



# APH Protests and other assemblies in the Parliamentary precincts policy

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<b>Effective Date:</b>	02 June 2022	<b>Version:</b>	V1.0
<b>Review Date:</b>	02 June 2025	<b>Document Identifier:</b>	POL.7.0

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## Approval and Review Mechanisms

- 1 This document was approved by the Security Management Board (SMB) on 02 June 2022.
- 2 This document will be reviewed every three years or earlier as required.
- 3 The Department of Parliamentary Services (DPS) Security Branch administer and maintain all documents within the Australian Parliament House (APH) Security Policy and Governance Framework (the Framework) in consultation with the Australian Federal Police (AFP), key APH stakeholders including parliamentary departments, and other Commonwealth entities as relevant.

## Purpose and Scope

- 4 The POL.7.0 APH Protests and other assemblies in the Parliamentary precincts policy (the Policy) is part of a suite of documents forming the Framework. The Framework aligns with the Protective Security Policy Framework (PSPF) and supports the primary objective of the security arrangements at APH.
- 5 The primary objective of the security arrangements at APH, is to provide a safe and secure environment for building occupants and visitors, while ensuring public accessibility, and the order and decorum of APH is maintained.
- 6 The Policy is designed to record the Presiding Officers' requirements for the conduct of protests and other public assemblies in the Parliamentary precincts (the precincts), and private activities outside APH but within the precincts. It also provides information about other authorities with a role in relation to such activities immediately outside the precincts.
- 7 The Policy applies to the use of land and facilities outside of APH but within the precincts, including the Public Carpark, and Senate and HoR slip roads. The Policy does not apply to the use of land and facilities within APH, including:
  - parliamentary and ministerial entrances
  - on the roof
  - internal courtyards
  - private carparks, or
  - basement areas
- 8 DPS is responsible for administering applications to protest or assemble within the precinct. DPS will consult with the offices of the Usher of the Black Rod (UBR), the Serjeant-at-Arms (SAA), the Australian Federal Police (AFP), the DPS Security Branch and any other stakeholder as appropriate.

## Legislation/Authorisation

- 9 The Policy is subject to the *Parliamentary Precincts Act 1988*, *Parliamentary Privileges Act 1987*, *Parliamentary Service Act 1999*, *Public Governance, Performance and Accountability Act 2013 (PGPA Act)*, *Public Order (Protection of Persons and Property) Act 1971*, *Criminal Code Act 1995 (Cth)*, *Crimes Act 1914*, *Workplace Health and Safety Act 2011*, and the *Australian Federal Police Act 1979 (the AFP Act)*.
- 10 The Policy considers all Service Level Agreements (SLA) and/or Memorandum of Understanding (MOU) enacted for delivery of security services in the Parliamentary precincts
- 11 The Policy has been prepared in accordance with the Presiding Officers':
  - *'Authorisation of persons for the purposes of the control and management of the Parliamentary precincts'*
  - *'Authorisation of persons for the purposes of giving directions to leave the Parliamentary precincts'*
  - *'Authorisation to the Australian Federal Police Security Controller'*
  - *'Agreement with the Director of Public Prosecutions', and the*
  - *'Agreement made between the Presiding Officers of the Commonwealth Parliament and the Minister responsible for the Ministerial Wing of the new Parliament House.'*

## The Parliamentary precincts

- 12 Pursuant to section 6(1) of the *Parliamentary Precincts Act 1988*, the precincts are under the joint control and management of the Presiding Officers of the Parliament— the Speaker of the House of Representatives and the President of the Senate. As such, the Presiding Officers have the discretion to approve or not approve the conduct of protests, assemblies, and private activities within the precincts.
- 13 The Presiding Officers determine AFP as responsible for the physical security of the external precincts, and as such, the management of conduct and control of protests and demonstrations within the precincts. Any concerns relating to the conduct of activities can be referred to the AFP on (02) 6277 6162.
- 14 The extent of the precincts is shown on the map at **Attachment A**.
- 15 Enquiries in relation to the conduct of activities within the precincts should be directed to General Security Enquiries (02) 6277 3299 who will facilitate assistance with the appropriate contact.
- 16 Filming in the precincts is dealt with in 'Rules for Media Activity in Parliament House and Its Precincts', which is issued by the Presiding Officers refer to extract at **Attachment B**.

