

Queensland



**LAW COURTS AND STATE
BUILDINGS PROTECTIVE
SECURITY AMENDMENT
BILL 1997**

Queensland



**LAW COURTS AND STATE BUILDINGS
PROTECTIVE SECURITY AMENDMENT
BILL 1997**

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MINOR AND CONSEQUENTIAL AMENDMENTS

1997

A BILL

FOR

An Act to amend the *Law Courts and State Buildings Protective Security Act 1983*, and for other purposes

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The Parliament of Queensland enacts—

1

PART 1—PRELIMINARY

2

Short title

3

Clause **1.** This Act may be cited as the *Law Courts and State Buildings Protective Security Amendment Act 1997*.

4

5

Commencement

6

Clause **2.** This Act commences on a day to be fixed by proclamation.

7

**PART 2—AMENDMENT OF LAW COURTS AND
STATE BUILDINGS PROTECTIVE SECURITY ACT
1983**

8

9

10

Act amended in pt 2 and schedule

11

Clause **3.** This part and the schedule amend the *Law Courts and State Buildings Protective Security Act 1983*.

12

13

Amendment of title

14

Clause **4.** Title—

15

omit, insert—

16

‘An Act to provide for the security of state buildings and other buildings’.

17

18

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	Amendment of s 1 (Short title)	1
Clause	5. Section 1, ‘ <i>Law Courts and</i> ’—	2
	<i>omit.</i>	3
	Amendment of s 4 (Definitions)	4
Clause	6.(1) Section 4, definitions “Administrator” and “building”—	5
	<i>omit.</i>	6
	(2) Section 4—	7
	<i>insert—</i>	8
	‘ “administrator” means the person appointed under section 6 to administer the protective security service.	9 10
	“belongings” , of an entrant, see section 4A.	11
	“convicted” includes being found guilty by a court on a plea of guilty or otherwise, even though a conviction is not recorded.	12 13
	“electronic screening” , of an entrant or an entrant’s belongings, means using an electronic screening device, mentioned in section 21(1)(b), in relation to the entrant or belongings.	14 15 16
	“entrant” means a person in, or about to enter, a state building.	17
	“noxious or offensive substance” means a thing made or adapted, or intended for use by the person possessing the thing, for 1 or more of the following purposes—	18 19 20
	(a) assaulting someone else, other than for causing injury to or for incapacitating the other person;	21 22
	(b) damaging property;	23
	(c) disrupting business conducted by the State, or a non-commercial authority of the State, in a state building, including, for example, interrupting court proceedings.	24 25 26
	<i>Examples of noxious or offensive substances—</i>	27
	Blood or paint in a plastic or paper wrapping intended to burst on impact when thrown at someone else or a solid object.	28 29

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“outer garment”	includes a cloak, coat and jacket.	1
“proscribed matter”	means—	2
(a)	an explosive substance; or	3
(b)	a firearm; or	4
(c)	a noxious or offensive substance; or	5
(d)	an offensive weapon.	6
“security of a state building”	includes—	7
(a)	the safety of entrants to the building; and	8
(b)	the safety of things in, or about to be brought into, the building.	9
“security officer”	means—	10
(a)	a person appointed under section 7 as a senior protective security officer (in training) or a protective security officer; or	11 12
(b)	a person appointed under section 10 as a senior protective security officer.	13 14
“state building”	see section 4.	15
“vehicle”	includes a boat, caravan, trailer and wheelchair.’.	16
(3)	Section 4—	17
	<i>renumber</i> as section 3.	18
Insertion of new ss 4 and 4A		19
Clause	7. Part 1—	20
	<i>insert</i> —	21
‘Meaning of “state building”		22
	‘4.(1) A “state building” means—	23
(a)	if the building is not occupied—a building, or part of a building, owned by the State or a non-commercial authority of the State; or	24 25
(b)	in any other case—a building, or part of a building, occupied by the State or a non-commercial authority of the State.	26 27

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Example of paragraph (b)—

A building leased by the State and used for a court of record of the State.

‘(2) A “**state building**” includes the precincts of the building.

‘(3) If a state building is constituted by only part of a building, a reference to a state building, or to a state building and its precincts, includes the areas of the building the State or a non-commercial authority of the State may lawfully use together with other owners or occupiers of the building.

