act.
- (2) A police officer may, by notice under section 56, exclude any person to whom subsection (1) applies from all security areas, a stated security area or a stated part of a security area until the end of 17 November 2014.
- (3) Before giving a person an exclusion notice, the police officer must tell the person the officer intends to give the person an exclusion notice and, if relevant to a provision in subsection (1), ask the person whether the person has a lawful excuse that is relevant to the provision.
- (4) If, in response to the police officer's request, the person states an excuse relevant to the provision, the officer must—
- (a) consider the stated excuse; and
 - (b) decide if the officer is reasonably satisfied the excuse is a lawful excuse relevant to the provision.
- (5) If the police officer is reasonably satisfied the excuse is a lawful excuse as to why the person committed, or omitted to do, an act mentioned in the provision, the officer must not give the person a notice under section 56.
- (6) However, the officer must give the person a notice under section 56 if—
- (a) after considering the excuse as stated by the person—the officer is not reasonably satisfied the excuse is a lawful excuse as to why the person committed, or omitted to do, an act mentioned in subsection (1); or
 - (b) in response to the police officer's request—the person failed to state an excuse as to why the person committed, or omitted to do, an act mentioned in the provision (including, for example, by failing to respond in any way).

56 Police officer may notify exclusion

- (1) A police officer may notify a person in writing (or orally if it is not practicable to notify the person in writing) about all of the following—
 - (a) the person is excluded from all security areas, a stated security area or a stated part of a security area until the end of 17 November 2014;
 - (b) if the officer is reasonably satisfied the person normally resides in the security area or part of the security area to which the exclusion notice applies and it is appropriate to do so—conditions that apply to the exclusion;

Example of a condition—

If a person resides in an outer area of a declared area, the person may be excluded from all of the declared area other than the address at which the person resides. Therefore, the notice may state the person is permitted to enter, remain in and leave that address but must travel to and from that address using a route which requires the least possible part of a declared area to be traversed.

- (c) the ground for the exclusion.
- (2) The notice takes effect when it is given to the person and continues until the end of 17 November 2014.

57 Identification of excluded person

- (1) A police officer who excludes a person from a security area under section 56 may—
 - (a) take a photo of the excluded person; and
 - (b) detain the excluded person for a reasonable time for that purpose.
- (2) The photo may be circulated to all or any of the following—
 - (a) a police officer;
 - (b) an appointed person;
 - (c) the department of the Commonwealth in which the *Migration Act 1958* is administered;

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- (d) a person or agency providing security or intelligence for any part of the G20 meeting, including providing security for a G20 participant.

58 Powers relating to excluded person

- (1) If a police officer reasonably suspects a person is an excluded person, the officer may—
 - (a) require the person to disclose the person's personal details or provide proof of the personal details; and
 - (b) if a requirement is made of a person under paragraph (a)—
 - (i) require the person to remove any headwear the person is wearing; and
 - (ii) remove the headwear if the person refuses to do so.
- (2) A police officer may do either of the following in relation to an excluded person if the officer considers it necessary to ensure compliance with the exclusion notice given to the person—
 - (a) prevent the excluded person from entering or attempting to enter the security area or part of a security area;
 - (b) remove the excluded person from a part of the security area to—
 - (i) another place within that or another security area; or
 - (ii) a place outside the security area.
- (3) An appointed person may—
 - (a) prevent an excluded person from entering or attempting to enter a restricted area or motorcade area; or
 - (b) remove an excluded person from a restricted area or motorcade area to a place outside the restricted area or motorcade area.

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- (4) Action taken under this section in relation to an excluded person does not prevent the taking of proceedings against the person for an offence.

Part 6 **Prohibited items and related provisions**

59 **Prohibited item**

Each item mentioned in schedule 6 is a *prohibited item*.

Note—

Even though an item is a prohibited item, the term is only relevant for the exercise of a power when an area is a security area.

60 **Power to seize or require surrender of prohibited item**

- (1) A police officer may seize a prohibited item if the officer reasonably suspects—
- (a) the prohibited item is left unattended in a security area; or
 - (b) a person has possession of the prohibited item, without lawful excuse, in a security area.
- (2) An appointed person may seize and, as soon as reasonably practicable, must deliver to a police officer a prohibited item if the person reasonably suspects—
- (a) the prohibited item is left unattended in a restricted area or motorcade area; or
 - (b) a person in a restricted area or motorcade area, or attempting to enter or about to enter a restricted area or motorcade area, has possession of the prohibited item without lawful excuse.
- (3) At any time during the G20 period, a police officer may require a person to surrender possession of a prohibited item

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until the end of 17 November 2014 if the officer reasonably suspects the person could use the item to—

- (a) endanger the safety of a person associated with any part of the G20 meeting; or
- (b) disrupt any part of the G20 meeting.

Example—

If a person's history of acts of violence leads a police officer to reasonably consider the person may commit acts of violence during any part of the G20 meeting, the person may be required to surrender a longbow in the person's possession until the end of 17 November 2014.

- (4) If a person surrenders a prohibited item as required under subsection (3), the police officer to whom the prohibited item is surrendered must give the person a receipt, that describes the surrendered item and includes information required under the responsibilities code.
- (5) If a person fails to surrender possession of a prohibited item when required to do so by a police officer under subsection (3), the officer may seize the prohibited item.
- (6) In this section—
responsibilities code, see the Police Act, schedule 6.

61 Return or forfeiture of prohibited item

- (1) A prohibited item surrendered by a person as mentioned in section 60(4) must be returned to the person as soon as reasonably practicable after the end of 17 November 2014 unless it is unlawful for the person to possess the item.
- (2) Each of the following is forfeited to the State—
 - (a) a prohibited item seized under section 60(1), (2) or (5);
 - (b) a prohibited item that can not be returned to a person under subsection (1).

62 Exemption for possession of prohibited items by police officer or appointed person

- (1) If a police officer lawfully possesses a prohibited item (including after seizing the item under section 60), the officer may possess the prohibited item in a security area in the course of the officer's duty as a police officer.
- (2) The commissioner may give written approval for an appointed person or class of appointed persons to possess prohibited items while on duty for the purpose of performing duties at any part of the G20 meeting.

Part 7 Offences

63 Prohibited item offences

- (1) A person must not, without lawful excuse, possess a prohibited item in a security area.
Maximum penalty—50 penalty units.
- (2) A person must not, without lawful excuse, attempt to take a prohibited item into a security area.
Maximum penalty—50 penalty units.
- (3) A person must not, without lawful excuse, use a prohibited item in a way that it, something contained in it or on it or something produced by it, may enter a security area.
Maximum penalty—100 penalty units.

Examples of a lawful excuse for subsections (1) to (3)—

- a construction worker using an explosive tool in the course of carrying out the worker's work while working at a construction site in a security area
- a resident in a security area lawfully storing a firearm in the resident's residence
- a family using knives to consume food at a barbecue at South Bank Parkland

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- a child playing with a radio controlled toy car in the yard of the place where the child lives in a security area
- a person who purchases a longbow from a sports store in a security area and then carries the longbow in a case to the person's vehicle to take it home

Examples of absence of a lawful excuse for subsections (1) to (3)—

- a person operating an electronically controlled model plane in a way that it may enter a restricted area
 - a person discharging a blood coloured liquid from a pressurised water pistol into a restricted area
 - a person who walks through the Queen Street Mall with an exposed longbow with the intention of firing arrows into the Brisbane River
- (4) The onus of proving lawful excuse under subsection (1), (2) or (3) is on the person claiming the lawful excuse.

64 Climbing onto, under, over or around barrier, etc.

- (1) This section applies to any of the following things placed for a G20 purpose (a *placed thing*)—
- (a) a barrier;
 - (b) a cordon;
 - (c) a road impeder;
 - (d) a waterway restrictor.
- (2) A person must not do any of the following in relation to a placed thing—
- (a) climb onto, under, over or around the placed thing;
 - (b) move or remove the placed thing;
 - (c) attempt to do an act mentioned in paragraph (a) or (b).
- Maximum penalty—50 penalty units.

65 Application of s 64 limited

Section 64 does not apply to—

- (a) a police officer acting in the course of the officer's duties as a police officer; or
- (b) an appointed person acting in the course of the person's appointment as an appointed person; or
- (c) a person acting under the direction of a police officer as mentioned in paragraph (a) or an appointed person as mentioned in paragraph (b).

66 Entering or climbing building or structure in view of security area with intent to cause injury, etc.

A person must not enter or climb a building or structure in view of a security area with intent to do any or all of the following—

- (a) cause injury to a person associated with any part of the G20 meeting;
- (b) cause alarm to a person associated with any part of the G20 meeting;
- (c) damage property associated with any part of the G20 meeting;
- (d) impede or obstruct any part of the G20 meeting.

Maximum penalty—100 penalty units.

67 Lighting a fire in a security area

A person must not light a fire in a security area without lawful excuse, the onus of proving which is on the person.

Maximum penalty—100 penalty units.

Example—

A chef at a restaurant in a declared area who lights a gas barbecue has a lawful excuse.

