



PARLIAMENT OF AUSTRALIA
DEPARTMENT OF PARLIAMENTARY SERVICES



OPP 16 – Protests and other assemblies in the Parliamentary precincts



Operating Policies and Procedures No. 16 – Protests and other assemblies in the Parliamentary precincts

Date: 20 November 2018 File: D18/163908
Approved: Secretary
Contact: Assistant Secretary,
Security Branch

Table of Contents

Date of effect.....	3
Policy review mechanisms	3
Intent of policy	3
Application	3
Policy statement.....	3
Document consultation and approval.....	3
The Parliamentary Precincts	3
Other authorities.....	4
The Presiding Officers’ guidelines	4
Applications to use the Parliamentary Precincts	7

Date of effect

- 1 This policy was approved by the Secretary on 20 November 2018.
- 2 This policy replaces all previous Department of Parliamentary Services (DPS) policies and any other related strategies, local guidance or directions on this subject, unless otherwise specified in this policy.

Policy review mechanisms

- 3 This document will be reviewed every three years or earlier as required.

Intent of policy

- 4 This policy is designed to record the Presiding Officers' guidelines for the conduct of protests and other public assemblies in the Parliamentary precincts (the precincts), and private activities outside Australian Parliament House (APH) but within the precincts. It also provides information about other authorities with a role in relation to such activities immediately outside the precincts.

Application

- 5 This policy applies to the use of land and facilities outside of APH but within the precincts. This policy does not apply to the use of land and facilities within APH, parliamentary and ministerial entrances or on the roof.

Policy statement

- 6 DPS is responsible for administering applications to use the precincts. 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 Parliamentary Security Service (PSS) and any other stakeholder as appropriate.

Document consultation and approval

- 7 This document was drafted by the Security Branch, Building & Security Division and Parliamentary Experience Branch (PEB), Chief Operating Officer Division in consultation with the offices of the SAA, UBR, the AFP and the National Capital Authority (NCA).
- 8 The extract of the *Rules for Media Activity in Parliament House and its Precincts* (see **Attachment C**) was determined in discussion with the offices of the SAA and UBR.

The Parliamentary precincts

- 9 Pursuant to subsection 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.
- 10 The AFP are responsible for the physical security of the external precincts, and as such, the management of conduct and control of protests and demonstrations within the precinct. Any concerns relating to the conduct of activities can be referred to the AFP on (02) 6277 6162.
- 11 The extent of the precincts is shown on the map at **Attachment A**.
- 12 The Presiding Officers have the discretion to approve or not approve the conduct of protests, assemblies, and private activities within the precincts.
- 13 Enquiries in relation to the conduct of activities within the precincts should be directed

to General Security Enquires (02) 6277 3299 who will facilitate assistance with the appropriate contact.

14 Filming in the precincts is dealt with in *Rules for Media Activity in Parliament House and Its Precincts*, which was issued by the Presiding Officers in November 2012 (and revised 2016) (extract at **Attachment C**).

Other authorities

National Capital Authority

15 Under the *Australian Capital Territory (Planning and Land Management) Act 1988*, the National Capital Authority (NCA) is responsible for the management of land in and adjacent to the area of Federation Mall but outside the precincts.

16 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](#).

17 Inquiries 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.

The Presiding Officers' guidelines

Use of Parliamentary precincts

18 Subject to any specific exercise of the Presiding Officers' discretion under paragraph 12 above, an assembly or other activity is permitted outside the security boundaries of APH but within the precincts, between sunrise and sunset, unless:

- (a) it is inconsistent with the dignity of APH
- (b) 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 precincts, or to property within the precincts, or
- (c) it impedes the business of APH's occupants or visitors.

19 An assembly or other activity intended to draw attention to a grievance or other matter of interest, whether personal, political or otherwise (a protest), is permitted only in the Authorised Assembly Area (AAA) shown on the map at **Attachment B**.

20 The Presiding Officers may:

- (a) approve an assembly or other activity within the precincts even if it is or may be covered by paragraph 18(a), 18(b) or 18(c) above, or
- (b) approve a protest taking place outside the AAA mentioned in paragraph 19 above.

Use of remotely piloted aircraft in the Parliamentary precincts

21 The Presiding Officers prohibit persons from bringing, landing or controlling remotely piloted aircraft in the precincts without prior authority. This instruction (**Attachment D**) was issued by the Presiding Officers under the authority of section 6 of the *Parliamentary Precincts Act 1988*.

