

AUSTRALIAN CAPITAL TERRITORY

World Cup Athletics (Security Arrangements) Ordinance 1985

No. 46 of 1985

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 12 September 1985.

J.A. ROWLAND
Administrator

By His Excellency's Command,

M. J. YOUNG
Special Minister of State

An Ordinance to make provision for the security of persons and property in connection with the holding of the World Cup Athletics meeting in Canberra in 1985

Short title

1. This Ordinance may be cited as the *World Cup Athletics (Security Arrangements) Ordinance 1985*.¹

Interpretation

2. In this Ordinance, unless the contrary intention appears—

“meeting” means the World Cup Athletics meeting in Canberra in 1985;

“prescribed area” means the land described in the Schedule and any buildings, structures and other improvements on that land;

“prescribed offence” means an offence against a law in force in the Territory constituted by, or an element of which is, an act or omission that results or may result in—

- (a) a person being killed, injured, harmed, threatened or endangered;
- (b) the general well-being of a person who is or was—
 - (i) a competitor in relation to the meeting;
 - (ii) managing or otherwise assisting a team of such competitors; or
 - (iii) performing functions in relation to the conduct of the meeting, being adversely affected;
- (c) property being destroyed or damaged; or
- (d) the peaceable and orderly conduct of the meeting or part of the meeting, or any entertainment, gathering, training, preparation or rehearsal connected with the meeting, being disrupted;

“prescribed period” means the period commencing on 28 September 1985 and ending on the expiration of 8 October 1985.

Requirement to furnish name, etc.

3. (1) Where a police officer believes on reasonable grounds that, during the prescribed period, a prescribed offence has been, is being or is likely to be committed in the prescribed area by a person, the police officer may, at any time during the prescribed period, request the person to furnish his or her name or address, or name and address, to the police officer.

(2) Where a police officer makes a request of a person in accordance with sub-section (1), the person shall not—

- (a) refuse or fail to comply with the request of the police officer;
- (b) furnish to the police officer a name that is false in a material particular; or
- (c) furnish to the police officer an address other than the full and correct address of his or her ordinary place of residence.

Penalty: \$1,000.

Searches of persons

4. (1) Where a police officer believes on reasonable grounds that, during the prescribed period, a prescribed offence has been, is being or is likely to be committed in the prescribed area by a person, the police officer may, at any time during the prescribed period, search the person or the clothing that the person is wearing and any property in the person's possession or under the person's control, whether or not the property is in the person's custody, for the purpose of ascertaining whether there is concealed on the person or in the person's clothing or in that property—

- (a) any article or substance capable of being used to inflict bodily injury or to cause property damage; or
- (b) any thing—
 - (i) in respect of which there are reasonable grounds for believing a prescribed offence has been, is being or is likely to be committed;
 - (ii) that there are reasonable grounds for believing will afford evidence of the commission of a prescribed offence; or
 - (iii) that there are reasonable grounds for believing was, is being or is intended to be used for the purpose of committing a prescribed offence.

(2) A person shall not wilfully obstruct or hinder a police officer in the exercise or attempted exercise of a power of the police officer under this section.

Penalty: \$1,000.

(3) Sub-section (1) does not authorise a police officer to remove, or to require a person to remove, any of the clothing that the person is wearing.

(4) A search of a person or of the clothing that the person is wearing shall not be carried out under this section except by a person of the same sex.

Limitation on exercise of powers—location

5. (1) Subject to this section, a power conferred on a police officer under sub-section 3 (1) or 4 (1) may only be exercised within the prescribed area.

(2) A police officer may exercise with respect to a person at a place that is outside the prescribed area a power conferred on the police officer under sub-section 3 (1) or 4 (1) if—

- (a) the police officer has pursued the person from a place within the prescribed area to that first-mentioned place; and
- (b) the pursuit was not, at any time prior to the police officer arriving at that first-mentioned place with a view to exercising the power, terminated or substantially interrupted.

(3) A police officer may exercise with respect to a person at a place that is outside the prescribed area the power of search conferred on the police officer under sub-section 4 (1) in connection with property that is not in the person's custody if the police officer believes on reasonable grounds that—

- (a) the property was previously in the person's custody while the person was in the prescribed area; and
- (b) the person, while in the prescribed area, caused the property to be removed to that place.

(4) Notwithstanding sub-section (2), a police officer is not entitled to exercise with respect to a person at a place that is outside the prescribed area the power of search conferred on the police officer under sub-section 4 (1) in connection with property unless the police officer believes on reasonable grounds that the property was in the person's custody at the time the person was pursued from the prescribed area by the police officer.