‘(4) Also, a “**state building**” includes a building and its precincts, or part of a building and its precincts, declared under a regulation to be a state building.

‘(5) However, a regulation may only declare a building and its precincts, or part of a building and its precincts, to be a state building if—

(a) the building or part is to be used for an activity with which the State is directly concerned; and

(b) the regulation provides for its expiry at a stated time.

Example of subsection (5)—

If the leader of another country is to visit 1 of Queensland’s privately owned resorts and the State has or shares responsibility for the security of the leader, the part of the resort occupied by the leader may be declared a state building for the stated time of the leader’s stay at the resort.

‘(6) In this section—

“**non-commercial authority of the State**” means an authority of the State that is non-commercial within the meaning of the *Trade Practices Act 1974* (Cwlth), section 2C.¹

‘**Meaning of “belongings”**’

‘4A. The following things are “**belongings**” of an entrant even if the entrant does not own, or have a right to use, the things—

¹ Under the *Trade Practices Act 1974* (Cwlth), section 2C (Activities that are not business), an authority of a State is “non-commercial” if—

(a) it is constituted by only one person; and

(b) it is neither a trading corporation or a financial corporation.

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- | | | |
|--|---|--------|
| | (a) an article worn by the entrant; | 1 |
| | (b) an article carried by the entrant, including, for example, an article in the pockets of the entrant's clothing; | 2
3 |
| | (c) an article pushed or pulled by the entrant; | 4 |
| | (d) a vehicle driven by the entrant or another vehicle towed by a vehicle driven by the entrant; | 5
6 |
| | (e) the contents of an article or vehicle mentioned in paragraphs (a) to (d).' | 7
8 |

Amendment of s 5 (Establishment of Protective Security Service) 9

- | | | |
|--------|--|----------|
| Clause | 8. Section 5— | 10 |
| | <i>insert—</i> | 11 |
| | '(3) The primary purpose of the service is to provide services for the security of state buildings.' | 12
13 |

Amendment of s 10 (Appointment of senior protective security officers) 14
15

- | | | |
|--------|--------------------------|----|
| Clause | 9. Section 10(2) to (4)— | 16 |
| | <i>omit.</i> | 17 |

Insertion of new ss 10A–10D 18

- | | | |
|--------|--|----------|
| Clause | 10. After section 10— | 19 |
| | <i>insert—</i> | 20 |
| | 'Identity cards for security officers | 21 |
| | '10A.(1) The administrator must issue an identity card to each security officer. | 22
23 |
| | '(2) The identity card must— | 24 |
| | (a) contain a photograph of the security officer; and | 25 |
| | (b) be signed by the security officer; and | 26 |

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(c) identify the person the subject of the identity card as a senior protective security officer, senior protective security officer (in training) or a protective security officer.

‘(3) A person who ceases to be a security officer must return the person’s identity card to the administrator as soon as practicable after ceasing to be a security officer.

Maximum penalty—10 penalty units.

‘(4) Subsection (3) does not apply to a person if the person has a reasonable excuse for not complying with it.

‘Security officers to be in uniform except in limited circumstances

‘10B.(1) A security officer (other than a senior protective security officer), who is not wearing the uniform decided for the officer under a regulation, may not exercise a power under part 3, divisions 1 and 2, in relation to a person.

‘(2) A senior protective security officer, who is not wearing the uniform decided for the officer under a regulation, may exercise a power in relation to a person only if the officer first produces the officer’s identity card for inspection by the person.

‘(3) If, for any reason, it is not practicable to comply with subsection (2) before exercising the power, the senior protective security officer must comply with the subsection at the first reasonable opportunity.

‘Security officer to give notice of damage

‘10C.(1) A security officer who, in the exercise of a power under section 21A or 21B,² damages an entrant’s belongings must immediately

² Under section 21A(1) a security officer may ask an entrant to remove an outer garment or do other things to assist an officer to carry out a search of the entrant’s belongings. Under section 21A(3), if a senior protective security officer is satisfied on reasonable grounds the entrant has failed to comply with a request under section 21A(1), the officer may direct the entrant to do the things to assist the conduct of the search. After giving a direction under section 21A(3), the senior protective security officer may inspect the entrant’s belongings under section 21B.

