



QUEENSLAND POLICE SERVICE

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26 November 2021

Mr Linus Power MP
Chair
Economics and Governance Committee
Parliament House
George Street
Brisbane QLD 4000
egc@parliament.qld.gov.au

Dear Mr Power

Thank you for your letter of 23 November 2021, about the Economics and Governance Committee's (the Committee) inquiry into the Police Service Administration and Other Legislation Amendment Bill 2021 (the Bill).

On behalf of Commissioner Carroll, I am pleased to offer the assistance of the Queensland Police Service (QPS) during the Committee's consideration of the Bill.

Please find enclosed a departmental brief prepared by the QPS to assist the Committee's inquiry process.

In terms of the public briefing scheduled for 29 November 2021, at the Parliamentary Annexe, Brisbane, I confirm the attendance of the following witnesses to brief the Committee about the Bill:

- Assistant Commissioner Debbie Platz, Executive Officer, Security & Counter-Terrorism Command, QPS;
- Superintendent Keiryn Dermody, Commander, Protective Services Group; QPS;
- Senior Sergeant John Henderson, Instructing Officer, Legislation Branch, QPS;
- Mr Mike Devery, Manager, Compliance Optimisation Unit of the Department of Environment and Science (DES); and
- Mr Todd Kelly, Manager, Parks and Forest Policy Unit of the DES.

Should the Committee require any further information, please contact

[REDACTED]

Yours sincerely



Paul Friedman
A/Executive Director
Policy and Performance Division
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Queensland Police Service Brief on the Police Service Administration and Other Legislation Amendment Bill 2021 to the Economics and Governance Committee

Purpose of the Bill

1. On 16 November 2021, the Minister for Police and Corrective Services and Minister for Fire and Emergency Services introduced the Police Service Administration and Other Legislation Amendment Bill 2021 (the Bill) into the Queensland Parliament. The Bill was referred to the Economics and Governance Committee (the Committee) for consideration.
2. The primary purpose of the Bill is to modernise the legislation that underpins Protective Services.
3. Other amendments in the Bill increase efficiency in the administration of identity cards issued pursuant to Department of Environment and Science legislation that supports the operations of the Queensland Parks and Wildlife Service (the *Forestry Act 1959*, the *Marine Parks Act 2004*, the *Nature Conservation Act 1992* and the *Recreation Areas Management Act 2006*). These amendments will particularly benefit police officers acting as public officials under these Acts.
4. To achieve the purposes, the Bill amends the following legislation:
 - the *Forestry Act 1959*;
 - the *Marine Parks Act 2004*;
 - the *Nature Conservation Act 1992*;
 - the *Police Powers and Responsibilities Act 2000* (PPRA);
 - the *Police Powers and Responsibilities Regulation 2012* (PPRR);
 - the *Police Service Administration Act 1990* (PSAA);
 - the *Police Service Administration Regulation 2016*
 - the *Recreation Areas Management Act 2006*;
 - the *State Buildings Protective Security Act 1983* (SBPSA); and
 - the *State Buildings Protective Security Regulation 2008* (SBPSR).

Amendments relating to the modernising of Protective Services - Background

5. Government buildings have a particular significance in our society as they are the location for a range of services provided to the community. For example, government buildings are used to dispense justice by our courts, to provide education through our public schools and to meet our cultural needs at art galleries. These areas are not only workplaces for government employees but are also the necessary interface between the people and the government.
6. Government buildings face particular security risks that should be addressed by security measures that are appropriate for each individual area. For example, security measures for public schools during school hours should take into account the presence of a large number of young people, who due to their age may be considered vulnerable. Similarly, security measures for courts should be developed in the knowledge that

many persons entering these areas, especially in relation to court matters, may be experiencing unusual stress which may cause unpredictable behaviour.

7. Additionally, the National Terrorism Threat Level is currently 'probable' and is likely to remain at this level for the foreseeable future. This level indicates that Australian security agencies have assessed that individuals or groups continue to possess the intent and capability to conduct a terrorist attack in Australia. This threat is elevated for governments or authorities, in particular the military, police and security agencies, as appeals for symbolic attacks have been made against these agencies.
8. The Queensland Government has an obligation to ensure the safety and security of people in government buildings. The Queensland Government may be criticised if it fails to implement appropriate security measures that reduce potential threats to personal safety in these areas.
9. This obligation has been met through a range of measures, including the establishment of Protective Services. On 30 July 1984, the SBPSA established Protective Services (then known as the State Government Protective Security Service), which is tasked with providing security services for Queensland Government buildings.
10. On 8 September 2016, the *Public Safety Business Agency and Other Legislation Amendment Act 2016* and machinery of government changes integrated Protective Services into the Queensland Police Service (QPS).
11. From its inception, Protective Services has progressively grown to now comprise over 400 staff providing a variety of security services including:
 - on site security of government property assets;
 - an alarm monitoring and response service;
 - mobile patrolling of property assets; and
 - government identification card production.
12. The security services that Protective Services provide can alleviate concerns that employees and others may hold about their safety in state buildings and reduce the seriousness of injuries that may arise as a consequence of workplace violence. Although the precise value for providing security for government buildings is difficult to quantify, effective security management may result in tangible benefits including:
 - the support of agency service delivery objectives;
 - a minimisation of unnecessary losses or disruptions; and
 - ensuring the Queensland Government meets its obligations (e.g. duty of care) as an employer and building owner.

Providing security to state buildings

13. Currently, the SBPSA provides the powers that protective security officers and senior protective security officers may exercise within state buildings. Security powers provided to police officers are located in the PPRA. The security powers that may be exercised by these officers in state buildings are outlined in page 2 of the explanatory

notes accompanying the Bill. These notes highlight that protective security officers are limited to asking a person to participate in screening and inspection of the person's belongings. In contrast, senior protective security officers have all the powers outlined in the SBPSA and, in a state building, all the powers of a police officer except for arrest.

14. The Bill will amalgamate protective security officers and senior protective security officers into one group called protective services officers (PSOs). Additionally, the Bill will relocate the security powers into the PPRA so that there will be a single point of truth about the exercise of these powers, which will reduce duplication and minimise the risk of inconsistencies that arise by housing powers for police and PSOs in different Acts.
15. An important aspect of the Bill is a shift from the current position which allows senior protective security officers to exercise general police powers (except arrest) within state buildings. Instead, the Bill focuses on authorising the newly named PSOs with the powers specifically needed to provide an appropriate level of security within state buildings. Further, the Bill introduces safeguards to ensure that security powers, when exercised, will be done so appropriately.
16. A table has been prepared summarising the current powers of protective security officers and police officers in state buildings (see **Attachment 1**). This table also summarises the powers proposed in the Bill that PSOs and police officers will be authorised to exercise. Finally, this table outlines important features about the proposed powers including safeguards introduced by the Bill.

The provision of security in government buildings in other jurisdictions

17. The laws across Australia providing for security in government buildings and associated areas have similar characteristics. These characteristics are outlined in the explanatory notes in the Bill and include:
 - demanding name and address details of an entrant and their reason for entry;
 - screening a person entering or in the protected area either by electronic screening and/or a frisk search;
 - inspecting a vehicle and its contents entering or in the protected area;
 - seizing contraband;
 - directing a person to leave the protected area if the person does not comply with security arrangements; and
 - removing a person who has failed to comply with directions, from the protected area.
18. However, as there are no uniform laws, each jurisdiction has minor differences and idiosyncrasies. A jurisdictional comparison of the powers that may be exercised by security officers in government buildings is provided in **Attachment 2**.