## National Capital Authority (NCA)

- 17 Under the *Australian Capital Territory (Planning and Land Management) Act 1988*, the NCA is responsible for the management of land in and adjacent to the area of Federation Mall but outside the precincts.
- 18 Information regarding protests and other public assemblies on National Capital lands (outside of the precincts) can be found in the NCA publication [The Right to Protest](#).

- 19 Enquiries in relation to activities planned to be held outside of the precincts should be directed to the NCA Events Officer on (02) 6271 2888 or email the NCA on [events@natcap.gov.au](mailto:events@natcap.gov.au).

## The Presiding Officers instructions

### Use of Parliamentary precincts

- 20 Subject to any specific exercise of the Presiding Officers' discretion, a protest, assembly or other activity is permitted outside the security boundaries of APH but within the precincts, between sunrise and sunset, unless:
- it is inconsistent with the dignity of APH
  - it is a threat to the security of APH or its occupants or visitors, to public safety or to occupational health and safety in the precinct, or to property within the precincts, or
  - it impedes the business of APH's occupants or visitors.
- 21 A protest, assembly or other activity intended to draw attention to a grievance or other matter of interest, whether personal, political or otherwise, is permitted only in the Authorised Assembly Area (AAA) shown on the map at **Attachment C**.
- 22 The Presiding Officers may:
- approve an assembly or other activity within the precincts even if it is or may be covered by clause 20a, b, or c, or
  - approve a protest taking place outside the AAA mentioned in clause 21 above.

### Use of remotely piloted aircraft in the Parliamentary precinct

- 23 The Presiding Officers prohibit persons from bringing, landing or controlling remotely piloted aircraft in the precincts without prior authority. This instruction<sup>1</sup> (**Attachment D**) was issued by the Presiding Officers under the authority of section 6 of the *Parliamentary Precincts Act 1988*.
- 24 In support of the instruction, the following specific defined are also prohibited in the precincts without prior approval of the Presiding Officers:
- drones
  - remotely piloted aircraft system (RPAS)
  - unmanned aerial system (UAS)
  - unmanned aerial vehicle (UAV)
  - unmanned aircraft (UA).

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<sup>1</sup> While airspace is controlled by CASA, the Presiding Officers still have the power to prevent people on the ground having possession of or operating an RPAS in the Parliamentary precincts.

## Breaches

- 25 Any breaches of the Policy may be the subject to action by the AFP and/or the Presiding Officers.
- 26 A breach will be considered to have occurred at any of the following:
  - a. during the conduct of an event any breach of the Policy in regard to the conduct of persons or the organisers of an event
  - b. any attempt to provide false or misleading information as part of the application process, and
  - c. failure on the part of the attendees or organisers to comply with an instruction provided by an authorised person from DPS, AFP or those representing the Presiding Officers.

## Banning notices

- 27 Banning notices were introduced in October 2017 to strengthen the notification process for visitors removed and banned from the precincts who have disrupted the proceedings of one of the chambers. Additionally, they relate to other areas of the precincts when the operations at APH are impacted by visitors such that a security response is required.
- 28 Banning notices are issued by only the Usher of the Black Rod and Serjeant-at-arms or their delegates.
- 29 For consistency in their application a standardised framework for banning notices is in place:
  - disruption within a chamber, no suspension of proceedings – 3-month ban
  - disruption within a chamber resulting in suspension of proceedings – 12-month ban
  - disruption within the precincts causing a security response without involvement of ACT Policing – 3-month ban
  - disruption within the precincts causing a security response requiring attendance by ACT Policing – 12-month ban, and
  - disruption within the precincts causing a security response requiring attendance by ACT Policing resulting in court proceedings – 24-month ban.
- 30 Notwithstanding the above, the Presiding Officers are able to determine other banning periods if circumstances warrant.
- 31 At times it may be operationally difficult to serve banning notices. As such, operational circumstances will often dictate the most appropriate response, with direction provided by representatives of the Presiding Officers and/or the SCPH or their delegate to AFP and/or PSS officers.

