



Parliamentary Service Act 1988

Parliamentary Service By-law 2013

Current as at 7 July 2023

Reprint note

This is the last reprint before repeal. Repealed on 25 August 2023 by 2023 SL No. 123 s 19.

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Queensland

Parliamentary Service By-law 2013

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Parliamentary Service By-law 2013

Part 1 Preliminary

1 Short title

This by-law may be cited as the *Parliamentary Service By-law 2013*.

2 Purpose of by-law

The purpose of this by-law is to give directions under section 50 of the Act by prescribing behaviour and conduct for persons entering or upon the parliamentary precinct.

Notes—

- 1 Under section 50(7) of the Act, directions given under the section (including by this by-law) do not apply to members of the Legislative Assembly in the conduct of their parliamentary business.
- 2 See section 50(8) to (9) of the Act in relation to noncompliance with a direction given under the section (including by this by-law).

3 Definitions

The dictionary in schedule 1 defines particular words used in this by-law.

Part 2 Behaviour and conduct

4 Authorisation of directions by authorised officers

- (1) An authorised officer may give a direction under this part that is not inconsistent with directions given by the Speaker under section 50 of the Act (including by this by-law).

- (2) The authorisation under subsection (1) is an authorisation for section 50(5) of the Act.

5 Entry pass and identification

- (1) A person must, if directed by an authorised officer, wear an entry pass issued to the person by the authorised officer while the person is on the parliamentary precinct.
- (2) A person entering or on the parliamentary precinct must, if directed by an authorised officer—
- (a) give the authorised officer the information, including the person's name, address and telephone contact number, the authorised officer reasonably needs to issue an entry pass to the person; and
 - (b) produce photographic identification to the authorised officer to verify the person's identity as shown, or to be shown, on an entry pass issued to the person.
- (3) A person entering or on the parliamentary precinct must not—
- (a) give information under subsection (2)(a) that is false; or
 - (b) give an entry pass issued to the person to another person who is not an authorised officer.
- (4) A person who is issued an entry pass must return it to an authorised officer when leaving the parliamentary precinct.

6 Using someone else's entry pass or identity card prohibited

- (1) A person must not enter, or attempt to enter, the parliamentary precinct using—
- (a) an entry pass issued to someone else; or
 - (b) someone else's parliamentary identity card.
- (2) In this section—

parliamentary identity card means—

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- (a) an identity card issued to an authorised officer under section 14; or
 - (b) another identity card issued to a person for the purpose of, or whose purposes include, identifying the person as a person who may enter or be on the parliamentary precinct.

7 Scanning and searching

- (1) A person entering the parliamentary precinct must, if directed by an authorised officer, allow himself or herself to be the subject of—
 - (a) a scanning search; or
 - (b) a general search; or
 - (c) a scanning search and a general search.
- (2) A person entering the parliamentary precinct must not engage in behaviour or conduct directed at avoiding a direction being given to the person under subsection (1).
- (3) In this section—

general search, of a person, means a search, other than a scanning search, of the person and the person's baggage, conducted—

- (a) to help an authorised officer to decide whether the person or the person's baggage is concealing a restricted item; and
- (b) in a way that may include touching the person's clothes and examining the contents of the person's baggage, but that is not otherwise personally intrusive.

scanning search, of a person, means a search of the person and the person's baggage by electronic means, conducted—

- (a) to help an authorised officer to decide whether the person or the person's baggage is concealing a restricted item; and
- (b) in a way that does not require—

- (i) the person to remove his or her clothes or to be touched; or
- (ii) the baggage to be opened.

8 Restricted items prohibited

A person must not, without the permission of the Speaker or an authorised officer, bring a restricted item on to the parliamentary precinct, or have a restricted item in his or her possession on the parliamentary precinct.

9 Leaving items in custody of authorised officer

- (1) A person entering or on the parliamentary precinct, or a particular part of the precinct, must, if directed by an authorised officer, place a prescribed item in the temporary custody of the authorised officer, while the person is on the parliamentary precinct or the particular part of the precinct.
- (2) Without limiting subsection (1), an authorised officer may give a direction under the subsection requiring any of the following persons to place a prescribed item in temporary custody—
 - (a) a person entering or on the parliamentary precinct and intending to enter the Legislative Assembly chamber, or the galleries of the House, while the Legislative Assembly is in session;
 - (b) a person entering or on the parliamentary precinct and intending to attend a proceeding of a committee of the Legislative Assembly.
- (3) In this section—

prescribed item means—

 - (a) any baggage or bulky object the person is carrying; or
 - (b) a banner, sign or other thing that is, or contains matter, associated with a political cause or campaign; or

- (c) anything else the authorised officer reasonably considers should be left in temporary custody, including, for example, a mobile phone, camera or other personal electronic device.