Further information about Protective Services amendments

19. The QPS has identified opportunities to increase the efficiency of Protective Services, while simultaneously promoting the integration of Protective Services into the QPS and ensuring the Government meets its obligation as an employer to provide for the safety and security of people in government buildings. These opportunities may only be realised through the amendments outlined in the Bill.
20. These amendments include:
- repealing the SBPSA and SBPSR by relocating relevant provisions to the PPRA and PSAA;
 - amalgamating protective security officers and senior protective security officers into one group called protective services officers (PSOs);
 - consolidating and rationalising the security powers that may be exercised by police officers and PSOs in state buildings including:
 - standardising the screening procedures for entrants to a state building;
 - allowing police officers to demand the name and address from an entrant to a state building;
 - authorising PSOs to direct a person who is trespassing or is disorderly in a state building to leave that place;
 - authorising PSOs to exercise the security powers currently performed by senior protective security officers in state buildings such as
 - the power to refuse entry to, or to remove persons who do not meet security requirements; and
 - the power to detain entrants who are suspected of committing offences;
 - authorising PSOs to seize contraband located in the performance of their duties;
 - ensuring that the statutory protections available to police officers who are required to use force in the performance of their duties extend to PSOs;
 - introducing a new offence provision prohibiting the impersonation of a PSO;
 - clarifying that the offence to assault or resist a PSO includes obstructing a PSO;
 - expanding the QPS alcohol and drug testing regime to apply to PSOs; and
 - authorising PSOs to use body-worn cameras.
21. The benefits of these amendments are outlined in the explanatory notes accompanying the Bill between pages 4 to 9.
22. The QPS offers the following further information in support of specific amendments in the Bill for the consideration of the Committee.

Amalgamating protective security officers and senior protective security officers into one group called protective services officers (PSOs).

23. As of 12 January 2021, Protective Services comprises 173 protective security officers and 277 senior protective security officers. Queensland is the only Australian jurisdiction that differentiates between protective security officers and senior protective security officers by the powers each exercises.

24. The majority of the powers in the SBPSA that may be exercised to provide security in state buildings only apply to senior protective security officers. In the course of their duties, protective security officers may only ask a person entering a state building if they will participate in electronic screening and allow their belongings (including their vehicle) to be searched.
25. However, a protective security officer is not authorised to seize any proscribed matter found and cannot demand the entrant provide their personal details or the reason why they wish to enter. If the entrant declines to be screened or allow their property to be searched, the protective security officer cannot direct the person to leave the state building or remove them. Those powers may only be exercised by a senior protective security officer.
26. Protective security officers may only function effectively in the presence of a senior protective security officer who may exercise the full range of powers under the SBPSA. This creates staffing issues as senior protective security officers have to be available at all times to ensure an appropriate level of security may be provided for state buildings. Further, most clients of Protective Services request the attendance of an officer with security powers. To cater to this need, a larger proportion of senior protective security officers to protective security officers has occurred.
27. To promote consistency with other jurisdictions and to enhance efficiencies, it is proposed that protective security officers are amalgamated with senior protective security officers to make one group called protective services officers (PSOs). PSOs will be authorised with the powers currently afforded to senior protective security officers. The Bill will still allow for the existing rank structures to continue. The proposed rank structure will include the rank of protective services officer and, to recognise seniority and/or expertise, the rank of senior protective services officer. However, regardless of rank, these officers will be able to exercise the same powers in a state building.

Allowing police officers to demand the name and address from an entrant to a state building.

28. The power to demand a person to state their name and address does not extend to police officers or protective security officers. Part 1 of Chapter 19 of the PPRA only authorises police officers to require an entrant to state their reason for being in or about to enter the state building. To ensure appropriate levels of security in state buildings, it is necessary for police officers to be able to demand of entrants their names and addresses. Simply put, a building cannot be secured if it is unknown who is in it.
29. Examples where the security of a state building may be compromised may include:
 - Intelligence may be received that a person who presents a security risk will be attending at a state building. Information from QPRIME may be available, including photographs and information on risk factors such as the person of interest being predisposed to violence, a history of carrying weapons etc. Without a power to demand an entrant's name, police at a state building may locate a person who matches the person of interest's general description but be unable to verify the person is the person of interest; or

- It may be difficult to determine if a person is in breach of a direction to leave a state building if the person later returns and their particulars are not known and the police officer who issued the direction is not present.
30. It is proposed to amend the PPRA to authorise police officers to demand personal details of persons entering into state buildings and the correctness of those details. Failing to comply with the demand to provide name and address details will be an offence under section 791 'Offence to contravene direction or requirement of police officer' under the PPRA. This section carries a maximum penalty of 40 penalty units and will be expanded so that it will apply to directions or requirements given by PSOs and police officers. The proposed maximum penalty is considered to better reflect the seriousness of the offence of contravening a demand to provide name and address in important areas such as state buildings.
 31. The power to require a person to state their name and address will be qualified. A person may only be required to provide their name and address if the officer reasonably suspects it is necessary to do so to maintain the security of a state building. This is consistent with directions given by police officers at other locations. For example, at major airports such as at Brisbane, Cairns and the Gold Coast, a police officer may require a person to provide their name and address if the officer considers it necessary to give the direction to safeguard the public order and safe operation of that, or another, major airport.

Introducing a new offence provision prohibiting the impersonation of a PSO

32. The PSO officer uniform of a white shirt and dark trousers has recently been modified to incorporate QPS shoulder patches that are identical to those worn by police officers excepting that they are maroon. PSOs also wear maroon epaulettes with white stitching stating 'Protective Services'. PSOs on mobile patrol wear a QPS polo shirt complete with blue and white checkerboard with 'Protective Services' emblazoned across the shoulder blades on the back of this uniform.
33. The continual assessment of the current security environment involves considering potential strategies an offender may use to defeat security measures. One strategy an offender may use to gain access to restricted areas would be to disguise themselves as a PSO as these officers are expected to be present in these areas while they conduct their patrols.
34. The proposed offence will prohibit a person from pretending to be a PSO and will carry a maximum penalty of 100 penalty units. This offence will be able to be dealt with summarily. This offence is consistent with the approach taken for impersonating public officials in Queensland. There are 85 summary offences prohibiting the impersonation of a wide range of public officials in Queensland (see **Attachment 3**). An examination of Attachment 3 reveals that the maximum penalty of 100 penalty units is mid-range compared to other similar offences and is consistent with the offence of impersonating a police officer or a security officer under the *Hospital and Health Boards Act 2011*.
35. Other jurisdictions have similarly addressed this concern by creating offences that deter persons from impersonating protective services officers. These jurisdictions include the Commonwealth, New South Wales, Victoria, and South Australia which

have introduced specific offences that impose maximum penalties ranging from \$2500 or 6 months imprisonment to 12 months imprisonment.

36. As this is a new offence there is no statistical data indicating the prevalence of persons impersonating PSO. However, anecdotally this would be rare. Notwithstanding this, the proposed amendment is considered necessary in the current security environment to ensure that an appropriate level of security is provided to state buildings and to reflect the unique position that security officers hold in our society.
37. Unlike many other public officials, security officers are authorised to apply force to another. This places these officers in a unique category when compared to other public officials. Offenders abusing the trust that the public places with these officers have a greater opportunity for offending behaviour. For example, an offender may assault another while 'purporting' to screen a person entering a state building. Alternatively, an offender may manipulate the 'air of authority' the position of security officer holds to facilitate the commission of offences.