## Exemptions

- 32 The Presiding Officers may approve exemptions from any provisions in the Policy for events they consider to be of parliamentary or national significance, or in other exceptional circumstances.
- 33 The Presiding Officers may delegate their power to approve exemptions from any or all of the provisions in the Policy to:
  - a. the head of a parliamentary department
  - b. an SES employee in a parliamentary department, or
  - c. the Security Controller Parliament House (SCPH).
- 34 An exemption approved by a delegate is taken to have been approved by the Presiding Officers.

## Freedom of access to be maintained

- 35 Participants in assemblies or other activities within or adjacent to the precincts must arrive and depart in an orderly manner without obstructing traffic or otherwise preventing access to the precincts or to APH.

## Structures

- 36 Except with the approval of the Presiding Officers, structures must not be erected or placed within the precincts.
- 37 Structures on Federation Mall also require works approval from the NCA<sup>2</sup>.

## Use of vehicles in the precincts

- 38 Except with the approval of the Presiding Officers:
  - a. vehicles must not be used within the precincts as part of a protest
  - b. parking is not permitted on nature strips, the grassed area between the east and west lanes of Federation Mall or on ceremonial spaces within the precincts, and
  - c. all vehicles brought into the precincts are subject to ACT parking and traffic management laws in force in the precincts.

## Camping

- 39 Camping is not permitted within the precincts.
- 40 In accordance with [The Right to Protest](#) publication, the NCA does not permit camping structures (eg: tents) on Federation Mall or adjacent areas.

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<sup>2</sup> *Australian Capital Territory (Planning and Land Management) Act 1988*, section 12.

## Lighting of fires

- 41 Except with the approval of the Presiding Officers, the lighting, maintenance or carriage of fires within the precincts is prohibited<sup>3</sup>.

## Affixing of signs or banners outside APH

- 42 Except with the approval of the Presiding Officers, signs or banners (including flags) must not be erected, attached or otherwise fixed to any built or natural object, including land, within the precincts.
- 43 In accordance with [The Right to Protest](#) publication, the NCA does not permit signs or banners to be erected, attached or otherwise fixed to any built or natural object, including land, on Federation Mall or adjacent areas.
- 44 Hand-held signs and banners (including flags) may be used in the AAA. Except with the approval of the Presiding Officers, signs or banners (except an official Australian flag<sup>4</sup>) must not be displayed in other areas of the precincts.

## Wilful marking of surfaces

- 45 The wilful marking of surfaces, including land, in the precincts is prohibited. Anyone responsible for marking surfaces in this way may be required to make good the areas marked.

## Preparation or sale of food, beverages and other items

- 46 Except with the approval of the Presiding Officers, food, beverages or other items must not be prepared or sold in the precincts.

## Consumption of alcohol

- 47 Participants in protests within the precincts must not consume alcohol during the event.

## Sound amplification and access to power

- 48 Subject to clause 48 below, sound amplification may be used within the AAA, but the sound amplification must be directed away from APH while in use.
- 49 The use of amplification equipment is not permitted during ceremonial occasions, or at any other time or in any part of the precincts if that use might disrupt the business of the Parliament.

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<sup>3</sup> Smoking of cigarettes and similar products in the precincts is covered by the [Parliament House Smoking Policy](#).

<sup>4</sup> Official Australian flag means the Australian National flag, the Australian Aboriginal flag, the Torres Strait Islander flag and any other flag identified in, or proclaimed under the *Flags Act 1953*.