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give written notice of the particulars of the damage to the entrant.	1
‘(2) If, for any reason, it is not practicable to give the notice to the entrant, the security officer must—	2 3
(a) leave the notice on the damaged belongings; and	4
(b) ensure the notice is left—	5
(i) in a reasonably secure way; and	6
(ii) in a conspicuous position.	7
 ‘Compensation	 8
‘10D.(1) An entrant may claim compensation from the State for damage to the entrant’s belongings if the entrant incurs a loss or expense because of the exercise or purported exercise of a power under section 21A or 21B.	9 10 11
‘(2) A payment for compensation may be claimed and ordered in a proceeding brought in a court of competent jurisdiction for the recovery of compensation.	12 13 14
‘(3) A court may order the payment for compensation for the loss or expense only if it is just to make the order in the circumstances of the particular case.	15 16 17
‘(4) This section applies despite section 31. ³	18
‘(5) In this section—	19
“entrant” includes a person who was an entrant of a state building at the time the person’s belongings were damaged or allegedly damaged.’.	20 21
 Replacement of s 18 (Functions of officers)	 22
Clause 11. Section 18—	23
<i>omit, insert—</i>	24

³ Section 31 (Exclusion of liability)

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Division 1—Functions

‘Functions of security officers

‘**18.(1)** The primary function of security officers is to carry into effect the systems formulated for the security of state buildings, including, for example, the systems for the entry of vehicles into state buildings and the parking of the vehicles.

‘**(2)** Also, the functions may include providing services, on a commercial basis, for a building (other than a state building) under a contract the State has entered into for providing the services.

‘**(3)** However, if the protective security service is providing a service for a building (other than a state building), security officers may not exercise a power under this part in relation to the building.

‘**(4)** The functions of security officers may include the following—

- (a) another function given to security officers under another Act;
- (b) the exercise of a power delegated to security officers under another Act, including, for example, the exercise of a power delegated under the *Corrective Services Act 1988*, section 117.⁴

Division 2—Powers of senior protective security officers

‘Powers only to be exercised by senior protective security officers

‘**18A.** The powers under this division may only be exercised by a senior protective security officer unless a provision expressly provides that another security officer or person may exercise the power.’.

Amendment of s 19 (Powers of senior protective security officer)

Clause **12.** Section 19, ‘within the building in respect of which the officer holds the appointment and within the precincts thereof’—

⁴ Section 117 (Proper officer may delegate)

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omit, insert— 1
‘in relation to a state building’. 2

Replacement of s 21 (Authority to search etc.) 3

Clause **13. Section 21—** 4

omit, insert— 5

‘State buildings with electronic screening devices and use of the devices 6
7

‘21.(1) This section applies if the systems for the security of a state building involve— 8
9

(a) the presence of a security officer in the building; and 10

(b) the use of 1 or more of the following electronic screening devices— 11
12

(i) a device through which an entrant walks, that detects metal or other substances (a **“walk-through detector”**); 13
14

(ii) a device through which an entrant’s belongings are passed and X-rayed (an **“X-ray machine”**); 15
16

(iii) a device, held by a security officer and passed over or around an entrant or an entrant’s belongings, that detects metal or other substances (a **“hand held scanner”**). 17
18
19

‘(2) A security officer may ask an entrant of the building to do 1 or more of the following— 20
21

(a) to walk through a walk-through detector; 22

(b) to pass the entrant’s belongings through an X-ray machine; 23

(c) to allow the officer to pass a hand held scanner in close proximity to the entrant; 24
25

(d) to allow the officer to pass a hand held scanner in close proximity to the entrant’s belongings. 26
27

‘(3) A senior protective security officer may direct an entrant of whom a request has been made under subsection (2) to do 1 or more of the things 28
29

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mentioned in the subsection if the senior protective security officer is satisfied on reasonable grounds that the entrant failed to comply with the request.

‘Security officer may ask entrant to remove outer garment etc.