Amendments relating to Department of Environment and Science Legislation

38. The Queensland Parks and Wildlife Service (QPWS) within the Department of Environment and Science (DES) manages in partnership with First Nations people 13 million hectares of land comprising: 312 national parks; 234 conservation parks; 47 resources reserves, three marine parks; 409 State forests; 32 forest reserves; nine timber reserves and seven recreation areas.
39. These areas are variously managed under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004*, the *Forestry Act 1959* and the *Recreation Areas Management Act 2006*. To distinguish these Acts from other legislation administered by DES, they will be referred to in this briefing as QPWS Legislation.
40. These lands and waters are popular locations for the Queensland community to visit and recreate, and QPWS Legislation includes a range of provisions which are used to maintain public safety and ensure the conservation and protection of the natural, cultural and other values of these places.
41. Additionally, in Queensland, all native plants, mammals, birds, reptiles, amphibians and select fish and invertebrates are protected state-wide. Through its legislation, DES regulates the taking, keeping and use of protected plants and animals for commercial, recreational, scientific and educational purposes under a permit and licence framework.
42. To ensure there is community compliance with the requirements of QPWS Legislation, rangers may be appointed as authorised officers, who can investigate offences detected as part of their work and issue infringement notices to offenders. Additionally, and subject to the Police Commissioner's approval, Queensland police officers may also be trained and appointed as authorised officers ("public officials") under the same QPWS Legislation, consistent with section 13 of the PPRA. Since 2018, DES has appointed over 120 Queensland police officers to act under this QPWS Legislation.

43. This collaboration between DES and the QPS continues to yield clear benefits in respect to protecting public safety and the natural, cultural and marine resources in protected areas, State forests and declared recreation areas, as well as better empowering police to assist with the disruption of wildlife poaching and trafficking across Queensland, some of which constitutes organised crime.

Issuing identity cards under Queensland Parks and Wildlife Service Legislation

44. Currently QPWS Legislation obliges the Minister or Chief Executive to issue an identity card to an authorised officer upon the officer's appointment. This applies to police officers appointed as authorised officers under this legislation except for police officers appointed under the *Nature Conservation Act 1992*. Section 130 (Identity cards) of the *Nature Conservation Act 1992* already removes the requirement for issuing cards to police in recognition that police officers have their own identity card requirements that apply when exercising powers as a public official (i.e. Section 637 (Supplying police officer's details) of the PPRA).
45. The requirement to issue cards to police under other QPWS Legislation is an administrative burden for DES and QPS, as the relevant police officers must provide DES with a current photograph and signature specimen for the cards to be subsequently printed. This burden is compounded due to police being dispersed across Queensland making it difficult to coordinate the issuing of identity cards in a batch post-training, particularly if training is delivered remotely.
46. The Bill further improves efficiencies by providing for an identity card issued under another Act to record appointments made under QPWS Legislation. This will ensure that multiple identity cards do not need to be issued to a person who has a number of appointments under different Acts.

Producing identity cards under Queensland Parks and Wildlife Service Legislation

47. Authorised officers (including police officers) are required to produce their identity card when exercising powers under QPWS Legislation (excepting for some circumstances in the *Nature Conservation Act 1992* and the *Marine Parks Act 2004*). This requirement is considered superfluous for police officers who under the PPRA are already required to identify themselves as police officers and, if not in uniform, produce their police identity card. Consequently, amendments in this Bill remove this requirement for police to produce their identity card under QPWS Legislation.

Returning identity cards under Queensland Parks and Wildlife Service Legislation

48. QPWS Legislation places an obligation on officers to return identity cards issued to them upon ceasing to act as a public official under this legislation. As the Bill removes the need for police officers to be issued with identity cards under this legislation, this requirement will be amended to clarify that the only officers obliged to return identity cards upon ceasing to be public officials will be officers who have previously been issued with a card under this legislation.
49. The amendments made to QPWS Legislation in the Bill will improve efficiency by removing duplication with the PPRA regarding issue and production of identity cards, enable appointments to be listed on a single card and simplify administration regarding the return of identity cards. These amendments recognise the existing requirements of

the PPRA for police to identify themselves when enforcing powers as a public official. These requirements will remain when police are assisting QPWS rangers when working to ensure public safety and protecting the natural, cultural and other values of Queensland's conservation lands and native wildlife.

List of Attachments

- **Attachment 1** Information about Current and Proposed powers for PSOs and police officers
- **Attachment 2** Jurisdictional comparison of security powers in Government buildings
- **Attachment 3** Impersonation offences that may be dealt with summarily in Queensland

Current Powers of Protective Security Officers and Police Officers in State Buildings

<u>Protective Security Officers</u>	<u>Senior Protective Security Officers</u>	<u>Police Officers</u>
<p>Electronic Screening <u>If systems for the security of a state building involve:</u></p> <ul style="list-style-type: none"> the presence of a security officer in the building; and the use of electronic screening devices. <p><u>A security officer may ask an entrant of the building to:</u></p> <ul style="list-style-type: none"> walk through a walk-through detector; pass their belongings through an X-ray scanner; and allow an officer to pass a hand held scanner in close proximity to the person or their belongings. <p>Removal of outer garments etc <u>A security officer may ask an entrant to:*</u></p> <ul style="list-style-type: none"> allow the officer to inspect the entrant’s belongings; remove outer garments as specified; remove articles from the entrant’s pockets; open an article for inspection; open a vehicle for inspection; and remove an article from the vehicle as specified. <p><u>A security officer may ask an entrant:</u></p> <ul style="list-style-type: none"> to park their vehicle in a place specified by the officer; and 	<p>All the powers of a protective security officer apply to a senior protective security officer. In a state building, senior protective security officer have all the powers of a police officer, except arrest.</p> <p><u>A senior protective security officer may demand of a person in or about to enter a state building:</u></p> <ul style="list-style-type: none"> their name and address; evidence of the person’s name and address; and their reason for being in or attempting to enter the state building. <p>An entrant who has been asked to be electronically screened may be directed to be subject to this screening if the senior protective security officer is reasonably satisfied that the entrant has failed to comply with the request.</p> <p>An entrant who has been asked to remove outer garments etc may be subject to a direction if the senior protective security officer is reasonably satisfied that the entrant has failed to comply with the request.</p> <p><u>If a direction is made to remove outer garments etc, the senior protective security officer may:</u></p> <ul style="list-style-type: none"> examine an outer garment removed by the entrant; touch worn garments to detect articles; remove and inspect a detected articles; inspect a vehicle or part of it; inspect an article in a vehicle; and remove an article from a vehicle and inspect it. 	<p>A police officer may demand a person in or about to enter a state building provide their reason for being in or attempting to enter the state building.</p> <p><u>If systems for the security of a state building involve the use of electronic screening devices, a police officer may ask an entrant of the building to:</u></p> <ul style="list-style-type: none"> walk through a walk-through detector; pass their belongings through an X-ray scanner; and allow an officer to pass a hand held scanner in close proximity to the person or their belongings. <p>Regardless of whether the entrant or their belongings has been subject to electronic screening and if the police officer tells the entrant about the grounds for making the request.</p> <p><u>The police officer may ask the entrant to:</u></p> <ul style="list-style-type: none"> allow the officer to inspect the entrant’s belongings; remove outer garments as specified and allow them to be inspected; remove articles from the entrant’s pockets and allow them to be inspected; open an article for inspection; open a vehicle for inspection; and remove an article from the vehicle as specified and allow them to be inspected.

