



Queensland

State Buildings Protective Security Amendment Regulation (No. 1) 2011

Explanatory Notes for SL 2011 No. 53

made under the

State Buildings Protective Security Act 1983

General outline

Short title

State Buildings Protective Security Amendment Regulation (No. 1) 2011.

Authorising law

Section 4 and section 33 of the *State Buildings Protective Security Act 1983*.

Policy objectives and the reasons for them

The *State Buildings Protective Security Act 1983* (the Act) provides, inter alia, for the provision of security by the State Government Protective Security Service (known as State Government Security) to ‘state buildings’ which include buildings, or parts of buildings, occupied by the State or a non-commercial authority of the State. Section 4(4) of the Act provides for the declaration by regulation for a stated time of another building as a “state building” where the building, or part of a building, is to be used for an activity with which the State is directly concerned.

Section 3 of the *State Buildings Protective Security Regulation 2008* (the Regulation) provides that, for section 4(4) of the Act, certain buildings and their precincts described in the schedule are declared as state buildings.

The Queensland Parliament will be sitting in Mackay on 24, 25 and 26 May 2011 at the Mackay Entertainment and Convention Centre. State Government Security provided Security Officers at previous regional sittings in Townsville in 2002, Rockhampton in 2005 and Cairns in 2008 and it has been confirmed that similar assistance will be made available for the sitting in Mackay in May 2011.

Where the parliamentary precinct is a ‘state building’ under the Act, then Senior Protective Security Officers may exercise all the enforcement powers under that Act with respect to the parliamentary precinct. That is, the Senior Protective Security Officer may exercise, in relation to a state building, all the powers and authorities of a police officer, except the power of arrest, and in relation to the exercise of those powers and authorities shall have all the immunities of a police officer.

The objective of the proposal is to amend the Regulation to declare the buildings comprising the parliamentary precinct in the Mackay Entertainment and Convention Centre for the parliamentary sitting 24-26 May 2011 as a state building pursuant to section 4 of the Act

Achievement of policy objectives

The regulation achieves its objectives by amending the Regulation to declare the parliamentary precinct in the Mackay Entertainment and Convention Centre as a state building for the period of the parliamentary sitting.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with its authorising Act.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

The policy objective can only be achieved by a regulatory amendment.

Benefits and costs of implementation

There are no additional costs to or other substantive impacts on the community or business. However, the amendments may result in greater protection for the Members of Parliament, staff and members of the public who visit the parliamentary precinct.

The proposed amendment does not have any significant impact or costs on government.

Consistency with fundamental legislative principles

The regulation is consistent with the fundamental legislative principles set out in the *Legislative Standards Act 1992*.

Consultation

Consultation was undertaken with the Department of the Premier and Cabinet and Queensland Treasury, which are supportive of the proposed amendment.

The Department of Public Works, through State Government Security, is in consultation with the Queensland Parliamentary Service. This consultation process will continue up to and during the sittings.

No public consultation has been undertaken as the proposed amendment does not significantly impact on the public.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Public Works.