‘21A.(1) This section applies if—

- (a) a security officer reasonably considers it necessary to make a request under subsection (2) in relation to an entrant or an entrant’s belongings, whether or not the entrant or belongings have been subjected to electronic screening; and
- (b) the security officer tells the entrant about the grounds for making the request.

‘(2) The security officer may ask the entrant to do 1 or more of the following—

- (a) allow the officer to inspect the entrant’s belongings;
- (b) remove 1 or more outer garments worn by the entrant as specified by the officer;
- (c) remove all articles from the pockets of the entrant’s clothing;
- (d) open an article for inspection;
- (e) open a vehicle or a part of it for inspection;
- (f) remove an article from the vehicle as specified by the officer;
- (g) for a belonging of an entrant—
 - (i) if the belonging is a vehicle—park it in a place specified by the officer; or
 - (ii) if the security officer reasonably believes the belonging to be capable of concealing a proscribed matter—deposit the belonging in a place specified by the officer.

‘(3) A senior protective security officer may direct an entrant of whom a request has been made under subsection (2) to do 1 or more of the things mentioned in the subsection if the senior protective security officer is

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satisfied on reasonable grounds that the entrant failed to comply with the request. 1
2

‘Examination of entrant and outer garments and other matters’ 3

‘**21B.(1)** This section applies if a senior protective security officer gives a direction to an entrant under section 21A(3).⁵ 4
5

‘**(2)** The senior protective security officer may do 1 or more of the following⁶— 6
7

(a) examine an outer garment removed by the entrant; 8

(b) touch the garments worn by the entrant to the extent reasonably necessary to detect articles carried by the entrant;⁷ 9
10

(c) remove and inspect a detected article; 11

(d) inspect a vehicle or a part of it; 12

(e) inspect an article in a vehicle or an article removed from it by the entrant; 13
14

(f) remove an article from a vehicle and inspect the article. 15

‘**(3)** In this section— 16

“**inspect**”, an article, includes open the article and examine its contents. 17

⁵ Under division 3 limitations apply to the exercise of certain powers under division 2. For example, section 21F(2) states—

‘**(2)** The entrant may tell the officer—

(a) the entrant does not want the power exercised in relation to the entrant’s person or belongings and is prepared to leave the state building immediately and take the belongings; or

(b) if the officer has started to exercise the power—the entrant does not want the power exercised further and is prepared to leave the state building immediately and take the belongings.’.

⁶ Under division 3 limitations apply to the exercise of certain powers under division 2—see section 21G.

⁷ Under section 21C a senior protective security officer may exercise a power under section 21B only if the officer is the same sex as the entrant. Also, under division 3, limitations apply to the exercise of certain powers under division 2—see section 21I.

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‘Examination by person of same sex

‘21C.(1) A senior protective security officer may, under section 21B(2)(b), touch the garments worn by an entrant only if the officer is the same sex as the entrant.

‘(2) If the senior protective security officer is not the same sex as the entrant—

(a) the officer may arrange for another security officer of the same sex as the entrant or, if no other security officer is available, an adult person of the same sex as the entrant, to exercise the power at the direction of the senior protective security officer; and

(b) the other security officer or person may exercise the power.

‘Direction by senior protective security officer to leave building

‘21D.(1) A senior protective security officer may direct an entrant to leave a state building immediately, and to take the entrant’s belongings out of the building, if the entrant fails—

(a) to comply with a demand under section 20, or a direction under section 21(3) or 21A(3);⁸ or

(b) to permit the officer to exercise a power under section 21B.⁹

‘(2) A senior protective security officer may give a direction under subsection (1) only if the officer is satisfied, on reasonable grounds, it is necessary to give the direction for the security of the building.

‘(3) The entrant must comply with the direction unless the entrant has a reasonable excuse for not complying with it.

Maximum penalty for subsection (3)—20 penalty units.

⁸ Section 20 (Authority to demand identification), section 21 (State buildings with electronic devices and use of the devices) and section 21A (Security officer may ask entrant to remove outer garment etc.)