<ul style="list-style-type: none"> • deposit their belongings at a certain place if it capable of concealing a proscribed item. <p><i>*This power applies regardless of whether there has been electronic screening and if the security officer tells the entrant about the grounds for making the request.</i></p>	<p>A senior protective security officer may seize and detain proscribed matter possessed by a person except if it is lawfully in the person’s possession in the course of their trade business or calling.</p> <p><u>If the entrant fails to comply with:</u></p> <ul style="list-style-type: none"> • a demand for information; • a direction given by a senior protective security officer; or • the power to examine outer garments etc; <p>a senior protective security officer, reasonably satisfied that it is necessary for the security of a state building, may direct an entrant to leave a state building immediately and to take their belongings with them.</p> <p><u>A senior protective security officer may remove a person from a state building or prevent their entry where the person has failed to:</u></p> <ul style="list-style-type: none"> • provide information about their name and address; • allow examination/inspection of garments etc. or • provide good and lawful reason to be in the building. <p>A senior protective security officer may detain a person suspected of committing:</p> <ul style="list-style-type: none"> • an offence against the SBPSA; or <p>an offence against any other law by having done anything or having had anything in the person’s possession in a state building.</p>	<p><u>A police officer may direct an entrant to leave a state building immediately and to take their belongings if the entrant fails:</u></p> <ul style="list-style-type: none"> • to state the person’s reason for being in or about to enter the building; or • to allow a police officer to exercise a power mentioned above. <p>A police officer may seize and detain proscribed matter possessed by a person except if it is lawfully in the person’s possession in the course of their trade, business or calling.</p> <p><u>A police officer may remove a person from a state building or prevent their entry where the person has failed to:</u></p> <ul style="list-style-type: none"> • allow examination/inspection of garments etc. • comply with a direction; or • provide a good and lawful reason to be in the building.
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Proposed Powers of Protective Services Officers (PSO) and Police Officers in state buildings

A PSO and police officer may demand a person in or about to enter a state building provide their name and address, evidence of the person's name and address and their reason for being in or attempting to enter the state building.

If systems for the security of a state building involve the use of electronic screening devices, a PSO and a police officer may ask an entrant of the building to:

- walk through a walk-through detector;
- pass their belongings through an X-ray scanner; and
- allow an officer to pass a hand held scanner in close proximity to the person or their belongings.

Regardless of whether the entrant or their belongings has been subject to electronic screening and if the PSO or police officer tells the entrant about the grounds for making the request, the police officer and PSO may ask the entrant to:

- allow the officer to inspect the entrant's belongings;
- remove outer garments as specified and allow them to be inspected;
- remove articles from the entrant's pockets and allow them to be inspected;
- open an article for inspection;
- open a vehicle for inspection; and
- remove an article from the vehicle as specified and allow them to be inspected.

A PSO and a police officer may direct an entrant to leave a state building immediately and to take their belongings if the entrant fails:

- to state the person's name and address or reason for being in or about to enter the building;
- to allow the exercise of the screening powers mentioned above;
- the person is in or about to enter a state building and the person is disorderly, indecent, offensive, or threatening to someone entering, at or leaving the state building; or
- the person has no good and lawful reason (i.e. trespass) for entering or being in a state building

A PSO and a police officer may seize and detain proscribed matter possessed by a person unless the person has a reasonable excuse to possess the proscribed thing.

A PSO and a police officer may remove a person from a state building or prevent their entry if the person is disorderly, indecent, offensive, or threatening to someone entering, at or leaving the state building or where the person has failed to:

- allow examination/inspection of garments etc.
- comply with a direction; or
- provide a good and lawful reason to be in the building.

A PSO may detain a person suspected of committing an offence against the PPRA or an offence against any other law by having done anything or having had anything in the person's possession in a state building.

Important Features about the proposed powers

PSOs, unlike Senior Protective Security Officers, will NOT have all of the powers of a police officer (except the power of arrest) in a state building. In contrast, the Bill will provide the specific powers that a PSO needs to provide an appropriate level of security at a state building

For a Police Officer –

- The existing power authorising a police officer to demand a person in or about to enter a state building to provide the reason for being in or attempting to enter the state building will be expanded to include a power to demand the person's name.
- A police officer will be authorised to direct a person in or about to enter a state building to leave the building if the person is trespassing, or is disorderly, indecent, offensive, or threatening to someone entering, at or leaving the state building. NB This power is consistent with existing move-on powers.
- The existing power authorising police officers to remove a person, or prevent the person's entry, from a state building in certain circumstances will be expanded to allow a police officer to remove a person or prevent the person from entering if the person is disorderly, indecent, offensive, or threatening to someone entering, at or leaving the state building. NB: This power is consistent with other powers – Breach of the Peace, Prevention of Offences etc.

For a Protective Services Officer (PSO) –

- A PSO will be authorised to seize proscribed matter which includes property that is in unlawful possession of a person.
- A PSO will be authorised to direct a person in or about to enter a state building to leave the building if the person is trespassing or is disorderly, indecent, offensive, or threatening to someone entering, at or leaving the state building. NB This power is consistent with move-on powers.
- The existing power authorising a senior protective security officer to remove a person, or prevent the person's entry, from a state building in certain circumstances will be expanded to allow a PSO to remove a person or prevent the person from entering if the person is disorderly, indecent, offensive, or threatening to someone entering, at or leaving the state building.

Note: In contrast to current powers exercised by Senior Protective Security Officers, a PSO will NOT be able to give a direction to:

- allow the officer to inspect the entrant's belongings;
- remove outer garments as specified;
- remove articles from the entrant's pockets;
- open an article for inspection;
- open a vehicle for inspection;
- remove an article from the vehicle as specified;
- require an entrant:
 - to park their vehicle in a place specified by the officer; and
 - deposit their belongings at a certain place if it capable of concealing a proscribed item.

Safeguards

Police officers will continue to be subject to the safeguards outlined in the *Police Powers and Responsibilities Act 2000*. A further safeguard will be introduced in relation to the proposed power to require name and address of a person in or about to enter a state building and to directions to leave a state building. These powers may only be exercised if the police officer reasonably suspects the requirement is necessary to maintain the security of a state building. Further, a direction to leave a state building will be an enforcement act requiring to be recorded in the enforcement register.

Protective Services officers will be subject to the following safeguards:

A PSO who is not in uniform must clearly display the officer's identity card or produce for inspection their identity card before exercising a power under Chapter 19 of the PPRA unless it is not reasonably practicable to do so. If it is not reasonably practicable, the PSO must produce the identity card for inspection at the first reasonable opportunity.

In relation to state name and address:

- this power may only be exercised if the PSO reasonably suspects the requirement is necessary to maintain the security of a state building.

In relation to screening:

- a PSO, police officer or adult assisting the officer may touch a garment the person is wearing only if the person is of the same sex.
- the new s 553 'Safeguards for inspection of entrant's belongings' of the PPRA will require a police officer or PSO, inspecting the belongings of an entrant to ensure that the person is caused minimal embarrassment during the examination and reasonable care is taken to protect the dignity of a person. An officer may ask the entrant to allow an inspection of the person's belongings out of public view, if the officer reasonably suspects it is necessary to protect the dignity of an entrant and it is reasonably practicable.