10 Entry to particular areas restricted

- (1) A person must not, without the permission of the Speaker or an authorised officer, enter a restricted area.
- (2) In this section—

restricted area means an area of the parliamentary precinct identified as an area to which entry is restricted to members of the Legislative Assembly or officers or employees of the parliamentary service, by a notice placed, or purportedly placed, by or under the authority of the Speaker or the Clerk at or near the entry to the area.

11 Vehicle use restricted

- (1) A person must not, without the permission of the Speaker or an authorised officer, drive or park a vehicle on the parliamentary precinct.
- (2) A person must not drive or park a vehicle on an area of the parliamentary precinct in a way contrary to a notice if—
 - (a) the notice is located with reasonable prominence at or near the area; and
 - (b) the Speaker or the Clerk authorised, or purportedly authorised, the placing of the notice.
- (3) A person driving or parking a vehicle on the parliamentary precinct must comply with any reasonable direction given to the person by an authorised officer about the movement or parking of the vehicle.

12 Damage to property

- (1) A person must not vandalise or otherwise damage—

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- (a) a building forming part of the parliamentary precinct; or
 - (b) other property within the parliamentary precinct for which the parliamentary service has administrative responsibility.
- (2) Without limiting subsection (1), a person must not affix a banner, sign or other thing on a building or other structure on the parliamentary precinct without the permission of the Speaker or an authorised officer.

12A Person must not smoke on parliamentary precinct

- (1) A person must not smoke on the parliamentary precinct.
- (2) Subsection (1) does not apply to a person in a nominated outdoor smoking place.
- (3) In this section—

nominated outdoor smoking place means a clearly designated part of the parliamentary precinct—

- (a) where smoking is not prohibited under the *Tobacco and Other Smoking Products Act 1998*; and
- (b) established by the Speaker as an area where smoking is permitted.

12B Person smoking must stop when directed

A person contravening section 12A(1) must comply with a direction given by an authorised officer to stop the contravention.

13 Other prohibited conduct or behaviour

- (1) A person on the parliamentary precinct must not engage in behaviour or conduct that constitutes, or is likely to constitute—

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- (a) intimidation or harassment of a member of the Legislative Assembly or another person on the precinct;
or
 - (b) a danger to a person on the precinct; or
 - (c) a disruption of the proceedings of the Legislative Assembly or any of its committees.
- (2) Also, a person on the parliamentary precinct must not, without the permission of the Speaker or an authorised officer, display a banner, sign or other thing that is, or contains matter, associated with a political cause or campaign.
- (3) In this section—
display includes display on an item of clothing in a conspicuous way.

Part 3 Other provisions

14 Identity card

- (1) The Clerk may issue an authorised officer with an identity card, in a form approved by the Clerk, identifying the person as an authorised officer under this by-law.
- (2) An authorised officer may act under this by-law in relation to a person only if the authorised officer has an identity card issued under subsection (1).
- (3) In acting under this by-law in relation to a person, an authorised officer must—
 - (a) produce the authorised officer's identity card for the person's inspection before acting; or
 - (b) have the authorised officer's identity card displayed so it is clearly visible to the person when acting.

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- (4) However, if it is not practicable to comply with subsection (3), the authorised officer must produce the identity card for the person's inspection at the first reasonable opportunity.
- (5) If a person who is issued an identity card under this section stops being an authorised officer, the person must return the identity card to the Clerk.

15 Repeal

The Parliamentary Service By-Law 2002, SL No. 191 is repealed.

Schedule 1 Dictionary

section 3

authorised officer means—

- (a) the Clerk; or
- (b) the Deputy Clerk; or
- (c) an officer or employee in the parliamentary service holding appointment in the service as—
 - (i) Sergeant-at-Arms and Manager, Security and Attendants; or
 - (ii) Security Shift Supervisor; or
 - (iii) Parliamentary Security Officer; or
 - (iv) Parliamentary Attendant.

Clerk includes a person who, under section 22(1) of the Act, has authority to exercise or perform a function, power or duty of the Clerk.

committee, of the Legislative Assembly, means a committee within the meaning given by the *Parliament of Queensland Act 2001*, schedule.

entry pass means an entry pass of a type approved by the Clerk.

restricted item means—

- (a) a weapon of any type from which an arrow, bullet, shot or other missile can be discharged; or
- (b) an explosive device; or
- (c) anything else that could cause, or be used to cause—
 - (i) death or grievous bodily harm to a person; or
 - (ii) a fire or explosion; or
 - (iii) damage to property.

smoke see the *Tobacco and Other Smoking Products Act 1998*.