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68 Failing to comply with requirement to disclose personal details

- (1) A person who is required to disclose the person's personal details under section 37(1)(b) or (2)(b) or 38(1) must comply with the requirement.

Maximum penalty—10 penalty units.

- (2) However, a person does not commit an offence under subsection (1) merely because the person fails to produce identification if the person has a lawful excuse for the failure.

- (3) In this section—

identification means—

- (a) an official document identifying the person issued by a government agency; or
(b) another reliable form of identification.

69 Failing to comply with direction

- (1) A person must not, without lawful excuse, fail to comply with a direction given by a police officer under this Act.

Maximum penalty—50 penalty units.

- (2) In a proceeding for an offence against this section, a direction given to a person or a group of persons is taken to have been heard and understood by the person or group, unless the contrary is proved.

70 Unauthorised entry to restricted area

A person must not enter or attempt to enter or remain in a restricted area unless the person has special justification to do so.

Maximum penalty—50 penalty units.

71 Unauthorised entry to motorcade area

A person must not enter or attempt to enter or remain in a motorcade area unless the person has special justification to do so.

Maximum penalty—50 penalty units.

72 Prohibited person not to enter security area

A prohibited person must not enter, or attempt to enter, a security area.

Maximum penalty—100 penalty units.

73 Unauthorised entry to security area by excluded person

An excluded person must not enter, or attempt to enter, a security area or part of a security area from which the person is excluded under the exclusion notice given to the person.

Maximum penalty—100 penalty units

74 Interfering with any part of the G20 meeting

At any site where any part of the G20 meeting is held or takes place, a person must not—

- (a) disrupt, interfere with, delay or obstruct the conduct of any part of the G20 meeting or an activity associated with any part of the G20 meeting; or
- (b) interfere with the reasonable enjoyment of any part of the G20 meeting.

Maximum penalty—50 penalty units.

75 Assaulting or obstructing appointed person

- (1) A person must not assault or obstruct an appointed person exercising a power or performing a function under this Act.

Maximum penalty—40 penalty units.

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- (2) In this section—
obstruct includes hinder, resist and attempt to obstruct.

Part 8 Exemptions from particular offence provisions

76 Application of Transport Operations (Road Use Management) Act 1995

- (1) Provisions of the *Transport Operations (Road Use Management) Act 1995* about offences, other than sections 79 and 80, do not apply to the driver of a vehicle that is part of a motorcade under escort by a police officer.
- (2) In this section—
motorcade includes a vehicle being driven by a police officer escorting the motorcade.

77 Power to give emergency direction to disobey traffic provision

- (1) For a G20 purpose, a police officer may give a direction in an emergency to a relevant person to disobey a traffic provision.

Examples—

- 1 A police officer may direct a relevant person who is the driver of a police bus containing members of the Queensland Police Public Safety Response Team being transported to the location of a riot to disobey a red traffic light.
- 2 A police officer may direct a relevant person who is the driver of a truck to exceed the speed limit in order to deliver barricade equipment to a site where a potentially violent demonstration is being conducted.
- 3 An assistant commissioner may direct a relevant person who is the driver of a boat to exceed marine speed limits in order to transport the assistant commissioner along the Brisbane River to where the

assistant commissioner can assume field command of police officers at a violent or potentially violent demonstration.

- (2) A relevant person to whom a direction is given under subsection (1) may disobey the traffic provision in the way stated in the direction.
- (3) In this section—

relevant person means an individual employed by, hired by or otherwise engaged by the State.

traffic provision means a provision of the *Transport Operations (Road Use Management) Act 1995*, other than section 79 or 80.

Part 9 **Arrest and custody powers and bail**

Division 1 **Arrest and custody powers**

78 **Arrest without warrant**

- (1) It is lawful for a police officer, without warrant, to arrest a person the officer reasonably suspects has committed or is committing an offence against this Act.
- (2) Subsection (1) does not limit the powers of a police officer under the Police Act to arrest a person without warrant, including, for example, under section 365 of that Act.

79 **Detention of person arrested**

- (1) It is the duty of a police officer to ensure a person arrested for an offence against this Act is taken to a processing facility.
- (2) At the processing facility, the person may be held in custody for the time reasonably necessary to—

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- (a) establish the person's identity; and
- (b) do 1 or more of the following—
 - (i) charge the person and decide whether bail is to be granted to the person;
 - (ii) release the person without charge;
 - (iii) give the person an exclusion notice.
- (3) Subsection (1) does not apply if, at the time the person is arrested for an offence against this Act, the person is arrested for another offence against another Act.
- (4) Subsection (2) does not limit the circumstances under which an exclusion notice may be given.

80 Dealing with person arrested

- (1) For a person held in custody under section 79(2), it is the duty of a custody police officer to do 1 or more of the following—
 - (a) release the person without charge;
 - (b) charge the person with the offence for which the person was arrested or with another offence for the act or omission for which the person was arrested;
 - (c) give the person an exclusion notice.
- (2) Subsection (1) does not limit the circumstances under which an exclusion notice may be given.

81 Protection of person released without charge

A person who, under section 80(1)(a), is released without charge in relation to the offence for which the person was arrested can not be further proceeded against for the offence, whether or not an exclusion notice is given to the person.

Division 2 Bail

82 Presumption against bail

- (1) This section applies to an offence alleged to have been committed in a security area, or at any G20 meeting, that involves—
 - (a) an assault of a police officer, an appointed person in the person's capacity as an appointed person or a G20 participant; or
 - (b) throwing, propelling or discharging a missile or a substance at a police officer, appointed person or G20 participant; or
 - (c) damage or destruction to property, if the offence relates to any part of the G20 meeting; or
 - (d) disrupting or attempting to disrupt any part of the G20 meeting.
- (2) Despite the *Bail Act 1980*, sections 7 and 9, a court or police officer authorised to grant bail must refuse to grant bail unless the defendant shows cause why the defendant's detention in custody is not justified.
- (3) All other provisions of the *Bail Act 1980* apply to the offence.
- (4) In addition to the conditions for the release of the defendant on bail imposed under section 11 of that Act, it is a condition for the release of the defendant on bail that the defendant—
 - (a) not enter, attempt to enter or approach any security area; and
 - (b) not commit another offence against this Act.
- (5) The condition is taken to be imposed under the *Bail Act 1980*, section 11.
- (6) The presumption against bail under subsection (2) applies only during the G20 period and, when the presumption against bail ends, the defendant may apply or reapply for bail.

Part 10 Compensation

83 Compensation for person normally residing in restricted area

- (1) This section applies if—
 - (a) a person (other than an excluded person) normally resides in premises that are within a restricted area; and
 - (b) the person does not hold a Commonwealth accreditation or access approval authorising access to the restricted area.
- (2) The State must pay to the person the cost of reasonable accommodation outside the restricted area for the person for the period the person may not enter the restricted area.
- (3) If the person normally resides in a restricted area with other persons (including, for example, as a family or in a share house), the cost of reasonable accommodation is for accommodation for all the persons.

84 Compensation for prohibited person normally residing in security area

- (1) This section applies if a prohibited person normally resides in a security area.
- (2) The State must pay to the prohibited person the cost of reasonable accommodation outside the security area for the prohibited person for the period the person may not enter the security area.
- (3) If the prohibited person normally resides in a security area with a child or another person, and the prohibited person is wholly responsible for looking after the needs of the child or other person, the cost of reasonable accommodation is for the prohibited person and that child or other person.

Example for subsection (3)—

The prohibited person may be the sole parent of a child or look after a parent with a disability.

Part 11 Disclosure of information

85 Prohibition on unauthorised disclosure of restricted information

- (1) A person must not disclose restricted information that the person has knowledge of because of the person's employment, without lawful authority.

Maximum penalty—100 penalty units.

- (2) In this section—

restricted information means any of the following information relating to all or any part of the G20 meeting—

- (a) information relating to planning or deployment for the meeting or part;
- (b) information the disclosure of which could prejudice the security of buildings or vehicles;
- (c) information the disclosure of which could prejudice public safety or the security of heads of state or heads of government;
- (d) information the disclosure of which could compromise relations between the State and other governments.

86 Disclosure of information in possession of police service

- (1) The commissioner may authorise, in writing, the disclosure of information in the possession of the police service to a prescribed agency or police service for a purpose relating to the safety and security of the G20 meeting.

Examples—

- 1 An intelligence document about a person who intends to commit an act of violence at a G20 event may be disclosed to the Australian Defence Force or the Australian Security Intelligence Organisation.
- 2 An intelligence report, criminal history or information relating to the background and associates of a person who is to hold a Commonwealth accreditation or access approval.

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- (2) Without limiting subsection (1), the information may be disclosed by direct data feed.
- (3) This section applies despite any other Act.
- (4) In this section—
prescribed agency or police service means any of the following—
 - (a) an agency of the State;
 - (b) the Commonwealth G20 Taskforce;
 - (c) an agency of the Commonwealth, another State or a foreign government;
 - (d) the police service or police force of the Commonwealth, another State or a foreign government.