In relation to directions:

- If an entrant to a state building fails to comply with the screening or inspection process, a PSO or police officer may direct the person to leave the building. However, the PSO is not to give the direction, if the entrant tells the PSO:
 - the entrant does not want to be screened or their belongings inspected and they are prepared to leave the state building immediately with their belongings; or
 - if the PSO has started to screen the entrant or inspect belongings, the entrant does not want the screening or inspection to continue and is prepared to leave the state building immediately with their belongings; and
 the entrant leaves the state building immediately with their belongings.
- A PSO, similar to a police officer giving an oral direction, must warn, if practicable, the person it is an offence to fail to comply with the direction without a reasonable excuse and give the person another opportunity to comply with the direction. Directions to leave a state building must only be given where the PSO reasonably suspects the requirement is necessary to maintain the security of a state building.

In relation to property:

- PSOs will be authorised to return property.
- A PSO seizing property is to complete a property receipt.
- A PSO causing damage in the exercise of a power is to give notice.
- A PSO will be required to be responsible for the safe keeping of the thing.

In relation to seizure of property, directions to leave state buildings, removal of a person from a state building/detention of a person:

- The exercise of any of these powers by a PSO is an enforcement act requiring the PSO to add relevant information to the enforcement register.

JURISDICTIONAL COMPARISON OF SECURITY POWERS IN GOVERNMENT BUILDINGS

Powers of a Protective Services Officer (PSO)								Other Information	
Jurisdiction	Types of areas protected	Powers of PSOs dependant on rank	Power to require name and address, Reason for being present	Electronic Screening of person/ vehicles	Seizure of prohibited items	Power to give direction to leave	Power to remove person		Impersonate security officer
<p>NSW</p> <p><i>Court Security Act 2005; Parliamentary Precincts Act 1997</i></p>	<p>Courts and their associated areas. Parliamentary precincts are protected by police officers (see <i>Parliamentary Precincts Act 1997</i>).</p>	<p>No. Security officers only for Courts, not other buildings.</p>	<p>Yes – if security officer reasonably believes the person is carrying a restricted item or offensive implement or committed an offence. Max Penalty: 2 penalty units.</p>	<p>Yes – may require person entering or in court premises to submit to a scanner search or provide a thing for a scanner search.</p>	<p>Yes – but must return the item OR hand to police depending on item and circumstances. Items include weapons and recording devices.</p>	<p>Yes – may give directions at courts to reduce or eliminate obstruction, harassment, intimidation or fear. Fail to comply: Max penalty of 20 penalty units.</p>	<p>Yes – security officer can use the force reasonably necessary to exercise a power.</p>	<p>Security officer may require a person to remove a face covering.</p>	<p>A person must not falsely represent as security officer in court premises. Max penalty: 100 penalty units or 6 months imp.</p>
<p>Victoria</p> <p><i>Victoria Police Act 2013; Court Security Act 1980; Parliamentary Precincts Act 2001</i></p>	<p>PSOs have the function of protecting officials, places of public importance and the public in certain places. Examples include: Public transport related areas (rail stations, car parks) and Parliament.</p>	<p>No.</p>	<p>Yes –at Courts – s.3 of the <i>Court Security Act 1980</i> Max penalty 10 penalty units -At Parliamentary precincts, if person fails to leave when directed Max penalty: 5 Penalty units</p>	<p>Yes – But only at courts. May also Frisk search.</p>	<p>Yes – under the <i>Courts Security Act 1980</i>, ‘prohibited item’ means a firearm, explosive, offensive weapon or an item that adversely affects the good order of a court.</p>	<p>Yes PSOs may also give directions to person to leave Parliamentary precincts. Max Penalty 10 penalty units.</p>	<p>Yes</p>	<p>PSOs have the same powers as police in Railways and associated areas and when on duty in a designated place.</p>	<p>Yes, same as impersonate police officer Max penalty: 120 penalty units or 1 year imp.</p>

JURISDICTIONAL COMPARISON OF SECURITY POWERS IN GOVERNMENT BUILDINGS

Jurisdiction	Types of areas protected	Powers of PSOs dependant on rank	Power to require name and address, Reason for being present	Electronic Screening of person/ vehicles	Seizure of prohibited items	Power to give direction to leave	Power to remove person	Other	Impersonate security officer
<p>Tasmania <i>Court Security Act 2017; Parliament House Act 1962</i></p>	Courts and Parliament	No. Security officers only for Courts, not other buildings.	In Courts – security officer may require name and address details Failing to provide 50PU Controlling officers – may require person to provide name and address. Max penalty: 10 penalty units or 6 months imp.	In Courts - Yes	In Courts – Yes. Prohibited items include controlled substance, liquor, dangerous or disruptive object.	Yes – In courts. Yes, for Parliament grounds fail to comply; Max penalty: 2 penalty units.	Yes- section 17 6 of the <i>Court Security Act 2017</i>		Section 26 of the <i>Court Security Act 2017</i> prohibits the impersonation of a security officer. Max penalty 50 Pu or 6mth imp or both
<p>South Australia <i>Protective Security Act 2007</i></p>	The Minister may determine that certain public officials, specified places (private or public) and specified vehicles should be protected	No.	Yes – PSOs may give a direction within the vicinity of a protected person, or a protected place for the purposes of maintaining or restoring security or orderly conduct, including a person provide their name and address. Failure to comply - Max Penalty \$2500 or 6 months imp.	Yes	PSOs may seize dangerous objects or objects that the officer reasonably believes to be in the unlawful possession of the person and hand them to police.	Yes – If a person fails to comply with a direction or commits an offence in a protected place, the PSO may direct them to leave for no more than 24 hours. Max penalty \$2500 or 6 months imp.	Yes		Section 41 prohibits the impersonation of protective security officers. Max penalty: \$2500 or 6 months imp.

JURISDICTIONAL COMPARISON OF SECURITY POWERS IN GOVERNMENT BUILDINGS

Jurisdiction	Types of areas protected	Powers of PSOs dependant on rank	Power to require name and address, Reason for being present	Electronic Screening of person/ vehicles	Seizure of prohibited items	Power to give direction to leave	Power to remove person	Other	Impersonate security officer
Western Australia <i>Court Security and Custodial Services Act 1999.</i>	Courts premises	No	Yes – in courts, if the person is disorderly, has committed an offence or wishes to remain for an inappropriate purpose. Fail to comply. Max penalty: \$1000	Yes – searches in courts for the security, good order or management of the court premises.	Yes – if the authorised person reasonably believed property is relevant to an offence under this Act.	The power to give a direction to leave applies to a Court if the entrant is acting in a disorderly manner.	Yes – in courts if the person does not comply with a search, or a request to provide their details or to deposit suspect property, or if acting in a disorderly manner.		Nil found.
Northern Territory <i>Court Security Act 1998</i>	Courts precincts	No. Security officers are police officers or persons authorised by the CEO under this Act.	Yes – fail to comply, Max penalty: 17 penalty units. Providing false details, Max penalty – 40 Penalty units.	Security officer can require any person in a court to a screening search. If the officer reasonably believes it necessary, may require the person submit to a frisk search.	A security officer may seize a firearm, explosive or offensive weapon. Items that are offensive or cause a breach of the peace may be deposited with the security officer.	A security officer may require a person to leave if they are behaving unlawfully or in a disorderly or menacing manner. Max penalty for failing to comply – 40 Penalty units or 12 months imp.	Yes – a person failing to comply commits an offence – Max penalty: 40 penalty units or 1 years imp. Reasonable necessary force may be used to remove the person.		Nil found.