Breaches

22 Any breaches of these guidelines may be the subject of action by the AFP and/or the

Presiding Officers.

23 A breach of guidelines will be considered to have occurred at any of the following:

- a. During the conduct of an event any breach of the policy in regards 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.
- 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.

Exemptions

24 The Presiding Officers may approve exemptions from any provisions of these guidelines for events they consider to be of Parliamentary or national significance, or in other exceptional circumstances.

25 The Presiding Officers may delegate their power to approve exemptions from any or all of the provisions of these guidelines to:

- (a) the head of a Parliamentary Service Department
- (b) an SES employee in the Parliamentary Service, or
- (c) the Security Controller Parliament House.

26 An exemption approved by a delegate is taken to have been approved by the Presiding Officers.

Freedom of access to be maintained

27 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

28 Except with the approval of the Presiding Officers, structures must not be erected or placed within the precincts.

29 Structures on Federation Mall also require works approval from the NCA¹.

Use of vehicles in the precincts

30 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.
- (c) All vehicles brought into the precincts are subject to ACT parking and traffic management laws in force in the precincts.

Camping

31 Camping is not permitted within the precincts.

¹ *Australian Capital Territory (Planning and Land Management) Act 1988*, section 12.

32 In accordance with *The Right to Protest* publication, the NCA does not permit camping on Federation Mall or adjacent areas.

Lighting of fires

33 Except with the approval of the Presiding Officers, the lighting, maintenance or carriage of fires within the precincts is prohibited².

Affixing of signs or banners outside APH

34 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.

35 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.

36 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 flag³) must not be displayed in other areas of the precincts.

Wilful marking of surfaces

37 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

38 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

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

Sound amplification and access to power

40 Subject to paragraph 41 below, sound amplification may be used within the AAA, but the sound amplification must be directed away from APH while in use.

41 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.

42 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.

43 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.

² Smoking of cigarettes and similar products in the precincts is covered by the [Parliament House Smoking Policy](#).

³ 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*.

Observance of lawful directions

44 Participants in assemblies and other activities in the precincts must observe any lawful direction given by the AFP or members of the PSS. Failure to observe a lawful direction may result in arrest.

Access to secure areas

45 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

46 Applications to use the precincts to film and photograph and 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* - to the Visitor Experience Section, Department of Parliamentary Services at visitorexperience@aph.gov.au.

47 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 to the Security Operations Support Section, Department of Parliamentary Services at aaarequests@aph.gov.au.

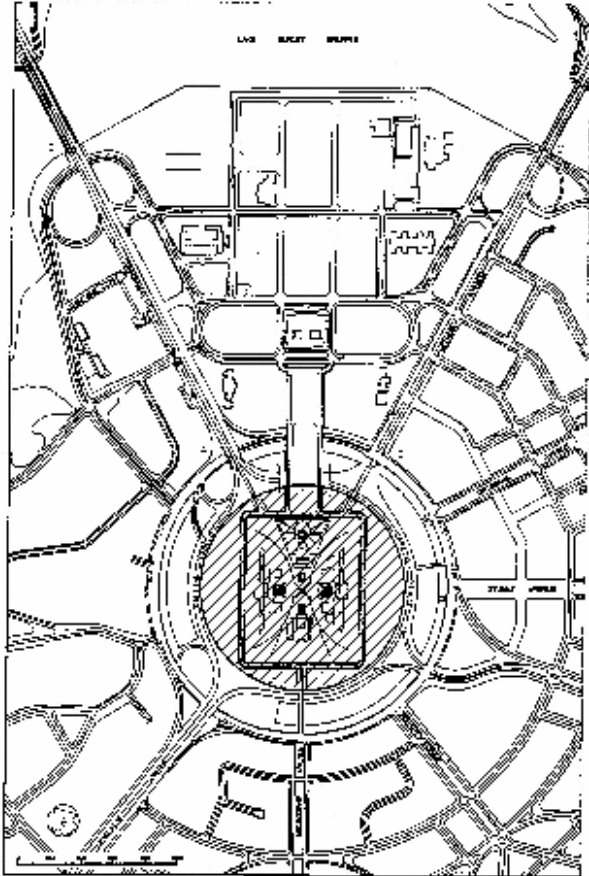
48 Applications will be assessed against the criteria outlined in this document. DPS staff may contact an applicant to discuss and clarify details of any application. The joint determination of the Presiding Officers is absolute. Applicants will be notified of the result in writing by the appropriate Branch of DPS.