Part 12 General provisions about non-State police officers and appointed persons

Division 1 Non-State police officers

87 Authorisation of non-State police officers

- (1) For the safety and security of the G20 meeting, the commissioner may authorise a non-State police officer to exercise the powers of a police officer under this Act or another Act.
- (2) The authorisation must name the non-State police officer.
- (3) The authorisation—
 - (a) may be limited to stated powers; and
 - (b) may be limited to a stated time; and

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- (c) may be given on conditions.
- (4) The authorisation may be given orally or in writing but, if given orally, must be put in writing as soon as reasonably practicable.
- (5) A failure to put the authorisation in writing does not invalidate the authorisation or anything done under the authorisation.
- (6) While the authorisation is in force, the non-State police officer may exercise the powers only—
- (a) in accordance with the authorisation; and
 - (b) subject to the directions of the commissioner or another police officer.
- (7) If a police officer is authorised to exercise the powers under an Act, the Act applies to the non-State police officer as if the officer were a police officer.

Example for subsection (7)—

A non-State police officer may lawfully possess a prohibited item in a security area under section 62(1).

- (8) The provisions of the *Police Service Administration Act 1990* relating to special constables, other than section 5.16(2)(c), apply to a non-State police officer as if the officer were a special constable within the meaning of that Act.
- (9) The commissioner may revoke the authorisation as soon as the commissioner is reasonably satisfied the non-State police officer's help is no longer needed.
- (10) The revocation may be made orally or in writing but, if made orally, must be put in writing as soon as reasonably practicable.
- (11) A failure to put the revocation in writing does not invalidate the revocation.
- (12) Despite subsection (9), an authorisation ceases to have effect at the end of the G20 period.

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88 Production of identity card

- (1) This section applies if a non-State police officer is required to produce the officer's identity card under the Police Act, section 637.
- (2) It is sufficient compliance with that section if the police officer produces the identity card issued to the officer by the officer's police service or police force.

Division 2 Appointed persons

89 Appointment

- (1) The commissioner may, in writing, appoint a person other than a police officer to be an appointed person for this Act (an *appointed person*).
- (2) However, the commissioner may appoint a person to be an appointed person only if the commissioner is reasonably satisfied the person—
 - (a) has satisfactorily completed a course of training recognised by the commissioner; or
 - (b) has the necessary expertise or experience to be an appointed person.
- (3) The appointment—
 - (a) must state the powers the appointed person may exercise under this Act and when and where they may be exercised; and
 - (b) must state the dates during which the appointment is in force; and
 - (c) may limit the powers of the appointed person by stating conditions of the appointment.
- (4) A power conferred on an appointed person by this Act applies only to the extent the appointed person may exercise the power under subsection (3).

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- (5) An appointment ceases to have effect at the end of the G20 period, unless the appointment states it ends earlier or is revoked on an earlier date.

90 Identity card

- (1) The commissioner must give each appointed person an identity card.
- (2) The identity card must—
- (a) contain a recent photo of the appointed person; and
 - (b) contain a copy of the appointed person's signature; and
 - (c) identify the person as an appointed person for this Act; and
 - (d) state an expiry date for the card; and
 - (e) state a unique number.

91 Production or display of identity card

In exercising a power in relation to a person, an appointed person must—

- (a) if reasonably practicable, produce the appointed person's identity card for the person's inspection before exercising the power; or
- (b) have the identity card displayed so it is clearly visible to the person when exercising the power.

Example for paragraph (b)—

an appointed person wearing the person's identity card on the outside of the person's shirt when conducting a search of a person about to enter a restricted area

92 Return of identity card

A person who ceases to be an appointed person must return the person's identity card to the commissioner as soon as

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practicable (but within 2 days) after the person ceases to be an appointed person, unless the person has a reasonable excuse.

Maximum penalty—10 penalty units.

93 Misuse of position as appointed person or of identity card

An appointed person must not misuse the person's—

- (a) position as an appointed person; or
- (b) identity card.

Maximum penalty—100 penalty units.

Examples of misuse for paragraph (b)—

- producing the identity card to obtain a benefit
- producing the identity card, when the appointed person is off duty, to give another person a direction

Part 13 Miscellaneous

94 Special justification

- (1) A person has *special justification* to be in a restricted area or motorcade area if—
 - (a) the person is a police officer who is on duty in the area; or
 - (b) the person is an appointed person who is performing the functions of an appointed person in the area; or
 - (c) the person is required or permitted to be in the area by the commissioner, a police officer or an appointed person; or
 - (d) the person—
 - (i) is required to be in, or pass through, the area for the purposes of the person's employment,

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- occupation, profession, calling, trade or business or for another work-related purpose; and
- (ii) holds a Commonwealth accreditation or access approval authorising access to the area for that purpose; or
- (e) the person—
- (i) resides, whether temporarily or permanently, in premises located in the area; and
 - (ii) holds a Commonwealth accreditation or access approval authorising access to the premises.
- (2) The onus of proving special justification is on the person claiming it.

95 Evidence

- (1) In a proceeding for an offence against this Act, the following statements in the charge are sufficient evidence of the facts stated unless the contrary is proved—
- (a) that an order was made declaring a stated area to be an additional declared area or additional restricted area;
 - (b) the date and time the order was signed;
 - (c) the period stated in the order for which the area is an additional declared area or additional restricted area;
 - (d) that a stated person has been given an exclusion notice;
 - (e) that a stated person has been personally served under section 51;
 - (f) that a stated person was at a stated time or during a stated period—
 - (i) a police officer; or
 - (ii) a non-State police officer; or
 - (iii) an appointed person;
 - (g) a dog supplied by the Australian Defence Force is trained for a weapons or explosives detection purpose.

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- (2) A document purporting to be signed by a delegate of the commissioner is proof of the delegation unless the contrary is proved.

96 Registration plate identification

For a G20 purpose, a police officer of at least the rank of assistant commissioner may order that an electronic device designed to recognise the registration plate of a vehicle, and communicate details about the vehicle to the operator of the device, may be operated in a stated area.

97 Delegation

- (1) The commissioner may delegate the commissioner's functions under section 12(2) or 13(1) to a deputy commissioner.
- (2) The commissioner may delegate the commissioner's functions under section 62(2), 86(1), 87(1), 87(9), 89(1) or 90(1) to a police officer of at least the rank of assistant commissioner.
- (3) In this section—
functions includes powers.

98 Review of Act

- (1) The commissioner must ensure the operation and effectiveness of this Act is reviewed.
- (2) The commissioner must give a report of the outcome of the review to the Minister by no later than 17 October 2015.
- (3) The Minister must table the report in the Legislative Assembly as soon as reasonably practicable after the Minister is given the report by the commissioner.
- (4) This section does not apply if the State Government calls another review, the terms of reference of which include reviewing the operation and effectiveness of this Act.

99 Amendment of this Act

Long title, from ‘and to amend’—
omit.

100 Regulation-making power

- (1) The Governor in Council may make regulations under this Act.
- (2) A regulation may be made in relation to—
 - (a) continuing provisions as mentioned in section 101; and
 - (b) for the purpose of section 102.

Part 14 Expiry and provision if G20 meeting cancelled

101 Expiry

- (1) This Act, other than the continuing provisions, expires on 17 November 2014.
- (2) The continuing provisions expire on 17 November 2015.
- (3) This section is subject to section 102.
- (4) In this section—

continuing provisions means the following—

 - (a) parts 1, 7, 8, 10, 11 and 14;
 - (b) section 92 to 95, 98 and 100;
 - (c) schedule 7.

[s 102]

102 Regulation may provide that provisions do not operate if G20 meeting is cancelled

- (1) The purpose of this section is to make provision in relation to this Act if the holding of the G20 meeting is cancelled.
- (2) A regulation may declare that the holding of the G20 meeting is cancelled on and after a date stated in the regulation.
- (3) If a regulation declares that the holding of the G20 meeting is cancelled, the provisions that would have otherwise expired under section 101(1) on 17 November 2014 expire on the date stated in the regulation.
- (4) Subsection (3) does not affect anything done or suffered under this Act before the date stated in the regulation.

Part 15 Amendment of other Acts

Division 1 Amendment of Criminal Code

103 Code amended

This division amends the Criminal Code.

104 Amendment of s 320 (Grievous bodily harm)

Section 320(2), after ‘be imprisoned for’—

insert—

a minimum of

105 Amendment of s 340 (Serious assaults)

Section 340(1A), after ‘be imprisoned for’—

insert—

a minimum of

Division 2 Amendment of Holidays Act 1983

106 Act amended

This division amends the *Holidays Act 1983*.

107 Insertion of new s 12

After section 11—

insert—

12 Particular public holiday in 2014

- (1) A public holiday is to be observed on 14 November 2014 in the Brisbane area for the Group of Twenty leaders' summit.
- (2) To remove any doubt, it is declared that a reference in an industrial instrument under the *Industrial Relations Act 1999* to a public holiday is taken, for 2014, to include 14 November 2014.
- (3) In this section—

Brisbane area means the area of Brisbane under the *City of Brisbane Act 2010*.