JURISDICTIONAL COMPARISON OF SECURITY POWERS IN GOVERNMENT BUILDINGS

Jurisdiction	Types of areas protected	Powers of PSOs dependant on rank	Power to require name and address, Reason for being present	Electronic Screening of person/ vehicles	Seizure of prohibited items	Power to give direction to leave	Power to remove person	Other	Impersonate security officer
<p>Commonwealth</p> <p><i>Australian Federal Police Act 1979</i></p>	Place, person or thing	No	Yes – if a person is committing, might commit a protective service offence and in the vicinity of a place person or thing subject to protective service functions.	Yes – if the person controls a thing.	Yes If the item is likely to cause damage to a thing or serious harm to a person.			PSOs may arrest for PSO offences	Section 63A of the <i>Australian Federal Police Act 1979</i> prohibits the impersonation of a protective service officer. Max Penalty 12 months imp.
<i>Court Security Act 2013</i>	Court Precincts	No	Yes – if the person is: <ul style="list-style-type: none"> • harassing others; • causing a reasonable apprehension of violence; • is disrupting the lawful activities of court; or • committed an offence at court. 	Yes – a request for screening may be made of any person entering in or in a court premises.	Yes - security officers may request a person give them a dangerous item for safekeeping while the person is on court premises. Dangerous items are weapons or other dangerous things.	Yes – if a person fails to comply with a request re name, search etc, the person may be directed to leave. A direction can also be given if the person is: <ul style="list-style-type: none"> • harassing others; • causing a reasonable apprehens 	Yes.	A security officer may detain a person who has committed an offence for delivery to a police officer.	

						ion of violence; • is disrupting the lawful activities of court; • committed an offence at court. Failing to comply 20 penalty units.			
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Notes:

New South Wales

In New South Wales, the *Court Security Act 2005* (NSW) authorises the Sheriff to appoint security officers to provide security for court premises. Within these premises, security officers have the general security powers to screen entrants etc. These powers are enhanced by specific provisions that allow a security officer to:

- refuse entry to or require a person to leave court premises if the person is in possession of an animal;
- require a person who is wearing face covering to remove the covering if the person is seeking to enter the court premises or has been arrested;

Security officers under this Act are authorised to arrest a person in court premises if:

- the person is committing or has committed an offence against this Act;
- the officer reasonably believes the person has committed an offence against this Act; or
- the person is assaulting or has just assaulted another.

Control and management of the Parliamentary precincts are provided for under the *Parliamentary Precincts Act 1997* (NSW). This Act authorises police officers to give directions to leave the Parliamentary precincts and to remove persons from this area.

Victoria

Similar to Queensland, Victoria's protective services officers operate under the direction of Chief Commissioner. However, rather than their functions and powers being outlined in a separate Act, Victoria has integrated relevant provisions about protective services officers into the *Victoria Police Act 2013*. Victoria has enhanced the scope of use of protective services officers through providing an expansive definition of the functions of the protective services officers so that they are not limited to providing security services for state buildings. Protective services officers in Victoria have the function of protecting officials, places of public importance and the public in certain places. This allows protective services to be provided to persons as compared to being constrained to the boundaries of a geographical location.

Under the *Parliamentary Precincts Act 2001* (Vic), protective security officers as authorised officers may direct a person to leave or not to enter the Parliamentary precincts if the officer reasonably believes the direction is necessary for the good order and security of the Parliamentary precincts. This Act also permits an authorised officer to remove a person from the Parliamentary precincts or prevent the person from entering the Parliamentary precincts. Additionally, an authorised officer may demand a person's name and address if the person has failed or refused to leave the Parliamentary precincts when directed to do so.

Under the *Court Security Act 1980* (Vic), a protective services officer is an authorized officer. An authorized officer has the general security powers needed to provide for the security needs of Victorian courts such as power to demand name and address, power to frisk search and scanning search etc.

Additionally, the *Victoria Police Act 2013* allows a regulation to prescribe a place as a designated place. Any protective services officer on duty at a designated place has all the duties and powers of a protective services officer under this or another Act. Railways and their precincts are currently prescribed to be designated places.

Tasmania

In Tasmania, the *Court Security Act 2017* appoints a police officer as a security officer. Security officers may also be appointed by the court registrar. This Act outlines how public order is to be maintained in courts. A security officer may require a person in a court to state their name and address and reason for their visit and may remove the person if they fail to comply. Further, a security officer may require a person entering or in a court to submit to a search, including a search of their personal effects. The security officer may seize any prohibited thing that are found. Prohibited things include explosives, weapons, dangerous drugs and liquor. A security officer may require a person to leave a court and remove them if the person is behaving in an unlawful, disorderly, menacing or indecorous manner or refuse to submit to a search.

The *Parliament House Act 1962* allows the House Committee to make rules for the conduct of persons in the grounds of Parliament House and to appoint a controlling officer. The controlling officer may impound motor vehicles or chattels wrongfully on Parliament House land. A controlling officer may arrest a person who fails to comply with the House Committee's rules.

South Australia

Similar to Victoria, South Australia has a progressive approach to the utilisation of protective security officers. In South Australia, the Commissioner has responsibility for the control of management of protective security officers. Under the *Protective Security Act 2007 (SA)*, protective security officers have powers in relation to protected persons, protected places and protected vehicles. This Act allows the Minister to determine if specified public officials, places or vehicles are in need of protective security and to make a determination to that effect in writing.

The *Protective Security Act 2007* authorises a protective security officer to give to a person in or within the precincts of a protected place or within the vicinity of a protected person, reasonable directions for the purposes of maintaining or restoring the security of the protected place or person. If a person doesn't comply with a direction about a protected person, the protective security officer may direct the person to provide their name and address and may either cause the person to be removed away from the protected person or cause the person to be detained and handed over to the police.

A person in or within the precincts of a protected place may be directed to provide their name and address and the reason for being in or about to enter the place. The person may be directed to submit to a search of their person and possessions. A person who fails to comply with a direction given by a protective security officer may be refused entry to or removed from the protected place. Additionally, the person may be directed not to return to the protected place for a specified period of not more than 24 hours.

Western Australia

The *Court Security and Custodial Services Act 1999 (WA)* authorises the chief executive officer of the department administering this Act, the ability to contract with the private sector to provide court security and custodial services. The Western Australia government has recently contracted with Serco Australia for these services. However, this Act also allows the CEO to arrange with the commissioner for police officers to provide court security. The powers that either a police officer or contracted authorised person may exercise are listed in the schedules of this Act. These powers include the ability to search and screen a person, remove a person from a court premises and seize property used in the commission of an offence.

Northern Territory

In the Northern Territory, the security needs for courts are met through the *Court Security Act*. This Act prescribes police force members, the sheriff or a person appointed by the chief executive officer as a security officer. Security officers may require a person who is entering or is in court premises to provide their personal details and the reason for entering that area. Any person who entering or in a court premises may be required by a security officer to submit to a screening search. If the security officer reasonably believes in the interest of security it is necessary, the officer may require a person to submit to a frisk search, empty their pockets and open and empty a container, briefcase etc.

A security officer may seize firearms, explosives or offensive weapons that are in the possession of a person entering or in a court premises. Alternatively, if an item is offensive, insulting, indecent or likely to create a breach of the peace, the security guard may demand that it is deposited with them. Additionally, a security officer who believes that a person is behaving unlawfully or in a disorderly or menacing manner may be required to leave the premises.