- 50 If the use of sound amplification is permitted, access to power for that purpose will be made available from within the AAA. Access can be arranged through AFP on the day of the event by contacting (02) 6277 6126.
- 51 Noise levels, whether inside or adjacent to the precincts must not be offensive or harmful or unreasonably interfere with the activities of Parliament, occupants and visitors to APH, or other people within proximity of the protest.

## Access to secure areas

- 52 Nothing in these guidelines entitles any person to access parts of the precincts that are within the APH security boundary.

## Applications to use the Parliamentary precincts

- 53 Applications for the use of the AAA are subject to additional restriction and approvals. Application for use of the AAA must be made utilising the *Application to use Parliamentary Precincts-Authorised Assembly Area* form (at **Attachment E**) to DPS at [aaarequests@aph.gov.au](mailto:aaarequests@aph.gov.au).
- 54 Applications to use the precincts to film and photograph, or use of the formal gardens must be made by submitting a completed application form – *Application to Film and Photograph* or *Application to Use Formal Gardens* – (at **Attachment F**) to DPS at [visitorexperience@aph.gov.au](mailto:visitorexperience@aph.gov.au).
- 55 Applications will be assessed against the criteria outlined in this document. DPS staff may contact an applicant to discuss and clarify details of any application. The joint determination of the Presiding Officers or their delegate is absolute. Applicants will be notified of the result in writing by the appropriate Branch of DPS.

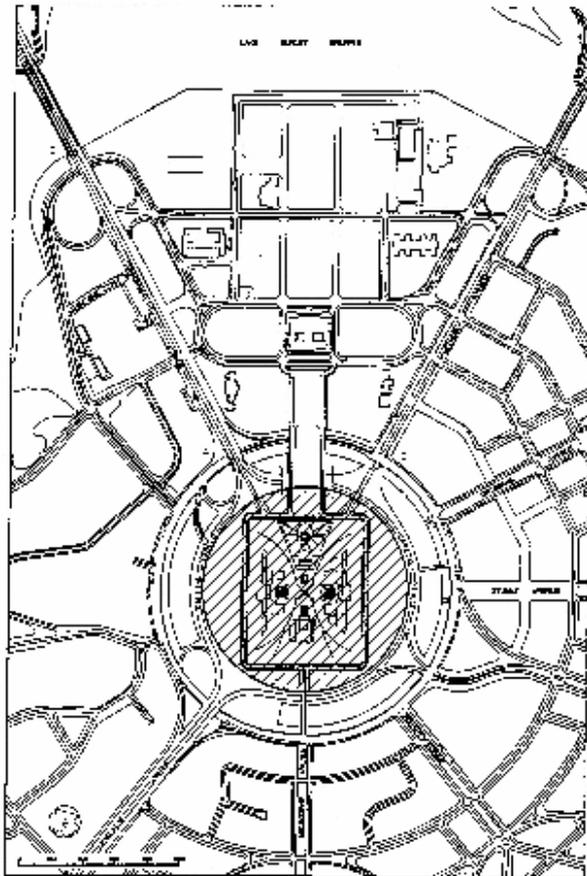
# Attachment A - Parliamentary precincts

Schedule 1 Parliamentary Precincts

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## Schedule 1—Parliamentary Precincts

Section 4



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6 *Parliamentary Precincts Act 1988*

## Attachment B - Filming in the Parliamentary precincts

Extract from *Rules for Media Related Activities in Parliament House and its Precincts* (November 2016), pp6.