Division 3 Amendment of Industrial Relations Act 1999

108 Act amended

This division amends the *Industrial Relations Act 1999*.

109 Amendment of sch 5 (Dictionary)

Schedule 5, definition *public holiday*, paragraph (a), last dot point, 'section 2 or 11'—

omit, insert—

[s 110]

section 2, 11 or 12

Division 4 Amendment of Right to Information Act 2009

110 Act amended

This division amends the *Right to Information Act 2009*.

111 Amendment of sch 3 (Exempt information)

Schedule 3, section 12(1)—

insert—

- *G20 (Safety and Security) Act 2013*, section 85

Division 5 Amendment of Trading (Allowable Hours) Act 1990

112 Act amended

This division amends the *Trading (Allowable Hours) Act 1990*.

113 Insertion of new pt 5B

After section 31B—

insert—

Part 5B Particular public holiday in 2014

31C Allowable trading hours not affected by particular public holiday in 2014

Despite the *Holidays Act 1983*, section 12, 14 November 2014 is taken not to be a public holiday for the purposes of this Act.

Note—

The public holiday to be observed on 14 November 2014 for the Brisbane area under the *Holidays Act 1983*, section 12 is for the Group of Twenty leaders' summit.

Schedule 1 Application of Act to declared areas and restricted areas

sections 8 and 11

Part 1 Declared areas and restricted areas in Cairns

This Act applies to an area mentioned in column 1 of the following table from the date stated in column 2 to 22 September 2014—

Column 1 Area	Column 2 Date from which Act applies
the core declared area in Cairns, being the hatched area shown on the map in schedule 2	16 September 2014
each core restricted area in Cairns, being the hatched areas shown on the maps in schedule 4	16 September 2014
an area in Cairns declared to be an additional declared area or additional restricted area	the date stated in the regulation or order declaring the area as the date from which this Act applies to the area

Part 2 Declared areas and restricted areas in Brisbane

This Act applies to an area mentioned in column 1 of the following table from the date stated in column 2 to 17 November 2014—

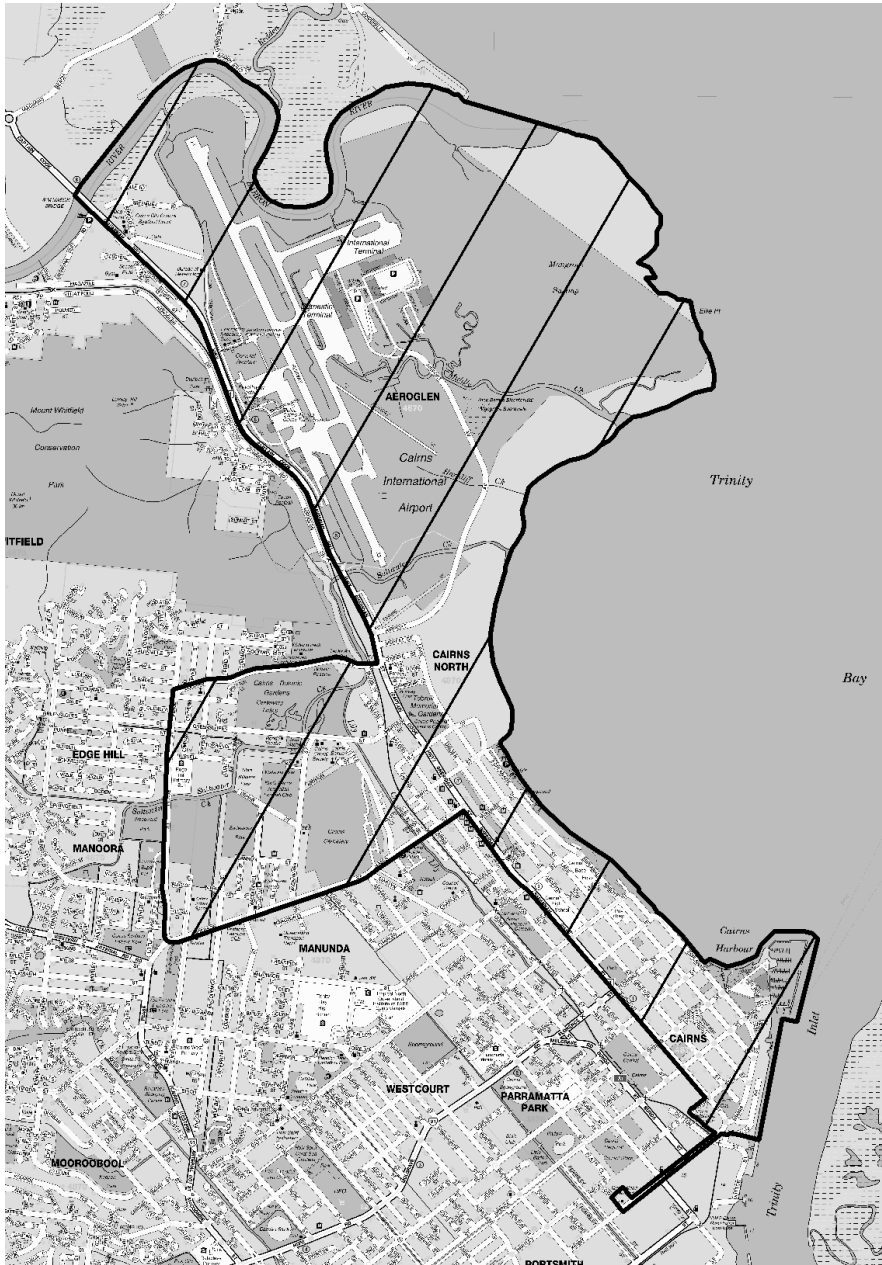
Column 1 Area	Column 2 Date from which Act applies
each core declared area in Brisbane, being the hatched areas shown on the maps in schedule 3	14 November 2014
the core restricted area at Brisbane Convention and Exhibition Centre, South Brisbane, being the hatched area shown on the map in schedule 5, part 1	1 November 2014
the core restricted area at Royal National Association showground, Bowen Hills, being the hatched area shown on the map in schedule 5, part 2	7 November 2014
the core restricted area at Suncorp Stadium bus terminal, Milton, being the hatched area shown on the map in schedule 5, part 3, subject to the modifications under section 11(3)	9 November 2014
the core restricted area at the Pullman Hotel, Brisbane, being the hatched area shown on the map in schedule 5, part 4	9 November 2014
the core restricted area at the Treasury Casino and Hotel, Brisbane, being the hatched area shown on the map in schedule 5, part 5, subject to the modification under section 11(4)	10 November 2014
the core restricted area at the Royal on the Park Hotel, Brisbane, being the hatched area shown on the map in schedule 5, part 6, subject to the modification under section 11(4)	10 November 2014

Schedule 1

Column 1 Area	Column 2 Date from which Act applies
the core restricted area at the Marriott Hotel, Brisbane, being the hatched area shown on the map in schedule 5, part 7, subject to the modification under section 11(4)	11 November 2014
the core restricted area at the Stamford Hotel, Brisbane, being the hatched area shown on the map in schedule 5, part 8, subject to the modification under section 11(4)	11 November 2014
the core restricted area at the Novotel Hotel, Spring Hill, being the hatched area shown on the map in schedule 5, part 9	12 November 2014
the core restricted area at Rydges Hotel, South Brisbane, being the hatched area shown on the map in schedule 5, part 10	12 November 2014
the core restricted area at the Hilton Hotel, Brisbane, being the hatched area shown on the map in schedule 5, part 11	13 November 2014
the core restricted areas at the Sofitel Hotel, Brisbane, being the hatched areas shown on the map in schedule 5, part 12, subject to the modification under section 11(4)	13 November 2014
an area in Brisbane declared as an additional declared area or additional restricted area	the date stated in the regulation or order declaring the area as the date from which this Act applies to the area