Commonwealth

From 1984 to 2004, the Australian Protective Service (APS) existed as a distinct entity tasked with providing security services for Commonwealth places and specific persons. However, following the 11 September 2001 attacks, APS merged with the Australian Federal Police (AFP). The *Australian Federal Police Act 1979* (Cth) formally recognises that special protective services officers are part of the AFP and allows the Minister to direct that certain protective and custodial functions of the AFP are protective service functions

Under the *Australian Federal Police Act 1979*, police officers and protective services officers are permitted to exercise the same powers when exercising a protective service function. This Act allows the Minister to declare by notice that certain functions relating to a person, matter or thing over which the Commonwealth Parliament has legislative power are protective service functions.

This Act also lists protective service offences which range from trespassing on Commonwealth land to sabotage and authorises a protective service officer to arrest a person suspected of committing these offences in certain circumstances. Upon arrest, the protective service officer may conduct an ordinary or frisk search of the person and search their clothing to ensure that they are not armed or to prevent the loss of evidence. Any person arrested by a protective service officer is to be delivered into the custody of a police officer.

Police officers and protective services officers who reasonably suspect a person may have committed or be about to commit a protective service offence and is where protective service functions are being performed may request the person provide their name, address and their reason for being present. If the person fails to comply with the request, they commit an offence. A person who fails to comply with a direction or provides false information to a protective security officer commits an offence and is liable to a maximum penalty of \$2500 or 6 months imprisonment.

Additionally, if the police officer or protective service officer reasonably suspects that a person has a thing under their control or brought a thing onto premises where the AFP is performing protective service functions may be stopped and searched if the thing is likely to cause substantial damage to a place or a thing the AFP are securing or death or serious harm to a person the AFP are protecting.

Under the *Court Security Act 2013*, protective services officers and police officers are defined as security officers. Security officers may have the ability to screen persons who are entering or in court premises. This includes the use of screening equipment and frisk searching a person. A security officer may request the person provide their name, address, and reason for entering the court premises if the person is harassing or intimidating another, is disruptive or is committing offences.

Similar to Queensland, this Act authorises security officers to require a person to submit to electronic screening (a scanner search) and a personal search if the officer reasonably believe that the person possesses a restricted item or offensive implement. Security officers can stop and search a vehicle under the control of person entering or in a court premises that the officer believes on reasonable grounds contained a restricted item or offensive implement. This Act authorises security officers to require a person entering or in a court premises to:

- submit to a scanner search;
- submit to a personal search if the officer reasonably believes that the person possesses a restricted item or offensive implement;
- stop a vehicle and allow it to be searched if the officer reasonably believes that the vehicle contains a restricted item or offensive implement;
- produce for inspection any item the security officer has detected and reasonably believes is a restricted item or offensive implement.
- answer any reasonable question concerning the item that is being inspected or detected.

This Act also allows a security officer to require a person entering or in a court premises to deposit with the officer dangerous items for safekeeping while the person is on court premises.

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
1	S 84 <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	Treasurer and Minister for Investment	A person must not pretend to be an authorised officer	50 Penalty Units (PU)
2	S 207 <i>Animal Care and Protection Act 2001</i>	Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities	A person must not pretend to be an authorised officer or inspector	250 PU
3	S 136 <i>Animal Management (Cats and Dogs) Act 2008</i>	Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities	A person must not pretend to be an authorised person	50 PU
4	S 48 <i>Ambulance Service Act 1991</i>	Minister for Health and Ambulance Services	A person must not impersonate a service officer	16 PU; 50 PU for Corp.
5	S 68 <i>Architects Act 2002</i>	Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement	A person must not pretend to be an investigator	100 PU
6	S 52 <i>Auditor -General Act 2009</i>	Premier and Minister for Trade	A person must not pretend to be an authorised auditor	80 PU
7	S 94 <i>Biodiscovery Act 2004</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not pretend to be an inspector	50 PU
8-10	S 337 <i>Biosecurity Act 2014</i>	Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities	A person must not impersonate a designated officer	100 PU
	S 440		A person must not impersonate an accredited certifier	100 PU
	S 477		A person must not impersonate an auditor	100 PU
11	S 83 <i>Building Boost Grant Act 2011</i>	Treasurer and Minister for Investment	A person must not impersonate an authorised officer	40 PU

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
12	<i>S 53F Building Industry Fairness (Security of Payment) Act 2017</i>	Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement	A person must not impersonate a special investigator	40 PU
13	<i>S 109 Charitable and Non-Profit Gaming Act 1999</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be a general gaming official	200 PU
14	<i>S 161 Child Protection Act 1999</i>	Minister for Children and Youth Justice and Minister for Multicultural Affairs	A person must not pretend to be an authorised officer	40 PU
15	<i>S 149 City of Brisbane Act 2010</i>	Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning	A person must not pretend to be an authorised person	50 PU
16	<i>S 53 Classification of Computer Games and Images Act 1995</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be an inspector	100 PU or 6 months imp
17	<i>S 142 Coastal Protection and Management Act 1995</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not pretend to be an authorised person	50 PU
18	<i>S 51 Community Service Act 2007</i>	Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts	A person must not pretend to be an authorised officer	40 PU
19	<i>S 129 Contract Cleaning Industry (Portable Long Service Leave) Act 2005</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not pretend to be an authorised officer	100 PU
20	<i>S 207 Crime and Corruption Act 2001</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be a commission officer	85 PU or 1 year's imp
21	<i>S 114 Disaster Management Act 2003</i>	Minister for Police and Corrective Services and Minister for Fire and Emergency Services	A person must not pretend to be an authorised person	100 PU
22	<i>S 177 Education (Accreditation of Non-State Schools) Act 2017</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not impersonate an authorised person	100 PU
23	<i>S 188 Education and Care Services Act 2013</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not impersonate an authorised officer	50 PU

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
24	S 210 <i>Education and Care Services National Law (Queensland)</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not impersonate an authorised officer	\$5,000
25	S 81 <i>Education (Overseas Students) Act 2018</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not impersonate an authorised person	100 PU
26	S 208 <i>Education (Queensland College of Teachers) Act 2005</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not pretend to be an investigator	50 PU
27	S 370 <i>Electoral Act 1992</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not impersonate an authorised officer	80 PU
28	S 237 <i>Electricity Act 1994</i>	Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement	A person must not pretend to be an electricity officer or inspection officer	80 PU
29-30	S 136B <i>Electrical Safety Act 2002</i> S 145A	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person who is not an accredited auditor must not hold himself out to be an accredited auditor A person who is not an inspector must not hold himself out to be an inspector	100 PU 100 PU
31	S 76 <i>Environmental Offsets Act 2014</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not impersonate an enforcement officer	100 PU
32	S 483 <i>Environmental Protection Act 1994</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not pretend to be an authorised person	50 PU
33	S 221 <i>Exhibited Animals Act 2015</i>	Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities	A person must not impersonate an inspector	100 PU
34	S 105AA <i>Explosives Act 1999</i>	Minister for Resources	A person must not impersonate an inspector or an authorised officer	100 PU
35	S 70 <i>Fair Trading Inspectors Act 2014</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not impersonate an inspector	80 PU

