



High Court of Australia (Building and Precincts—Regulating the Conduct of Persons) Directions 2021

made under subsection 19(2) of the

High Court of Australia Act 1979

Compilation No. 1

Compilation date: 23 October 2021

Includes amendments up to: F2021L01457

Registered: 8 December 2021

This compilation is in 2 volumes

Volume 1: sections 1–7

Volume 2: Plan of Block 15 Section 28 and Endnotes

Each volume has its own contents

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *High Court of Australia (Building and Precincts—Regulating the Conduct of Persons) Directions 2021* that shows the text of the law as amended and in force on 23 October 2021 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

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Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

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Table of Directions

- (1) Citation
- (2) Directions in addition to powers contained in *Court Security Act 2013* (Cth) and *Court Security Regulation 2013* (Cth)
- (3) Interpretation
- (4) Parking and Vehicular Traffic
- (5) Conduct of Persons
- (6) Power to request belongings be cloaked or left
- (7) Powers where Directions may have been contravened

Directions

1. These Directions may be cited as the *High Court of Australia (Building and Precincts—Regulating the Conduct of Persons) Directions 2021*.
2. The matters provided for in these Directions are in addition to the powers exercisable by a ‘security officer’ or ‘authorised court officer’ within the meaning of the *Court Security Act 2013* (Cth) and *Court Security Regulation 2013* (Cth).
3. In these Directions, unless a contrary intention appears:

assistance animal has the meaning given to it in section 9 of the *Disability Discrimination Act 1992* (Cth)

authorised court officer has the meaning given in the *Court Security Act 2013* (Cth) and *Court Security Regulation 2013* (Cth)

building means the Court building erected on Block 8 Section 28 Division of Parkes, Australian Capital Territory, as shown in Schedule A, and includes the staff car park, the visitors’ car park and the adjacent prototype building

Australian Constitution Centre means the area located on Level 1 of the building

Chief Executive means the Chief Executive and Principal Registrar of the High Court of Australia

Court means the High Court of Australia

courtroom means a courtroom within the building

dangerous item has the meaning given to it in the *Court Security Act 2013* (Cth)

person authorised means a person designated as a ‘security officer’, an ‘authorised court officer’ or otherwise appointed by written instrument by the Chief Executive

precincts means the area surrounding the building having the boundaries shown in Schedule A

public areas means the precincts and those areas of the building accessible and open to the general public from time to time comprising:

- (i) the entrances and public galleries of courtrooms 1, 2 and 3;
- (ii) the Australian Constitution Centre;
- (iii) the public halls, ramps and walkways from ground level to Level 4; and
- (iv) the visitors’ car park.

security officer has the meaning given in the *Court Security Act 2013* (Cth) and *Court Security Regulation 2013* (Cth).

staff car park means the car park enclosure under the northern end of the forecourt.

visitors’ car park means the car park enclosure under the southern end of the forecourt.

4. A person, being the driver of or being in control of a motor vehicle:
- (i) having been requested by the Chief Executive or a person authorised by the Chief Executive to remove that vehicle from the staff car park, the visitors’ car park, or the precinct shall comply forthwith with that request;
 - (ii) shall not cause or permit that vehicle to exceed a speed of ten kilometres per hour within the staff car park or the

visitors' car park;

- (iii) shall not, without the permission of the Chief Executive or a person authorised by the Chief Executive, cause or permit that vehicle to enter upon, pass over, or remain in any part of the building or the precincts not designated for the passage or parking of motor vehicles;
- (iv) shall upon being so requested by the Chief Executive or a person authorised by the Chief Executive, remove that vehicle forthwith from the building or the precincts as the case may be, if the vehicle by reason of its state of serviceability or by reason of materials or substances carried in or upon it, is likely in the opinion of the Chief Executive or a person authorised by the Chief Executive to cause injury or damage to any person or property.

