



Australian Capital Territory

Crime Prevention Powers Act 1998

A1998-21

Republication No 2

Effective: 25 August 2004 – 23 August 2016

Republication date: 25 August 2004

Last amendment made by [A2004-42](#)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Crime Prevention Powers Act 1998* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 25 August 2004. It also includes any amendment, repeal or expiry affecting the republished law to 25 August 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Crime Prevention Powers Act 1998

Contents

	Page
1 Name of Act	2
2 Dictionary	2
3 Notes	2
4 Move-on powers	2
 Dictionary	 4
 Endnotes	
1 About the endnotes	5
2 Abbreviation key	5
3 Legislation history	6
4 Amendment history	6
5 Earlier republications	7

R2
25/08/04

Crime Prevention Powers Act 1998
Effective: 25/08/04-23/08/16

contents 1



Australian Capital Territory

Crime Prevention Powers Act 1998

An Act relating to crime prevention

1 Name of Act

This Act is the *Crime Prevention Powers Act 1998*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines terms used in this Act.

Note 2 A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

3 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

4 Move-on powers

- (1) This section applies if there are reasonable grounds for a police officer to believe that a person in a public place has engaged, or is likely to engage, in violent conduct in that place.
- (2) The police officer may direct the person to leave the vicinity of the public place.
- (3) The direction may be made subject to either or both of the following conditions:
 - (a) if the police officer has reasonable grounds for believing that the person is likely to engage in violent conduct while, or immediately after, leaving the vicinity by a particular route—that the person leave the vicinity by a different route (whether the route is stated or unstated);
 - (b) that the person not return to the vicinity for a stated period of not longer than 6 hours.

- (4) A person must not, without reasonable excuse, contravene a direction (including a condition of a direction) given to the person under subsection (2).

Maximum penalty: 2 penalty units.

- (5) This section does not apply in relation to a person who, whether in the company of other people or not, is—
- (a) picketing a place of employment; or
 - (b) demonstrating or protesting about a particular issue; or
 - (c) speaking, bearing or otherwise identifying with a banner, placard or sign or otherwise behaving in a way that is apparently intended to publicise the person's view about a particular issue.

Dictionary

(see s 2)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

Note 2 In particular, the [Legislation Act](#), dict, pt 1, defines the following terms:

- police officer
- property.

public place means—

- (a) any street, road, public park or reserve; or
- (b) any building, premises or other place that the public is entitled to use or that is open to, or used by, the public, whether on payment of money or otherwise.

violent conduct means—

- (a) violence to, or intimidation of, a person; or
- (b) damage to property.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
cl = clause	pres = present
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	pt = part
div = division	r = rule/subrule
exp = expires/expired	reg = regulation/subregulation
Gaz = Gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

Crime Prevention Powers Act 1998 A1998-21

notified 10 July 1998 ([Gaz 1998 No S190](#))

commenced 10 July 1998 (s 2)

as amended by

Legislation (Consequential Amendments) Act 2001 A2001-44 pt 89

notified 26 July 2001 ([Gaz 2001 No 30](#))

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 89 commenced 12 September 2001 (s 2 and see [Gaz 2001 No S65](#))

Crimes Legislation Amendment Act 2001 A2001-63 pt 3

notified 10 September 2001 ([Gaz 2001 No S66](#))

s 1, s 2 commenced 10 September 2001 (IA s 10B)

pt 3 commenced 27 September 2001 (s 2 (2) and [CN2001-3](#))

Statute Law Amendment Act 2004 A2004-42 sch 3 pt 3.6

notified LR 11 August 2004

s 1, s 2 commenced 11 August 2004 (LA s 75 (1))

sch 3 pt 3.6 commenced 25 August 2004 (s 2 (1))

4 Amendment history

Name of Act

s 1 sub [A2004-42](#) amdt 3.23

Dictionary

s 2 om [A2001-44](#) amdt 1.992

ins [A2004-42](#) amdt 3.24

Notes

s 3 sub [A2004-42](#) amdt 3.24

def **public place** om [A2004-42](#) amdt 3.25

def **violent conduct** om [A2004-42](#) amdt 3.25

Move-on powers

s 4 sub [A2001-63](#) s 10

Dictionary

dict ins [A2004-42](#) amdt 3.25

def **public place** ins [A2004-42](#) amdt 3.25

def **violent conduct** ins [A2004-42](#) amdt 3.25

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 16 Nov 2001	16 Nov 2001– 24 Aug 2004	A2001-63	new Act and amendments by A2001-44 and A2001-63

© Australian Capital Territory 2004