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
36	S 41 <i>Financial Intermediaries Act 1996</i>	Treasurer and Minister for Investment	A person must not pretend to be an inspector	100 PU or 6 months imp
37	S 150G <i>Fire and Emergency Services Act 1990</i>	Minister for Police and Corrective Services and Minister for Fire and Emergency Services	A person must not pretend to be a fire service officer, an authorised rescue officer, an ESU member, an SES coordinator, or an SES member	100 PU or 250 PU and 1 year imp (if FSO during fire emergency)
38	S 45 <i>First Home Owner Grant and Other Home Owner Grants Act 2000</i>	Treasurer and Minister for Investment	A person must not pretend to be an authorised officer	40 PU
39	S 183 <i>Fisheries Act 1994</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not pretend to be an inspector	1,000 PU
40	S 164 <i>Food Act 2006</i>	Minister for Health and Ambulance Services	A person must not pretend to be an auditor	100 PU
41	S 125 <i>Food Production (Safety) Act 2000</i>	Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities	A person must not pretend to be an authorised officer	80 PU
42	S 166 <i>Further Education and Training Act 2014</i>	Minister for Employment and Small Business and Minister for Training and Skills Development	A person must not impersonate an inspector	100 PU
43	S 98 <i>Guide, Hearing and Assistance Dogs Act 2009</i>	Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships	A person must not pretend to be an authorised officer	100 PU
44	S 153X <i>Health Act 1937</i>	Minister for Health and Ambulance Services	A person must not pretend to be an inspector	50 PU
45	S 234 <i>Health Ombudsman Act 2013</i>	Minister for Health and Ambulance Services	A person must not impersonate an authorised person	100 PU
46	S 23 <i>Health Practitioner Regulation National Law Act 2009</i>	Minister for Health and Ambulance Services	A person must not pretend to be an investigator	\$5,000
47	S 585 <i>Heavy Vehicle National Law Act 2012</i>	Minister for Transport and Main Roads	A person must not impersonate an authorised person	\$10,000

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
48	S 188 <i>Hospital and Health Boards Act 2011</i>	Minister for Health and Ambulance Services	A person must not impersonate an authorised person or security officer	100 PU
49	S 85 <i>Housing Act 2003</i>	Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts	A person must not pretend to be an authorised officer	20 PU
50	S 918 <i>Industrial Relations Act 2016</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not pretend to be an inspector	40 PU
51	S 171 <i>Interactive Gambling (Player Protection) Act 1998</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be a licensed provider, an agent, a key person licensee or a gaming official	200 PU or 2 years imp.
52	S 157 <i>Keno Act 1996</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be a licensed keno employee or keno official	200 PU or 2 years imp
53	S 390ZZ <i>Land Act 1994</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not impersonate an authorised officer	100 PU
54	S 241 <i>Land Valuation Act 2010</i>	Minister for Resources	A person must not pretend to be an authorised person	50 PU
55	S 568 <i>Legal Profession Act 2007</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be an investigator	100 PU
56	S 231B <i>Liquor Act 1992</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be an investigator	200 PU
57	S 150 <i>Local Government Act 2009</i>	Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning	A person must not pretend to be an authorised person	50 PU
58	S 142 <i>Lotteries Act 1997</i>	Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence	A person must not pretend to be a lottery agent, a key person licensee or a lottery official	200 PU or 2 years imp
59	S 77 <i>Major Events Act 2014</i>	Minister for Tourism Industry Development and Innovation and Minister for Sport	A person must not impersonate an authorised person	60 PU
60	S 92 <i>Marines Parks Act 2004</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not pretend to be an inspector	50 PU

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
61	S 187 <i>Medicines and Poisons Act 2019</i>	Minister for Health and Ambulance Services	A person must not impersonate an inspector	100 PU
62	S 626 <i>Mental Health Act 2016</i>	Minister for Health and Ambulance Services	A person must not impersonate an official	100 PU
63	S 248 <i>Mining and Quarrying Safety and Health Act 1999</i>	Minister for Resources	A person must not pretend to be an inspector, inspection officer, authorised officer, site safety and health representative or district workers' representative	40 PU
64	S 87RZ <i>Motor Accident Insurance Act 1994</i>	Treasurer and Minister for Investment	A person must not impersonate an authorised person	50 PU
65	S 159 <i>Nature Conservation Act 1992</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not pretend to be a conservation officer	50 PU
66	S 89 <i>Personalised Transport Ombudsman Act 2019#</i>	Minister for Transport and Main Roads	A person must not impersonate an authorised officer	75 PU
67	S 95 <i>Pest Management Act 2001</i>	Minister for Health and Ambulance Services	A person must not pretend to be an inspector	50 PU
68	S 812 <i>Petroleum and Gas (Production and Safety) Act 2004</i>	Treasurer and Minister for Investment	A person must not pretend to be an inspector or authorised officer	200 PU
69	S 180 <i>Pharmacy Business Ownership Act 2001</i>	Minister for Health and Ambulance Services	A person must not pretend to be an inspector	50 PU
70	S 223 <i>Planning Act 2016</i>	Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning	A person must not impersonate an inspector	60 PU
71	S 88 <i>Plumbing and Drainage Act 2018</i>	Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement	A person must not impersonate an inspector	100 PU
72	S 10.19 <i>Police Service Administration Act 1990</i>	Minister for Police and Corrective Services and Minister for Fire and Emergency Services	A person who being other than an officer lawfully entitled to do so – (i) assumes the designation or description of an officer or (ii) wears the uniform of an officer or a colourable imitation thereof	100 PU

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
			except without statutory exemptions commits an offence	
73	<i>S 124 Private Health Facilities Act 1999</i>	Minister for Health and Ambulance Services	A person must not pretend to be an authorised person	50 PU
74	<i>S 68 Professional Engineers Act 2002</i>	Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement	A person must not pretend to be an investigator	100 PU
75	<i>S 426 Public Health Act 2005</i>	Minister for Health and Ambulance Services	A person must not pretend to be an authorised person	100 PU
76	<i>S 118 Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	Minister for Health and Ambulance Services	A person must not pretend to be an authorised person	50 PU
77	<i>S 107B Queensland Building and Construction Commission Act 1991</i>	Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement	A person must not impersonate an investigator	40 PU
78	<i>S 209 Racing Integrity Act 2016</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not impersonate an authorised officer	250 PU
79	<i>S 173 Rail Safety National Law (Queensland)</i>	Minister for Transport and Main Roads	A person who is not a rail safety officer must not, in any way hold himself or herself out to be a rail safety officer	\$10,000
80	<i>S 136 Transport Operations (Passenger Transport) Act 1994</i>	Minister for Transport and Main Roads	A person must not pretend to be an authorised person	75 PU
81	<i>S 39 Trading (Allowable Hours) Act 1990</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person is not to impersonate an inspector	40 PU
82	<i>S 67 Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	Minister for Transport and Main Roads	A person must not impersonate an authorised officer for a public marine facility	20 PU
83	<i>S 244 Waste Reduction and Recycling Act 2011</i>	Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs	A person must not impersonate an authorised person	50 PU
84	<i>S 189 Work Health and Safety Act 2011</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person who is not an inspector must not, in any way, hold himself or herself out to be an inspector	500 PU

Attachment 3 - Impersonation offences that may be dealt with summarily in Queensland

No.	Offence Provision	Administering Minister	Offence wording	Maximum Penalty
85	S 5321 <i>Worker's Compensation and Rehabilitation Act 2003</i>	Minister for Education, Minister for Industrial Relations and Minister for Racing	A person must not impersonate an authorised person	100 PU

PU = 1 penalty unit currently value prescribed as \$137.85.

yet to be proclaimed.