Schedule 2 Core declared area in Cairns

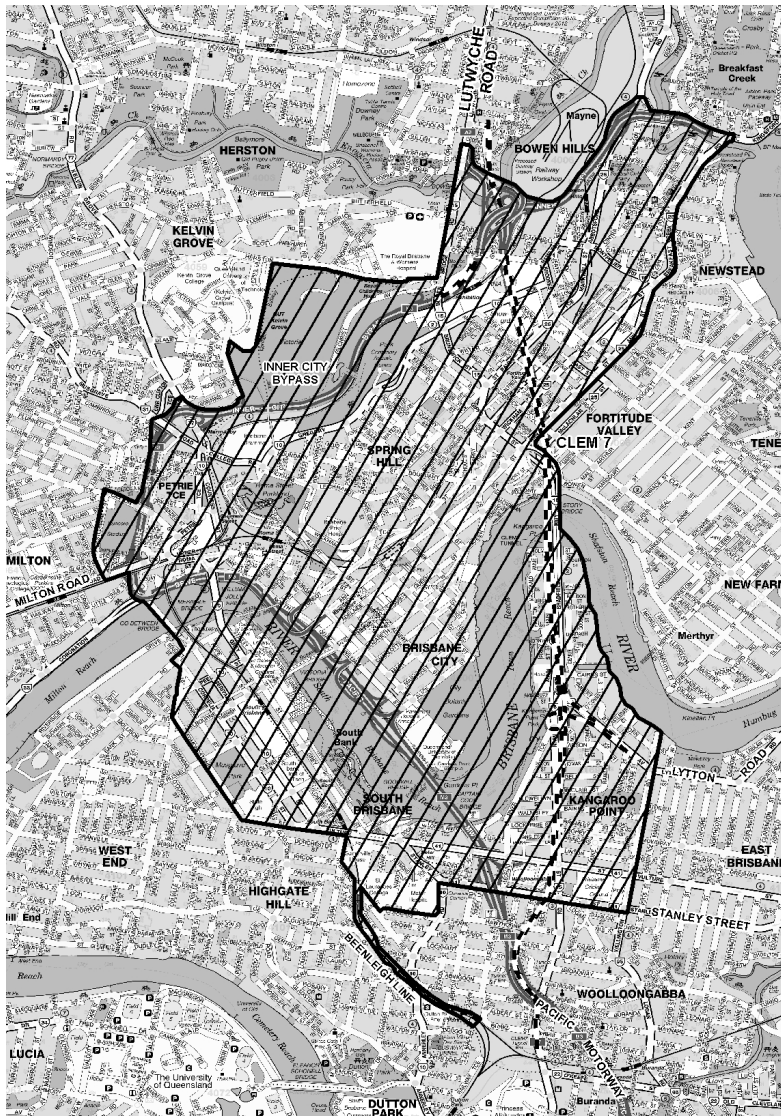
section 9 and schedule 1, part 1



Schedule 3 Core declared areas in Brisbane

section 9 and schedule 1, part 2

Part 1 Central area



Part 2 Brisbane Airport at Eagle Farm



Schedule 4 Core restricted areas in Cairns

section 11 and schedule 1, part 1

Part 1 Cairns Convention Centre at Cairns City



Part 2

**Cairns showground at
Parramatta Park**



Part 3

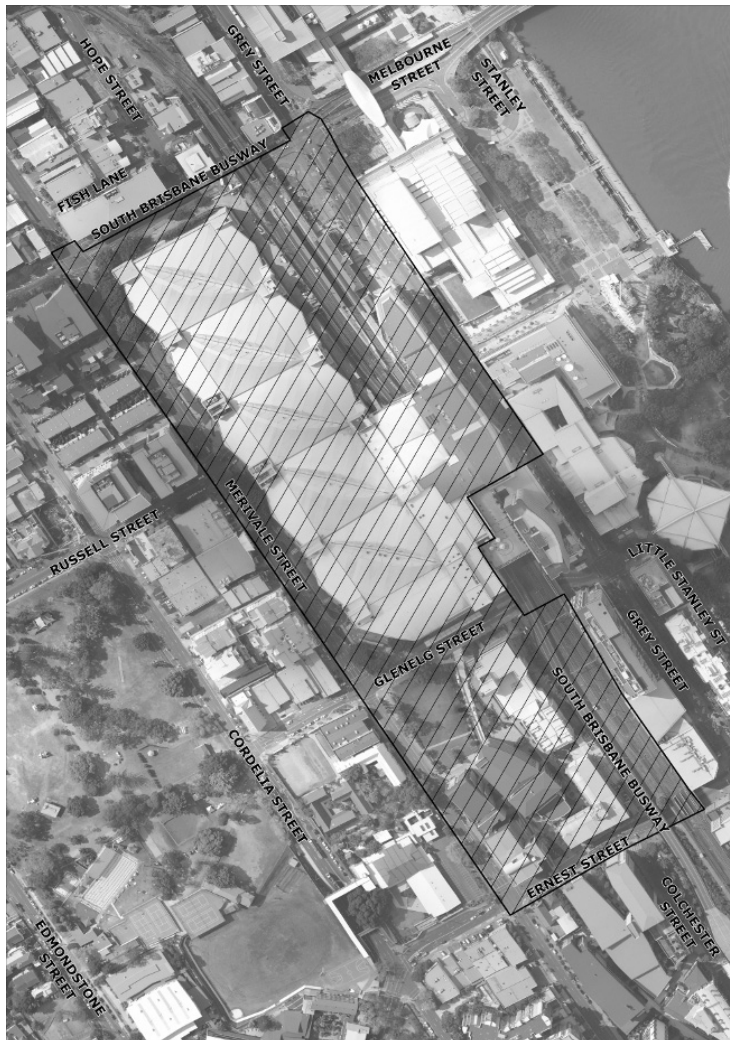
**Cairns Department of Transport
and Main Roads Building at
Portsmith**