### 4. Media related activity in public and private areas

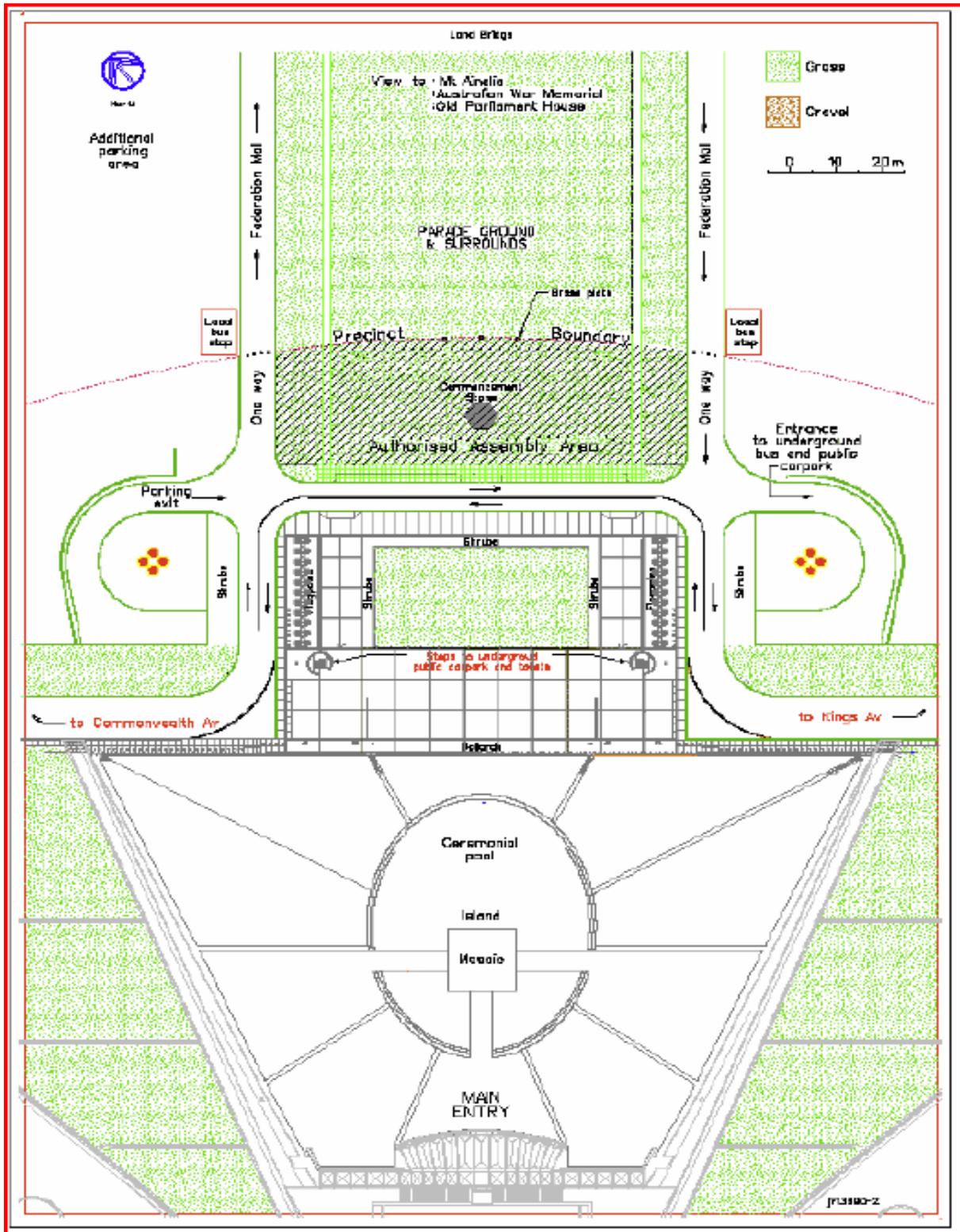
#### *Public areas*

- 4.1 Public areas of Parliament House and its precincts are those areas open to the public and accessible without a Parliament House pass, as indicated at [Appendix 3](#).
- 4.2 [Media related activity](#) in public areas is prohibited:
- (a) on the Mosaic Pavement on the Forecourt of Parliament House (unless the filming is approved, and as specified in [Protests and other assemblies in the parliamentary precincts](#), related to the recognition of the mosaic as an art work);
  - (b) at security screening areas and of security arrangements;
  - (c) in the public viewing galleries of the House of Representative and Senate chambers, when the house is sitting (see [Section 5](#) for permissible coverage of parliamentary proceedings); and
- 4.3 Impromptu or “vox pop” style interviews with members of the general public visiting Parliament House are **prohibited**.
- 4.4 Media related activity in public areas is **permitted**:
- (a) for private purposes, subject to there being no objection from participants. The activity must not impede access or egress or interfere with other persons or activities;
  - (b) for broadcasting and publication purposes, subject to there being no objection from participants. The activity must not impede access or egress or interfere with other persons or activities. All equipment must be hand-held, the use of other equipment or establishment of temporary studios requires permission. Should alternative arrangements be required for events of national significance held in public areas (e.g. official visit by a Head of State), the Federal Parliamentary Press Gallery will be consulted in advance;
  - (c) on the Authorised Assembly Area (AAA) for private or broadcasting purposes, as part of an authorised activity (see also [Protests and other assemblies in the Parliamentary precincts](#)). The activity must not interfere with other activities on the AAA. The establishment of temporary studios and remote broadcasting on the AAA requires permission; and
  - (d) within a function venue—such as the Parliament House Theatre—for private or broadcasting purposes, subject to the consent of function organisers.

#### *Private areas*

- 4.5 Private areas of Parliament House are areas accessible only via a security point and with a Parliament House, as in indicated at Appendix 3.