5. A person shall not:

- (i) behave in a disorderly or offensive manner within the building or the precincts; or
- (ii) without lawful excuse interfere with, damage or destroy any tree, plant, grass, building or other property within the building or the precincts; or
- (iii) consume any food, beverage, or liquor within the public areas of the building without the permission of the Chief Executive, a person authorised by the Chief Executive or a Court security officer; or
- (iv) bring any food, beverage or liquor into a courtroom in which a matter is proceeding or is about to commence; or
- (v) consume or have any illegal substance in his or her possession within the building or the precincts; or
- (vi) cause any animal (other than an Assistance Animal accompanying a person with a disability) to enter the building without the permission of the Chief Executive or a person authorised by the Chief Executive; or
- (vii) without the express permission of the Chief Executive or

a person authorised by the Chief Executive, bring into or possess within the building or the precincts any firearm, explosive substance, offensive weapon, or dangerous item; or

- (viii) bring any camera, video or sound recording device, radio, transmitter or computer with transmitting capability into a courtroom in which a matter is proceeding or is about to commence, with the exception of a legal practitioner appearing in the courtroom who may be permitted to bring computers or devices into court for the purpose of assisting with the presentation of the case; or
- (ix) bring a mobile telephone into a courtroom in which a matter is proceeding or is about to commence unless it is switched off; or
- (x) use any camera or video or sound recording device for commercial purposes within the building without the permission of the Chief Executive or a person authorised by the Chief Executive; or
- (xi) smoke anywhere within the building; or
- (xii) light any fire or deposit any litter or create any nuisance within the building or the precincts; or
- (xiii) play any musical instrument within the public areas of the building without the permission of the Chief Executive or a person authorised by the Chief Executive; or
- (xiv) fail to comply with any reasonable and lawful directions under these Directions by the Chief Executive or a person authorised by the Chief Executive; or
- (xv) without reasonable excuse enter or go upon any part of the building or the precincts not being part of the public areas or as to which a notice is exhibited or a barrier is erected indicating that admittance is prohibited or restricted; or

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- (xvi) offer any goods or article for sale within the building or the precincts, or promote any good, service, or event without the permission of the Chief Executive or a person authorised by the Chief Executive; or
 - (xvii) display any sign, poster or image within the building or precinct without the prior approval of the Chief Executive or a person authorised by the Chief Executive; or
 - (xviii) conduct or participate in any public protest or assembly within the building without the prior approval of the Chief Executive or a person authorised by the Chief Executive.

5A. To avoid doubt, paragraph 5(i) or (xii) does not apply to action that:

- (a) is participation in a public protest or other assembly (including for the purposes of industrial action, dissent, celebration or ceremony); and
- (b) is not reasonably likely to:
 - (i) put the health or safety of any person within the building or the precincts at risk; or
 - (ii) interfere with, damage or destroy any tree, plant, grass, building or other property within the building or precincts; or
 - (iii) impede a person's access to the building or precincts; or
 - (iv) interrupt Court proceedings.

Examples: Action that would fall within one or more of subparagraphs (b)(i) to (iv) includes the following:

- (a) yelling at, or harassing, visiting school children;
- (b) making physical threats to a Court staff member;
- (c) climbing the exterior of the building;
- (d) smashing the exterior glass of the building;
- (e) intercepting cars entering the staff car park.

Note: Approval of the Chief Executive is required to conduct or participate in any public protest or assembly within the building: see paragraph 5(xviii).

- 6. When so requested by a security officer or authorised court officer, a person must cloak or leave belongings at a place specified by the Chief Executive or a person authorised by the Chief Executive.
- 7. Any person within the court premises must comply with any lawful direction, request or instruction given by the Chief Executive, a person authorised by the Chief Executive, or a security officer or authorised court

officer within the meaning of the *Court Security Act 2013* (Cth).