Schedule 5 Core restricted areas in Brisbane

section 11 and schedule 1, part 2

Part 1 Brisbane Convention and Exhibition Centre at South Brisbane



Part 2 **Royal National Association showground at Bowen Hills**

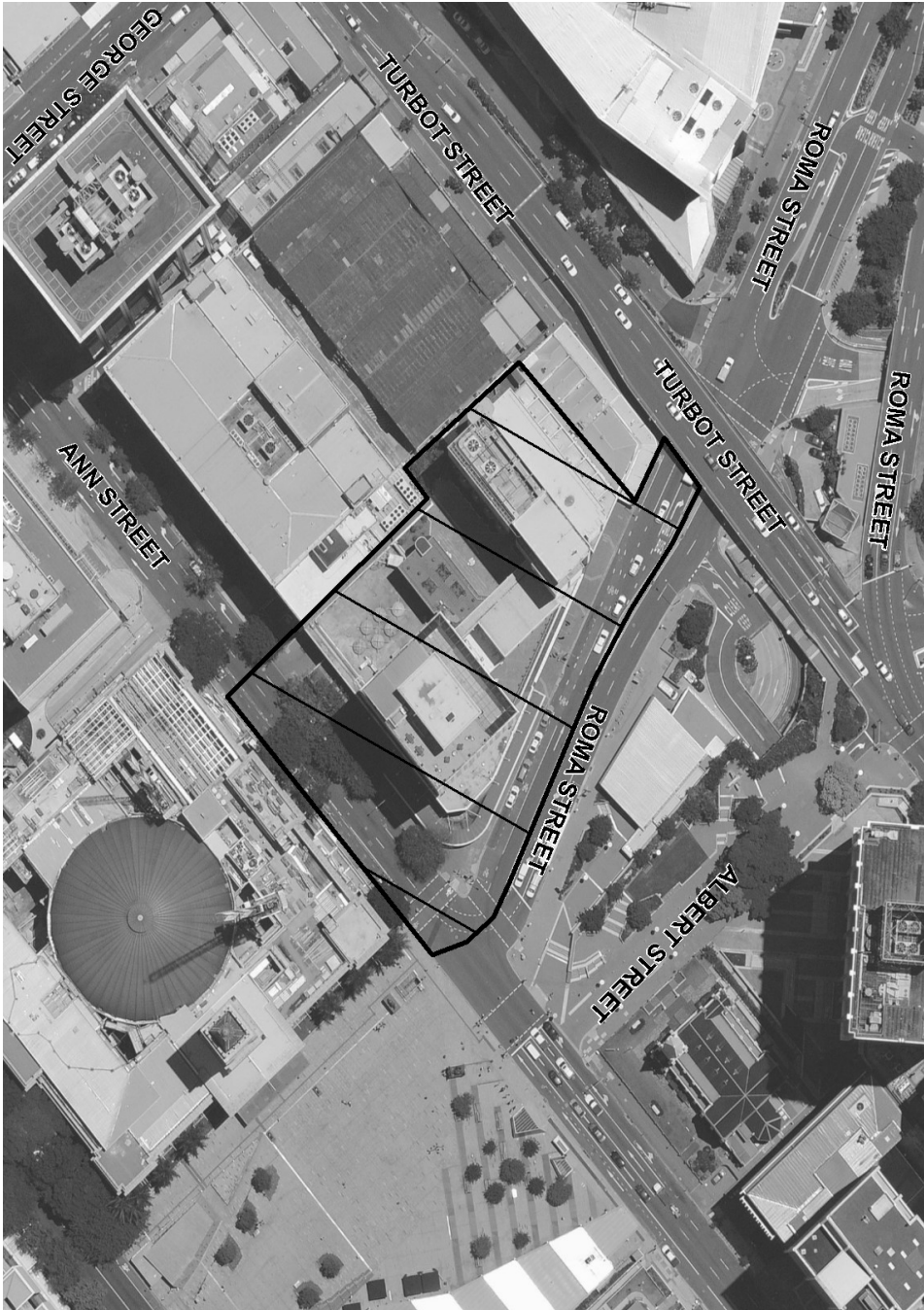


Part 3

**Suncorp Stadium bus terminal
at Milton**

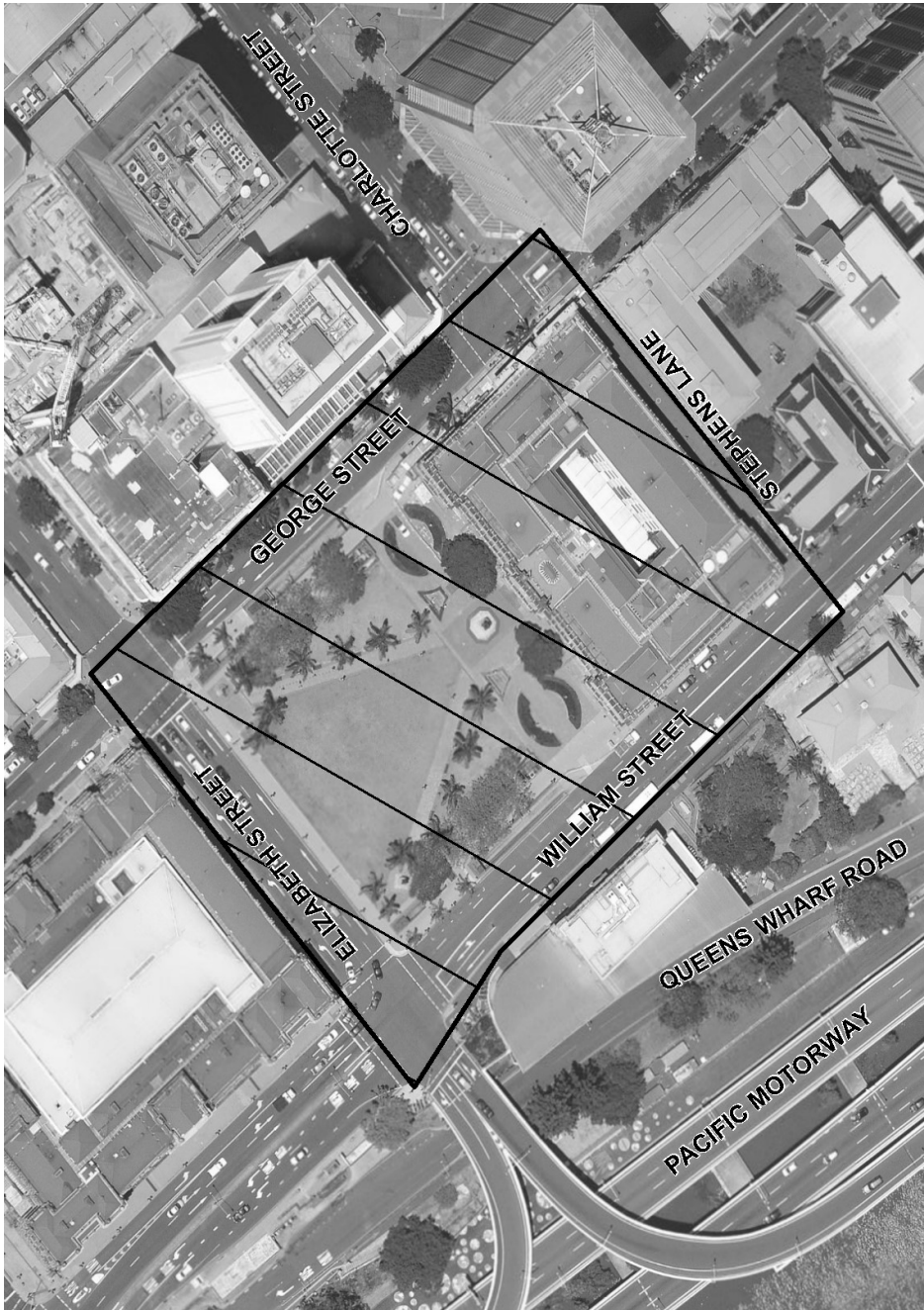


Part 4 Pullman Hotel at Brisbane City



Part 5

**Treasury Casino and Hotel at
Brisbane City**



Part 6

**Royal on the Park Hotel at
Brisbane City**

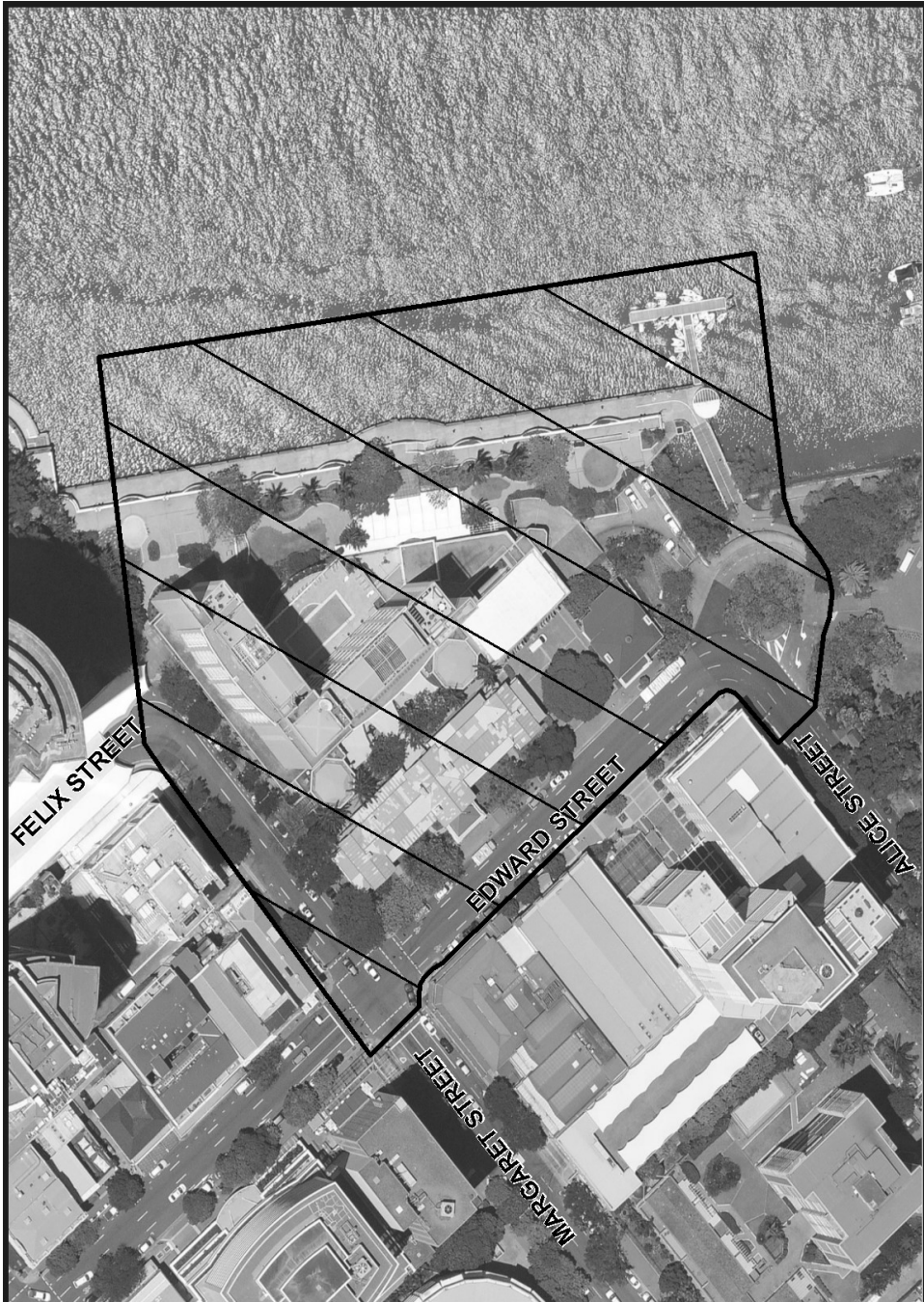


Part 7

Marriott Hotel at Brisbane City

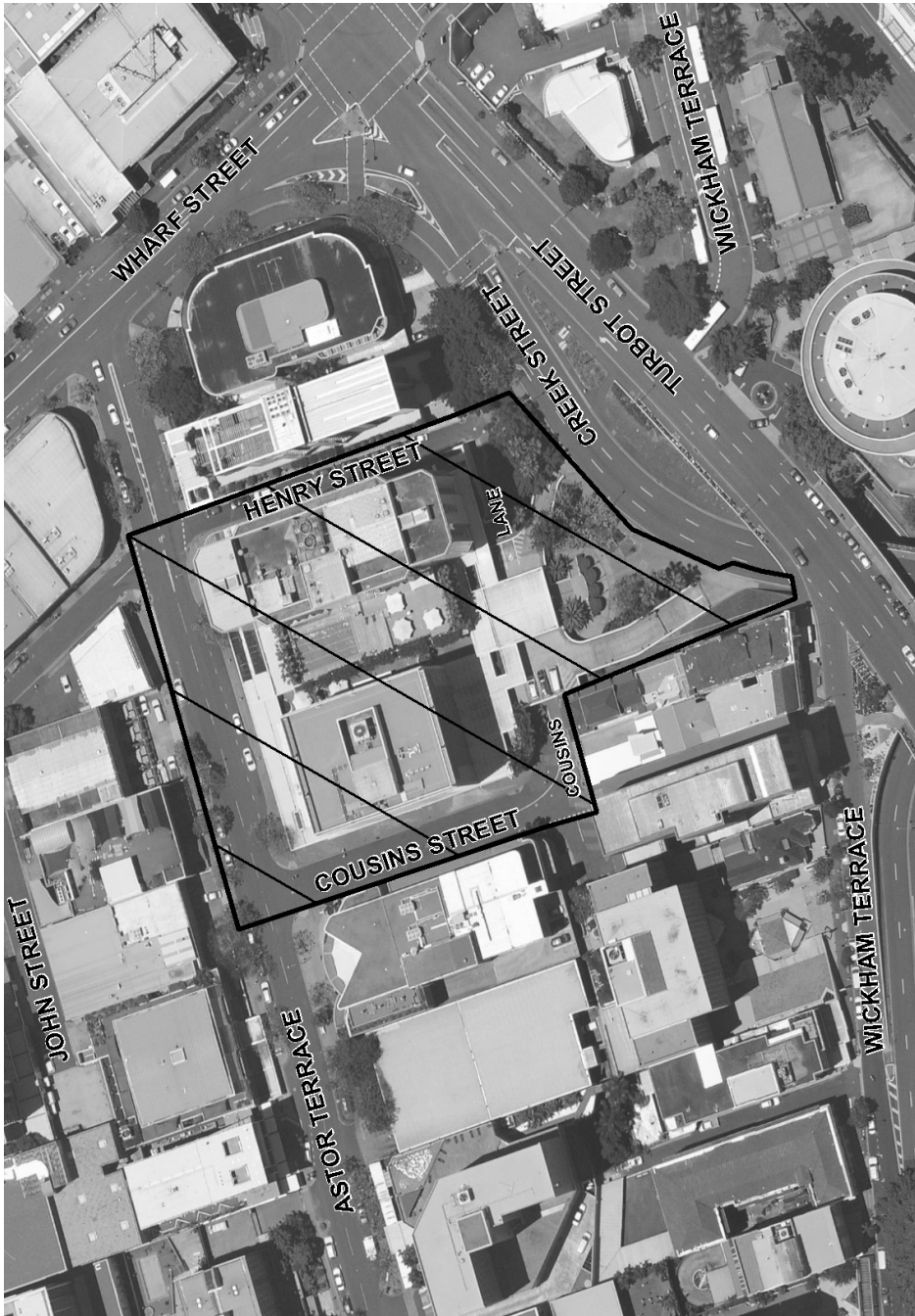


Part 8 Stamford Hotel at Brisbane City



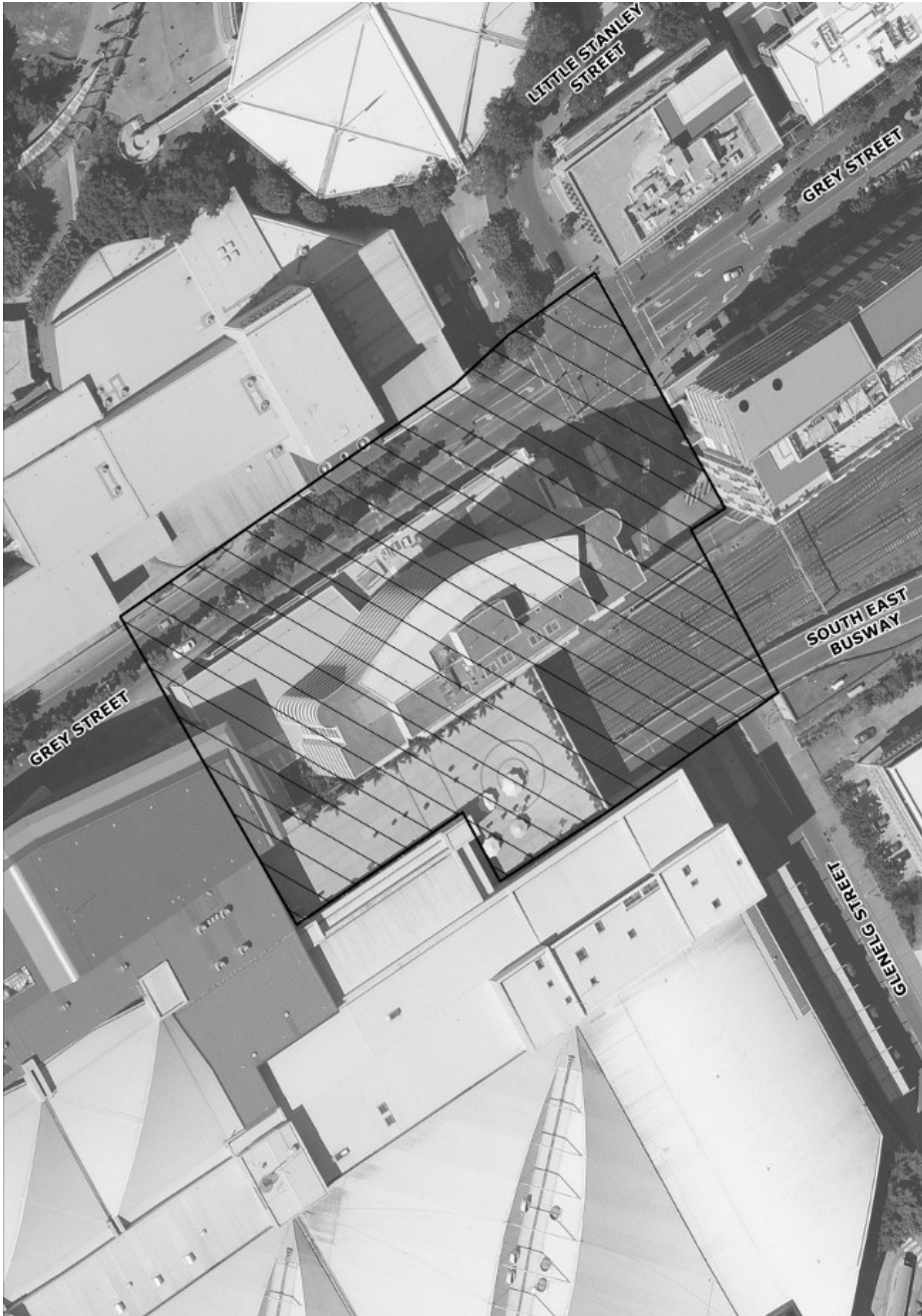
Part 9

Novotel Hotel at Spring Hill



Part 10

Rydges Hotel at South Brisbane



Part 11

Hilton Hotel at Brisbane City



Part 12

Sofitel Hotel at Brisbane City



Schedule 6 Prohibited items

section 59

- 1 any of the following under the *Weapons Categories Regulation 1997*—
 - (a) a category A, B, C, D, E, H, M or R weapon
 - (b) a restricted item
- 2 any of the following within the meaning of the *Weapons Act 1990*—
 - (a) an antique firearm
 - (b) a knife (see that Act, section 51(7))
 - (c) a major component part of a firearm
 - (d) a shanghai
 - (e) a slingshot
 - (f) a sword
- 3 any of the following—
 - (a) a captive bolt humane killer
 - (b) an explosive tool
 - (c) a bow, whether a longbow, a compound bow or another type of bow
 - (d) a spear gun
 - (e) a replica of a firearm, crossbow, longbow or spear gun
 - (f) an arrow
 - (g) a blowpipe
 - (h) handcuffs
 - (i) a whip