Attachment A - Parliamentary precincts

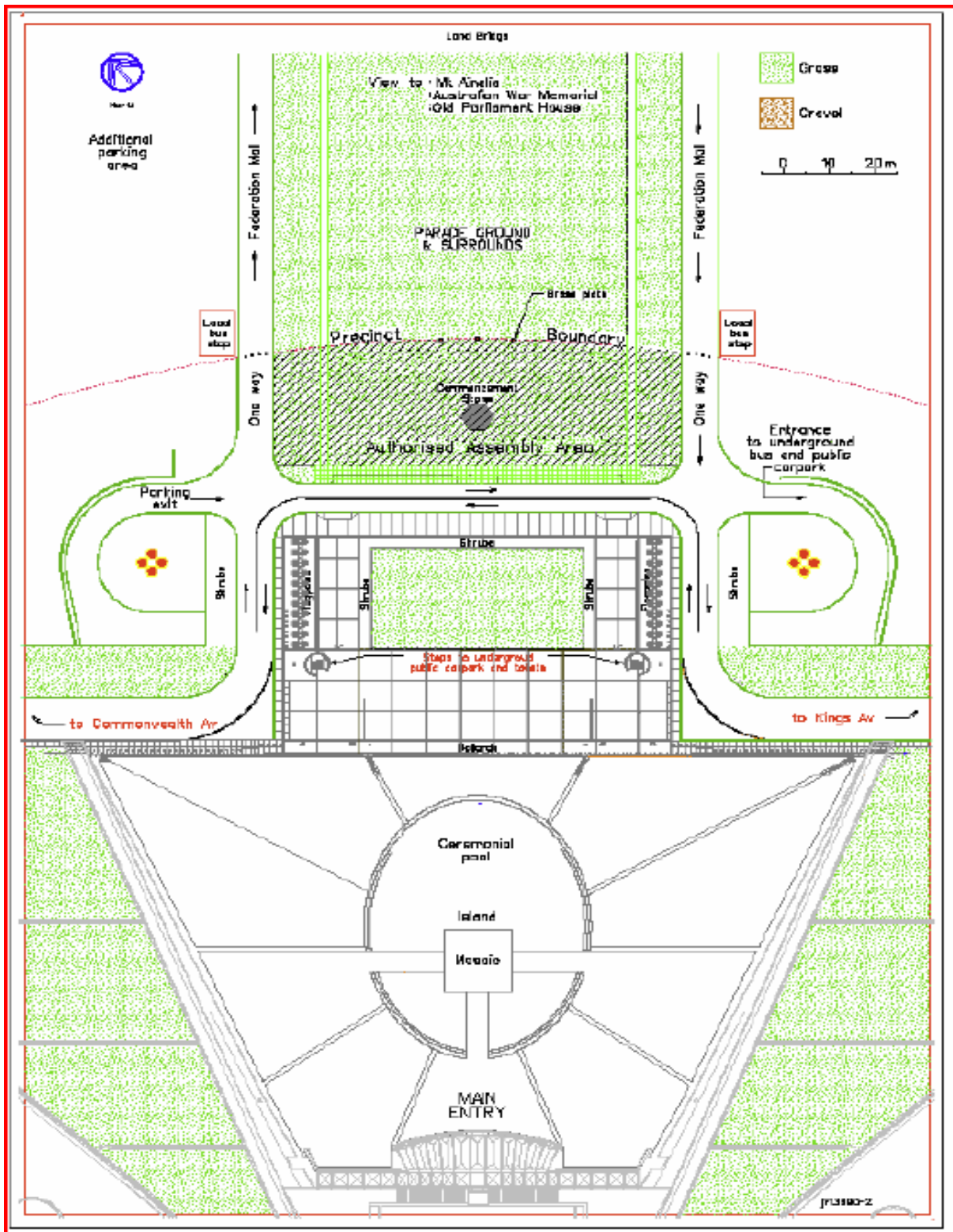
Schedule 1 Parliamentary Precincts

Schedule 1—Parliamentary Precincts

Section 4



Attachment B – Authorised Assembly Area



Attachment C - 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 D – Presiding Officer’s instruction for the use of remotely piloted aircraft in the Parliamentary precinct



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 authority¹.

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.

THE HON TONY SMITH MP

Date: 28/2/18

SENATOR THE HON SCOTT RYAN

Date: 28/2/2018

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