# Attachment C – Authorised Assembly Area



# Attachment D – Presiding Officer’s instruction for the use of remotely piloted aircraft in the Parliamentary precincts



## INSTRUCTION FOR THE USE OF REMOTELY PILOTED AIRCRAFT IN THE PARLIAMENTARY PRECINCT

We, THE HON TONY SMITH MP, Speaker of the House of Representatives, and SENATOR THE HON SCOTT RYAN, President of the Senate, prohibit persons from bringing, landing or controlling remotely piloted aircraft in the Parliamentary precinct without authority<sup>1</sup>.

Further, we appoint the Serjeant-at-Arms, the Usher of the Black Rod, and the Assistant Secretary (DPS Security Branch) as our delegates to provide authority for this purpose.

A handwritten signature in blue ink, appearing to read "Tony Smith".

THE HON TONY SMITH MP

Date: 28/2/18

A handwritten signature in blue ink, appearing to read "Scott Ryan".

SENATOR THE HON SCOTT RYAN

Date: 28/2/2018

<sup>1</sup> Issued by the Presiding Officers under the authority of s.6 of the *Parliamentary Precincts Act 1988*.



## Attachment E - APPLICATION TO USE PARLIAMENTARY PRECINCTS Authorised Assembly Area (AAA)

Please complete and return in a typed Word Doc format.

All requests will be acknowledged within 3 working days.

### APPLICANT DECLARATION

I  have read and understand the [APH Protest and other assemblies in the Parliamentary precincts policy](#) prior to submitting this form.

ORGANISATION NAME		
REQUEST/EVENT NAME		
EVENT DATE(S) RANGE	Click to enter start date.	Click to enter start time.
EVENT TIME(S) RANGE	Click to enter finish date.	Click to enter finish time.
REQUEST/EVENT CONTACT(S) NAME/TEL/EMAIL		
LOCATION(S) REQUESTED		
DESCRIPTION OF REQUEST/EVENT		
PURPOSE OF EVENT		
MATERIALS TO BE USED BANNERS, PLACARDS, ETC		
EQUIPMENT TO BE USED MARQUEES, AUDIO, BBQS, ETC		
NUMBER OF PEOPLE INVOLVED # ORGANISERS AND # VISITORS		
OTHER RELEVANT INFORMATION MEDIA ATTENDANCE, INVITED MP'S/SENATORS		
DO YOU HAVE AN EVENT LOG? IF YES, PLEASE ATTACH	NO <input type="checkbox"/>	YES <input type="checkbox"/>
WILL PRIVATE SECURITY BE IN ATTENDANCE? IF YES, PLEASE PROVIDE DETAILS	NO <input type="checkbox"/>	YES <input type="checkbox"/>
DEPARTMENTAL CONTACT	Security Operations Support Department of Parliamentary Services	Email: <a href="mailto:aaarequests@aph.gov.au">aaarequests@aph.gov.au</a> Telephone: 02 6277 5999

Applicant: If filming or photography will be conducted, please complete APPLICATION TO FILM AND PHOTOGRAPH on next page.