- (j) a device capable of being used to interfere with broadcast or communication devices, including, for example, a communications jamming device
 - (k) a cattle prod or other electrical device used for the management of livestock or other animals
 - (l) an explosive, including, for example, fireworks or flares
 - (m) glass bottles or jars
 - (n) metal cans or tins
 - (o) projectiles, including, for example, stones, ball bearings or eggs
 - (p) hand tools
 - (q) metal spikes, nails or tacks
- 4 a placard or banner to which a timber, metal or plastic pole is attached or a banner more than 100cm high by 200cm wide
- 5 a noxious or offensive substance, including, for example, urine or animal manure
- 6 an offensive weapon, including anything used as a weapon or capable of being used as a weapon, including, for example, a baseball bat or fence paling being carried by a person participating in an assembly
- 7 a graffiti instrument within the meaning of the *Summary Offences Act 2005*
- 8 a reptile, insect or other animal capable of causing physical harm if released in close proximity to a person
- 9 an item (including, for example, a lock-on device or sleeping dragon) capable of either of the following—
- (a) attaching a person to an object or another person
 - (b) impeding removal of any locking or connecting device
- 10 a chain, cable or anything else capable of securing objects together for the purpose of causing an obstruction
- 11 a communication device, other than a mobile phone or other telephone, capable of being used to organise activity designed to disrupt any part of the G20 meeting, including, for

