



AUSTRALIAN CAPITAL TERRITORY

Legislative Assembly Precincts Act 2001

No 85 of 2001

TABLE OF PROVISIONS

Section	
1.	Name of Act
2.	Commencement
3.	Definitions for Act
4.	Notes
5.	Assembly precincts
6.	Premises included in Assembly precincts
7.	Control and management of Assembly precincts
8.	Executive area
9.	Removal of people
10.	Contravention of Speaker's direction
11.	Application of Crimes (Offences against the Government) Act
12.	Regulation-making power



AUSTRALIAN CAPITAL TERRITORY

Legislative Assembly Precincts Act 2001

No 85 of 2001

*Notified under the Legislation Act 2001 on 24 September 2001
(see www.legislation.act.gov.au)*

An Act about the precincts of the Legislative Assembly

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Legislative Assembly Precincts Act 2001*.

2 Commencement

This Act commences on a day fixed by the Minister by notice in the Gazette.

Note 1 The naming and commencement provisions automatically commence on the notification day (see *Legislation Act 2001*, s 75).

Legislative Assembly Precincts Act 2001

Note 2 A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see *Legislation Act 2001*, s 77 (1)).

Note 3 If a provision has not commenced with 6 months beginning on the notification day, it automatically commences on the first day after that period (see *Legislation Act 2001*, s 79).

3 Definitions for Act

In this Act:

Assembly means the Legislative Assembly.

Assembly precincts means—

- (a) the precincts defined by section 5; and
- (b) any property to which section 6 applies.

Speaker includes the Deputy Speaker if—

- (a) the Speaker is absent from duty; or
- (b) there is a vacancy in the office of the Speaker.

4 Notes

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

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.

5 Assembly precincts

(1) The Assembly precincts consist of the land described in subsection (2) and all buildings, structures and works on, above or under any of that land.

(2) The land within the Assembly precincts is—

- (a) block 3, section 19, division of City, Canberra Central District; and
- (b) that part of Civic Square under the public entrance canopy; and
- (c) that part of section 19, division of City, Canberra Central District under the members' entrance canopy.

(3) In this section:

Assembly building means the building occupying block 3, section 19, division of City, Canberra Central District.

members' entrance canopy means the fixed canopy attached to the southern side of the Assembly building near the members' entrance.

public entrance canopy means the fixed canopy attached to the northern side of the Assembly building near the public entrance.

6 Premises included in Assembly precincts

(1) This section applies to property that is leased to or managed by the Territory and is not within the Assembly precincts defined by section 5.

(2) If the Speaker gives a written certificate that stated property is required for use by the Assembly, the regulations may declare that the property is to be treated as part of the Assembly precincts for this Act.

7 Control and management of Assembly precincts

(1) The Speaker is responsible for the control and management of the Assembly precincts and may take any action the Speaker considers necessary for those purposes.

(2) The Assembly may, by resolution, give the Speaker directions about the exercise of the Speaker's functions under subsection (1).

(3) If the Legislative Assembly gives a direction under subsection (2), the Speaker must comply with the direction.

8 Executive area

(1) The Speaker's functions under section 7 must be exercised in relation to the Executive area in accordance with any limitations and conditions agreed in writing between the Speaker and the Chief Minister.

(2) In this section:

Executive area means the area of the Assembly precincts reserved for the use of the Executive by a written agreement between the Speaker and the Chief Minister.

9 Removal of people

- (1) The Speaker may direct a person who is not a member—
- (a) to leave the Assembly precincts; or
 - (b) not to enter the Assembly precincts.
- (2) The Speaker may arrange for the removal or exclusion from the Assembly precincts of a person given a direction under subsection (1) using any necessary and reasonable force and assistance.
- (3) The Speaker, or a person acting under the Speaker's direction, does not incur civil or criminal liability for an act or omission done honestly and without negligence under this section.
- (4) A civil liability that would, apart from this section, attach to the Speaker, or a person acting under the direction of the Speaker, attaches instead to the Territory.

10 Contravention of Speaker's direction

A person must not, without reasonable excuse, contravene a direction by the Speaker under section 9 (1).

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

11 Application of Crimes (Offences against the Government) Act

The *Crimes (Offences against the Government) Act 1989* applies to the Assembly precincts as if they were government premises within the meaning of that Act.

12 Regulation-making power

The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

Legislative Assembly Precincts Act 2001

NOTE

Penalty units

See section 33AA of the *Interpretation Act 1967*.

[Presentation speech made in Assembly on 20 May 1998]

I certify that the above is a true copy of the Legislative Assembly Precincts Bill 2001 which originated in the Assembly as the Legislative Assembly (Privileges) Bill 1998 and was passed by the Legislative Assembly on 29 August 2001.

M J McRae
Clerk of the Legislative Assembly

© Australian Capital Territory 2001