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Editorial changes

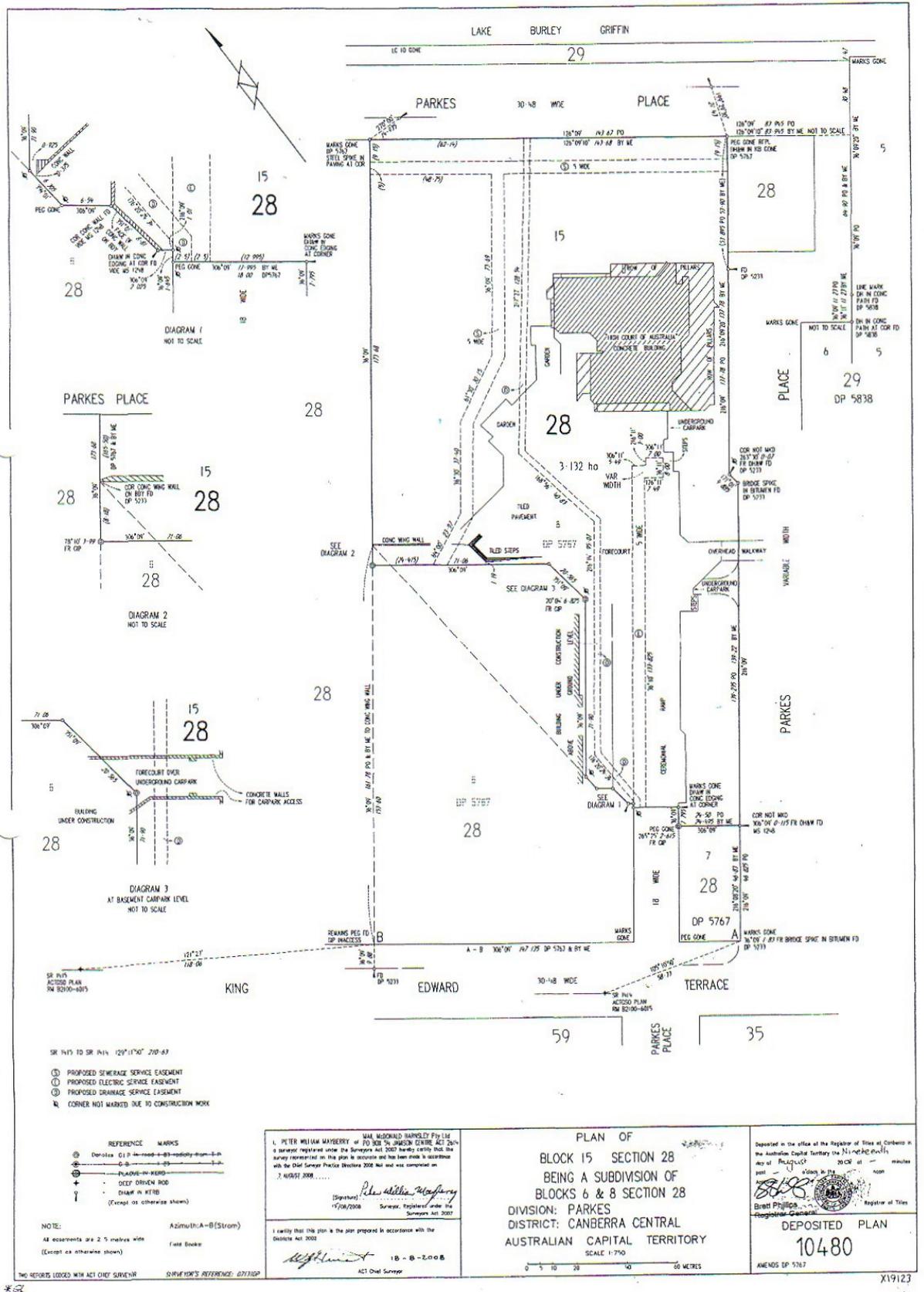
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 Directions 2021

Endnotes

Endnote 1—About the endnotes

Endnotes

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The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

| | |
|--------------------------------------------------------------------|------------------------------------------------------------------------|
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) /sub-subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev...) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) | reloc = relocated |
| ed = editorial change | renum = renumbered |
| exp = expires/expired or ceases/ceased to have effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = <i>Legislation Act 2003</i> | Sch = Schedule(s) |
| LIA = <i>Legislative Instruments Act 2003</i> | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given effect | SLI = Select Legislative Instrument |
| (md not incorp) = misdescribed amendment cannot be given effect | SR = Statutory Rules |
| mod = modified/modification | Sub-Ch = Sub-Chapter(s) |
| No. = Number(s) | SubPt = Subpart(s) |
| | <u>underlining</u> = whole or part not commenced or to be commenced |

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
|---------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------|-------------------------------------------------|
| High Court of Australia (Building and Precincts— Regulating the Conduct of Persons) Directions 2021 | 31 Mar 2021 (F2021L00391) | 1 Apr 2021 | |
| High Court of Australia (Building and Precincts— Regulating the Conduct of Persons) Amendment Directions 2021 | 22 Oct 2021 (F2021L01457) | 23 Oct 2021 (s 2(1) item 1) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
|---------------------------|---------------------|
| Table of directions | am F2021L01457 |
| s 5A | ad F2021L01457 |