OFFICE USE ONLY	
APPROVED	
CONDITIONALLY APPROVED (see Special Conditions, Page 2)	
NOT APPROVED	



## Attachment F - APPLICATION TO FILM & PHOTOGRAPH

Please complete and return in a typed MS Word document format.

All requests will be acknowledged within 3 working days.

### APPLICANT DECLARATION

I  have read and understand the [Rules for Media Related Activity in Parliament House and its Precincts](#) prior to submitting this form.

<b>ORGANISATION NAME</b>	
<b>REQUEST/EVENT NAME</b>	
<b>REQUEST/EVENT DATE(S)</b>	
<b>REQUEST/EVENT TIME(S) START – FINISH</b>	
<b>REQUEST/EVENT CONTACT NAME/TELE/EMAIL</b>	
<b>DESCRIPTION OF REQUEST/EVENT(S)</b>	
<b>LOCATION(S) OF FILMING OR PHOTOGRAPHY</b>	
<b>PURPOSE OF FILMING OR PHOTOGRAPHY (INCLUDING PUBLICATION/ PRINTING OF IMAGERY)</b>	
<b>NUMBER OF PEOPLE INVOLVED # ORGANISERS AND # VISITORS</b>	
<b>EQUIPMENT TO BE USED</b>	

OFFICE USE ONLY	
<b>APPROVED</b>	
<b>CONDITIONALLY APPROVED (see Special Conditions, Page 2)</b>	
<b>NOT APPROVED</b>	



**ADVICE TO APPLICANT**

*STANDARD CONDITIONS:*

- When filming or photography is approved for internal areas of Parliament House, you must enter the building through the Main Front Public Entrance. All your Filming and photography equipment must be security screened prior to entry.
- Report to the Security Team Leader prior to commencing your filming or photography by phoning 02 6277 3299.
- Where the terms 'film' or 'filming' appear in this application and the Guidelines, they encompass video recording, other filming technologies and still photography including the use of digital technology.
- No filming of security area/operations.
- Filming must be kept away from the entry area and not impede access to/from the building.
- The privacy of Members of Parliament, staff and visitors to the building should be protected and the specific permission of any person being filmed should be sought.
- Filming should not interfere with the operations of the Parliament and/or the people who work in the building.
- No filming is to be conducted in Private areas unless prior approval has been granted.
- Security facilities and arrangement must not be filmed (i.e. the screening processes at entrances).
- Equipment must not be placed on the mosaic pavement on the Forecourt.
- Approval given subject to filming/photography being confined to the function, its participants and identified area only.
- Cameras must be handheld or on a handheld pole, no tripods will be allowed to be set up for use in the Marble Foyer. No extra large filming equipment including satellite dishes are permitted to be set up in the Marble Foyer these will only be permitted to be set up and used in the (AAA) area.

*SPECIAL CONDITIONS:*

*APPROVED/NOT APPROVED (Based on all conditions listed above)*

**DATE**

**Approval granted in accordance with: [Rules for Media Related Activity in Parliament House and its Precincts](#)**

**APPLICATION REVIEWED BY**

**DEPARTMENTAL CONTACT**

Communications  
Department of Parliamentary Services

Email: [communication@aph.gov.au](mailto:communication@aph.gov.au)  
Telephone: 02 6277 2686



## MAP OF PARLIAMENTARY PRECINCTS - AUTHORISED ASSEMBLY AREA