⁹ Section 21B (Examination of entrant and outer garments and other matters)

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‘Security officer to return entrant’s deposited belongings	1
<p>‘21E. If an entrant deposits any belongings with a security officer under section 21A(2)(g),¹⁰ the officer must ensure the belongings are returned to the entrant if—</p> <ul style="list-style-type: none"> (a) the entrant asks for their return; and (b) the officer is satisfied, on reasonable grounds, that the entrant is about to leave the building. 	2 3 4 5 6 7
<i>‘Division 3—Limitation on exercise of certain powers under div 2</i>	8
‘Entrant to be told about refusing to be examined or asking for examination to stop	9 10
<p>‘21F.(1) Before a senior protective security officer begins to exercise a power under section 21A(3) or 21B,¹¹ the officer must inform the entrant of the entrant’s rights under subsection (2).</p> <p>‘(2) The entrant may tell the officer—</p> <ul style="list-style-type: none"> (a) the entrant does not want the power exercised in relation to the entrant’s person or belongings and is prepared to leave the state building immediately and take the belongings; or (b) if the officer has started to exercise the power—the entrant does not want the power exercised further and is prepared to leave the state building immediately and take the belongings. 	11 12 13 14 15 16 17 18 19 20
‘Power to examine must not be exercised in certain circumstances	21
‘21G. A senior protective security officer must not exercise a power	22

¹⁰ Under section 21A, a security officer may ask an entrant to deposit certain belongings at a place specified by the officer.

¹¹ Section 21A (Security officer may ask entrant to remove outer garment etc.) and section 21B (Examination by security officer of entrant and outer garment)

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- under section 21A(3) or 21B¹² if the entrant— 1
- (a) tells the officer— 2
 - (i) the entrant does not want the power exercised in relation to 3
the entrant’s person or belongings and is prepared to leave 4
the state building immediately and take the belongings; or 5
 - (ii) if the officer has started to exercise the power—the entrant 6
does not want the power exercised further and is prepared to 7
leave the state building immediately and take the belongings; 8
and 9
 - (b) leaves the state building immediately with the belongings. 10
- ‘Various limits on security officer examining outer garment 11**
- ‘21H.** A senior protective security officer may direct an entrant to 12
remove an outer garment¹³ only if the officer— 13
- (a) considers on reasonable grounds the entrant is wearing an outer 14
garment and a proper examination of the entrant and garment can 15
not be carried out unless the outer garment is removed; and 16
 - (b) specifies the outer garment to be removed; and 17
 - (c) tells the entrant that the entrant has the right to ask for the 18
examination of the outer garment to be carried out in an area or 19
place in the building that is, if practicable, out of view of 20
members of the general public; and 21
 - (d) tells the entrant that even if the entrant removes the outer garment 22
specified by the officer and allows the officer to examine the outer 23
garment, the entrant may or may not be examined further. 24

¹² Section 21A (Security officer may ask entrant to remove outer garment etc.) and section 21B (Examination by security officer of entrant and outer garment)

¹³ Under section 21A(3), a senior protective security officer may direct an entrant to remove 1 or more outer garments worn by the entrant as specified by the senior protective security officer.

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‘Limits on touching garments worn by entrant

‘21I.(1) A senior protective security officer (or a person acting at the direction of a senior protective security officer) may touch garments while they are worn by the entrant only if the officer—

- (a) tells the entrant that the entrant has the right to request the examination be carried out in an area or place in the building that is, if practicable, out of view of members of the general public and that the officer considers, on reasonable grounds, provides suitable personal privacy to the entrant during the examination; and
- (b) takes the entrant to the area or place, if the entrant requests the officer to do so.

‘(2) A senior protective security officer (or a person acting at the direction of a senior protective security officer) must touch garments while they are worn by the entrant in a way that preserves the entrant’s dignity to the greatest extent practicable.¹⁴

‘Warning to comply with demand or direction

‘21J.(1) This section applies if a senior protective security officer intends—

- (a) to make a demand, under section 20, of an entrant; or
- (b) to direct an entrant, under section 21D, to leave a state building.¹⁵

‘(2) Before making the demand or giving the direction, the senior

¹⁴ Under section 21B(2)(b), a senior protective security officer may touch garments worn by an entrant to the extent reasonably necessary to detect articles carried by the entrant. Also, under section 21C the search may be carried out only by a person of the same sex as the entrant.