(5) For the purposes of sub-section (2), a pursuit of a person by a police officer shall not be taken to be terminated or substantially interrupted by reason only that the police officer has lost sight of the person.

Limitation on exercise of powers—identification

6. A police officer who is not in uniform shall not exercise with respect to a person a power conferred on the police officer under sub-section 3 (1) or 4 (1) unless the police officer first produces, for inspection by the person, written evidence of the fact that he or she is a police officer.

Powers under Ordinance additional to other powers

7. The powers conferred on a police officer under this Ordinance are in addition to and not in derogation of any other powers conferred on the police officer under any other law of the Territory.

SCHEDULE

Section 2

DESCRIPTION OF PRESCRIBED AREA

All the parcel of land in the Australian Capital Territory being within the Division of Bruce Belconnen District and the Division of O'Connor Canberra Central District: commencing at a point being on the southern side of College Street and distant 24 metres west of the most northwestern corner of Block 9 Section 4 as shown on plan in the Office of the Registrar of Titles Canberra catalogued Deposited Plan 5909 bounded thence on the west by a line bearing 0 degrees 127 metres thence on the south by a line bearing 270 degrees 865.27 metres to a point on the northeastern side of Aikman Drive thence generally on the southwest and northwest by part of the northeastern and southeastern side of Aikman Drive aforesaid being lines bearing 350 degrees 41.255 metres thence by 107.19 metres of the arc of a circle of radius 152.4 metres the chord of which lies to the southeast and bears 10 degrees 9 minutes 104.995 metres thence by 47.26 metres of the arc of a circle of radius 365.755 metres the chord of which lies to the southeast and bears 34 degrees 10 seconds 47.23 metres thence by 47.26 metres of the arc of a circle of radius 365.755 metres the chord of which lies to the northwest and bears 34 degrees 10 seconds 47.23 metres 30 degrees 18 minutes 96.61 metres thence by 113.37 metres of the arc of the circle of radius 797 metres and the chord of which lies to the northwest bears 26 degrees 13 minutes 30 seconds 113.27 metres and 22 degrees 9 minutes 205.155 metres thence on the north by a line bearing 90 degrees 703.685 metres thence on the east by a line bearing 182 degrees 35 minutes 30 seconds 674.54 metres thence by a line parallel to an 20 metres north of the northern side of College Street aforesaid easterly and northeasterly and its prolongation to a point on the northeastern side of Haydon Drive thence on the generally northeast north and northeast by part of the Northeastern drive of that Haydon Drive aforesaid and the northern and northeastern side of Battye Street being the generally southwestern southern and southwestern boundary of Block 1 Section 35 as shown in the plan in the Office of Registrar of Titles Canberra catalogued Deposited Plan 6188 thence by lines being part of a northeastern boundary of Block 1 section 35 aforesaid bearing successively 331 degrees 43 minutes 30 seconds 31.11 metres 10 degrees 40 minutes 0.23 metres thence by a line parallel to and 20 metres from the northeastern side of Battye Street generally southeasterly to a point 20 metres from the northwestern side of Leverrier Crescent thence by a line 20 metres from and parallel to Leverrier Crescent aforesaid generally northeasterly southeasterly southerly and southwesterly to the intersection of that line with the northeastern side of a bicycle path thence by the prolongation of that line southwesterly across that bicycle path aforesaid to a point 20 metres from the southwestern side of that bicycle path aforesaid

thence by a line 20 metres from and parallel to the generally southwestern southeastern southern and southwestern side of that bicycle path aforesaid generally northwesterly southwesterly westerly and northwesterly to a point the co-ordinate values of which are 207966.78 easting 607172.895 northing thence by a line bearing 18 degrees 377.68 metres to a point 20 metres from the southwestern side of Battye Street aforesaid thence by a line 20 metres from and parallel to the generally southwestern and southern side of Battye Street aforesaid generally northwesterly and westerly to its intersection with the eastern side of Haydon Drive aforesaid thence by the prolongation of that line across Haydon Drive and a bicycle path to this intersection with the eastern boundary of Block 9 Section 4 on Deposited Plan 5909 aforesaid thence by the generally eastern northeastern northwestern northern eastern and northern boundary of Block 9 Section 4 aforesaid to that most northwestern corner of that Block 9 Section 4 aforesaid thence by the southern side of College Street aforesaid bearing 270 degrees 24 metres to the point of commencement.

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 19 September 1985.