-
- example, a two-way radio or a loud hailer, whether powered or not
- 12 part or all of a traffic barrier
- 13 any of the following things capable, directly or indirectly, of disrupting any part of the G20 meeting—
- (a) a thing capable of emitting a sound loud enough to disrupt the part of the G20 meeting, including, for example, a horn or a hand-held marine warning device
 - (b) a thing capable of emitting a sound that can distress or upset a dog or horse
 - (c) a smoke bomb or other smoke device
 - (d) an object commonly known as paint bomb, flour bomb or similar item capable of being thrown or propelled, including, for example, a paper bag containing flour that is intended to be thrown or a plastic container containing paint that is intended to be thrown
 - (e) a thing that is not a weapon but is capable of being used to cause harm to a person
 - (f) flammable substances
 - (g) a laser pointer
 - (h) a laser device capable of being shone onto an aircraft or of projecting an image
 - (i) a thing capable of being used to climb a barrier
 - (j) a thing capable of being used to construct a stage, platform, tripod or tower or a structure similar to a stage, platform, tripod or tower, other than a camera tripod
- 14 a thing capable of disguising or concealing the identity of a person including camouflage paint or cream, a mask or a balaclava, but not including headwear, worn by a member of a religious group, of a type customarily worn by members of the group
- 15 a manually operated surf ski or surfboard, kayak, boat or canoe
- 16 a floatation device

Schedule 6

- 17 a kite or other device suspended by airflow and controlled by a string or cord attached to it
- 18 a remotely controlled device, including a vehicle or a model of a vehicle, including, for example, any of the following operated by remote control—
 - (a) a toy car
 - (b) a model plane
 - (c) a drone or unmanned aerial vehicle
- 19 a thing purporting to be a Commonwealth accreditation or access approval, that is not genuine
- 20 a thing purporting to be an identity card for an appointed person or a police officer, that is not genuine
- 21 any other thing prescribed under a regulation

Schedule 7 Dictionary

section 6

access approval see section 15(1).

additional declared area means an area of land or water declared under section 12 or 13 to be an additional declared area.

additional restricted area means an area of land or water declared under section 12 or 13 to be an additional restricted area.

appointed person see section 89(1).

assault see Criminal Code, section 245.

assembly see section 18(2).

assistant commissioner see the *Police Service Administration Act 1990*, section 1.4.

attempt, in relation to a vehicle attempting to enter or leave a security area or part of a security area, means the person in charge of the vehicle positioning the vehicle for the purpose of approaching, entering or leaving the security area or part.

barrier includes a fence or any other thing used, or a thing that can be used, to restrict access or indicate an access restriction.

Examples—

- a chain mesh fence or other fence
- a chain strung between 2 points
- a water filled container
- a blockade created by a vehicle

basic search see section 20.

Cairns finance meeting see section 2(1)(a).

commissioner means the commissioner of the police service.

Commonwealth accreditation see section 14(1).

cordon includes—

- (a) tape or rope, acting as a barrier; and
- (b) retractable barrier webbing between stanchions; and
- (c) bollards; and
- (d) a sign prohibiting or restricting entry.

core declared area means an area—

- (a) shown hatched on a map in schedule 2 or 3; and
- (b) if a regulation has been made modifying the area as mentioned in section 9(2)—as that hatched area is modified by the regulation.

core restricted areas means an area—

- (a) shown hatched on a map in schedule 4 or 5; and
- (b) if a regulation has been made modifying the area as mentioned in section 11(2)—as that hatched area is modified by the regulation.

custody police officer means a police officer assigned to perform duty at a processing facility.

declared area see section 9(1).

deputy commissioner see the *Police Service Administration Act 1990*, section 1.4.

detection dog see section 34(1).

excluded, in relation to an excluded person, means the person must not enter or remain in, or attempt to enter or remain in, a security area or part of a security area as required by the exclusion notice given to the person.

excluded person means a person who has been given an exclusion notice.

exclusion notice means an oral or written notice under section 56.

face means a person's face—

- (a) from the top of the forehead to the bottom of the chin; and

(b) between (but not including) the ears.

footpath see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

for, in relation to a provision of this Act, includes for the purposes of the provision.

frisk search see section 21.

G20 event means an event, function or activity that is directly or indirectly part of, or related to, the following—

- (a) the leaders summit;
- (b) the Cairns finance meeting;
- (c) a sherpa meeting.

Examples—

- a meeting of a President and a Prime Minister at a hotel to discuss a policy issue
- a meeting between the Prime Minister of the United Kingdom and the Governor-General of Australia
- a motorcade
- a musical recital at Brisbane City Hall held for and attended by a head of state or head of government whether or not members of the public are invited
- a fireworks display at South Bank Parkland held for and attended by a head of state or head of government whether or not members of the public are invited

G20 meeting means all of the following—

- (a) the leaders summit;
- (b) the Cairns finance meeting;
- (c) a sherpa meeting;
- (d) a G20 event.

G20 participant means any of the following—

- (a) a person in Queensland to attend the leaders summit; or
- (b) a person in Queensland to attend the Cairns finance meeting; or
- (c) a person in Queensland to attend a sherpa meeting; or

- (d) an internationally protected person (within the meaning of the *Crimes (Internationally Protected Persons) Act 1976* (Cwlth)) in Queensland to attend a G20 event; or
- (e) any other person or class of persons prescribed by regulation as a G20 protected person.

G20 period means the period starting at the beginning of 16 September 2014 and ending on 17 November 2014.

G20 purpose means a lawful act done to preserve the safety and security of the G20 meeting, including, for example, to preserve—

- (a) the safety or security of a member of the public from unlawful acts, including, for example, by an assembly in relation to a G20 event that is not lawful; or
- (b) property from damage by unlawful acts, including, for example, arson in relation to a G20 event.

headwear includes an item of clothing, a helmet, a mask or another thing worn by a person that prevents the person's face from being seen, whether wholly or partly.

leaders summit see section 2(1)(a).

motorcade means vehicles used for road or water travel by a G20 participant or G20 protected person.

motorcade area see section 10.

non-State police officer means any of the following—

- (a) a member of the Australian Federal Police;
- (b) a sworn member of a police service or police force of another State or New Zealand.

obstruction object means a thing placed in, or in the vicinity of, a security area or any other area in a way intended or likely to—

- (a) impede passage to or through the security area; or
- (b) seriously disrupt traffic flow; or
- (c) impede a motorcade.

Examples—

- bicycles chained together across a road leading into a declared area
- an unattended car parked in a traffic lane in a motorcade area
- a truck parked across the Go Between Bridge causing drivers travelling to West End to use the Captain Cook Bridge or the Victoria Bridge, causing traffic congestion near a security area
- a package left at the side of a motorcade area in a way that might lead to a suspicion that it is an explosive device or is otherwise a risk to public safety

personal details, in relation to a person, means—

- (a) the person's full name; and
- (b) any other name the person is known by; and
- (c) the person's date of birth; and
- (d) the address where the person is living; and
- (e) the address where the person usually lives, if that is different from the address where the person is living; and
- (f) either—
 - (i) an official document identifying the person issued by a government agency in relation to the person; or
 - (ii) another reliable form of identification.

photo includes a digital image.

Police Act see section 4(1).

possess includes custody and control.

prescribed website means—

- (a) the department's website; or

Editor's note—

The department's website address is <www.police.qld.gov.au>.

- (b) if the website is not operating or not operating properly—another website nominated by the commissioner.

processing facility means—

(a) a place declared to be a police establishment under the *Police Service Administration Act 1990*, section 10.10; or

(b) a watch-house.

prohibited item see section 59.

prohibited person see section 53.

reasonably satisfied means satisfied on grounds that are reasonable in the circumstances.

reasonably suspects means suspects on grounds that are reasonable in the circumstances.

restricted area see section 11.

road see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

safety and security of the G20 meeting includes any and all of the following—

- (a) the safety and security of the venues and facilities used, or to be used, for any part of the G20 meeting including venues in or outside a restricted area;
- (b) the safety and security of the venues and facilities used, or to be used, for the accommodation of G20 participants, including venues in or outside a restricted area;
- (c) the safety and security of G20 participants when travelling to or from the venues and facilities for a G20 event or the accommodation as mentioned in paragraph (b), including motorcade areas;
- (d) the safety and security of persons (other than G20 participants) when in a restricted area or motorcade area.

search, in relation to a thing, includes handling the thing, opening it, removing any contents and examining the contents.

security area see section 7.

senior police officer means a police officer who holds the rank of at least a superintendent.

sherpa means a person appointed or employed to assist a head of state or head of government, finance Minister, central bank governor or deputy finance Minister in matters of policy or administration.

sherpa meeting see section 2(1)(a).

special justification see section 94(1).

specific search see section 22.

vehicle includes—

- (a) a motor vehicle, train, aircraft, bicycle or vessel, whether the thing can be operated by a person in or on the thing or can be operated unmanned; and
- (b) anything else used or to be used to carry persons or goods from place to place, whether or not it is drawn by an animal.

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