¹⁵ Sections 20 (Authority to demand identification) and 21D (Direction by senior protective security officer to leave building)

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protective security officer must warn the entrant it is an offence against this Act to fail to comply with the demand or direction.

1
2

‘Division 4—Other miscellaneous powers and provisions’.

3

Amendment of s 22 (Seizure of firearms etc.)

4

Clause **14.(1)** Section 22(1), ‘any firearm’ to ‘thereof’—

5

omit, insert—

6

‘a proscribed matter found in the possession of a person in the building,’.

7

(2) Section 22(2), ‘firearm, explosive substance or offensive weapon’—

8

omit, insert—

9

‘proscribed matter’.

10

(3) Section 22(2), ‘section 130 as if it were a weapon’—

11

omit, insert—

12

‘section 154 as if it were a weapon or other thing’.

13

(4) Section 22(3)—

14

omit.

15

Amendment of s 23 (Refusal of entry to and removal from building)

16

Clause **15.(1)** Section 23, from ‘Where a person’ to ‘has failed’—

17

omit, insert—

18

‘If a person fails to comply with a demand under section 20, or a direction under section 21(3) or 21A(3), by a senior protective security officer, or fails’.

19

20

21

(2) Section 23, ‘building or the precincts thereof’—

22

omit, insert—

23

‘state building’.

24

(3) Section 23(a), ‘building or the precincts thereof’—

25

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<i>omit, insert—</i>	1
‘state building’.	2
(4) Section 23(a), ‘building and the precincts thereof’—	3
<i>omit, insert—</i>	4
‘state building’.	5
(5) Section 23(b), ‘building or the precincts thereof’—	6
<i>omit, insert—</i>	7
‘state building’.	8
(6) Section 23(b), ‘building or, as the case may be, the precincts thereof’—	9 10
<i>omit, insert—</i>	11
‘state building’.	12

Amendment of s 24 (Authority to detain offenders and suspects) 13

Clause	16.(1) Section 24(a), ‘the building in respect of which the officer is appointed or in the precincts thereof’—	14 15
	<i>omit, insert—</i>	16
	‘a state building’.	17
	(2) Section 24(b), ‘that building or in those precincts’—	18
	<i>omit, insert—</i>	19
	‘a state building’.	20
	(3) Section 24, ‘senior protective security officer appointed in respect of that building’—	21 22
	<i>omit, insert—</i>	23
	‘security officer’.	24
	(4) Section 24, ‘or in those precincts’—	25
	<i>omit.</i>	26

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	Replacement of s 25 (Police officer authorised to exercise certain powers)	1 2
Clause	17. Section 25—	3
	<i>omit, insert—</i>	4
	‘Police officer authorised to exercise certain powers	5
	‘25.(1) A police officer may exercise a power conferred on a senior protective security officer by sections 20 to 23. ¹⁶	6 7
	‘(2) For exercising the powers, a reference in those sections to a senior protective security officer is taken to be a reference to the police officer.’.	8 9
	Amendment of s 29 (Offence to assault or resist officer)	10
Clause	18. Section 29, from ‘who’ to ‘against’—	11
	<i>omit, insert—</i>	12
	‘must not assault or resist a security officer in the course of the officer performing the officer’s duties under’.	13 14
	Insertion of new s 29A	15
Clause	19. Part 4, before section 30—	16
	<i>insert—</i>	17
	‘Security services provided by other than the protective security service	18 19
	‘29A.(1) Nothing in this Act prevents the State entering into a contract with a security firm licensed under the <i>Security Providers Act 1993</i> for the supply of security services.	20 21 22
	‘(2) However, the employees of the security firm may not under this Act exercise a power conferred on a security officer under this Act.	23 24
	‘(3) This section is to remove doubt.’.	25

¹⁶ Sections 20 (Authority to demand identification), 21 (Authority to search etc.), 22 (Seizure of firearms etc.) and 23 (Refusal of entry to and removal from building)

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	Insertion of new pt 5	1
Clause	20. After section 33—	2
	<i>insert—</i>	3
	‘PART 5—TRANSITIONAL PROVISIONS	4
	‘References to Law Courts and State Buildings Protective Security Act 1983	5 6
	‘34. A reference in an Act, subordinate legislation, instrument or other document to the <i>Law Courts and State Buildings Protective Security Act 1983</i> is to be read as a reference to the <i>State Buildings Protective Security Act 1983</i> .	7 8 9 10
	‘Persons holding appointment as senior protective security officers before commencement	11 12
	‘35.(1) This section applies to a person who, immediately before the commencement of this section, held an appointment as a senior protective security officer.	13 14 15
	‘(2) The person is taken to be appointed as a senior protective security officer under this Act.	16 17
	‘(3) This section expires 1 year after its commencement.	18
	‘Re-swearing of senior protective security officers	19
	‘36.(1) A senior protective security officer to whom section 35 applies must take an oath for the appointment as soon as possible after the commencement of this section.	20 21 22
	‘(2) The oath is taken to be—	23
	(a) made on the date of commencement of this section; and	24

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(b) an oath mentioned in section 16,¹⁷ as required under section 14.¹⁸ 1

‘(3) This section expires 1 year after its commencement. 2

‘New identity cards for security officers 3

‘37.(1) This section applies if, before the commencement of this section, 4
the administrator issued an identity card to a security officer who was a 5
security officer immediately before the commencement. 6

‘(2) The administrator must issue a new identity card to the security 7
officer as soon as practicable after the commencement. 8

‘(3) This section expires 1 year after its commencement.’. 9

**PART 3—AMENDMENT OF CRIMINAL LAW 10
(REHABILITATION OF OFFENDERS) ACT 1986 11**

Act amended in pt 3 12

Clause 21. This part amends the *Criminal Law (Rehabilitation of Offenders) Act 13
1986.* 14

Amendment of s 9A (Disclosure of particulars in special cases) 15

Clause 22. Section 9A(1), table— 16

insert— 17

‘10. Security officer under the *State 18
Buildings Protective Security Act 1983.* 19

‘10. Contraventions of any law, 18
whether committed in Queensland 19
or elsewhere.’. 20

¹⁷ Section 16 (Taking of oath deemed to make agreement)

¹⁸ Section 14 (Oath of senior protective security officer)

SCHEDULE	1
MINOR AND CONSEQUENTIAL AMENDMENTS	2
<i>section 3</i>	3
1. Section 14(1), ‘for the (name of building in respect of which the office is held)’—	4
<i>omit.</i>	5
<i>omit.</i>	6
2. Section 14(1), ‘within the said building or its precincts’—	7
<i>omit, insert—</i>	8
‘in state buildings’.	9
3. Section 14(1), ‘such persons within the said building or its precincts’—	10
<i>omit, insert—</i>	11
‘the persons’.	12
4. Section 16(b), ‘to which the oath refers’—	13
<i>omit.</i>	14
<i>omit.</i>	15
5. Part 3, heading, ‘, POWERS AND DUTIES’—	16
<i>omit, insert—</i>	17
‘AND POWERS’.	18

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SCHEDULE (continued)

6. Section 20(1), ‘who is in the building in respect of which the officer is appointed or in the precincts thereof’—	1 2
<i>omit, insert—</i>	3
‘in or about to enter a state building’.	4
7. Section 20(1)(c)—	5
<i>omit, insert—</i>	6
‘(c) the person’s reason for being in, or about to enter, the state building.’.	7 8
8. Section 28(b), from ‘a building’—	9
<i>omit, insert—</i>	10
‘a state building.’.	11
9. Section 30(1)(a)—	12
<i>omit.</i>	13
10. Section 33(2), ‘for or about’—	14
<i>omit, insert—</i>	15
‘about the following’.	16
11. Section 33(2)(a), ‘functions and duties’—	17
<i>omit, insert—</i>	18
‘functions and powers’.	19

SCHEDULE (continued)

- | | |
|---|---|
| 12. Section 33(2)(b), ‘powers, functions and duties’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘functions and powers’. | 3 |
|
 | |
| 13. Section 33(2)(c), ‘buildings or the precincts thereof;’— | 4 |
| <i>omit, insert—</i> | 5 |
| ‘state buildings.’. | 6 |
|
 | |
| 14. Section 33(2)(d)— | 7 |
| <i>omit.</i> | 8 |