



Court Security (Consequential Amendments) Act 2013

No. 129, 2013

**An Act to make amendments consequential on the
enactment of the *Court Security Act 2013*, and for
related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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Court Security (Consequential Amendments) Act 2013

No. 129, 2013

An Act to make amendments consequential on the enactment of the *Court Security Act 2013*, and for related purposes

[Assented to 1 July 2013]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Court Security (Consequential Amendments) Act 2013*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	1 July 2013
2. Schedule 1	At the same time as section 3 of the <i>Court Security Act 2013</i> commences.	1 January 2014

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Public Order (Protection of Persons and Property) Act 1971

1 At the end of section 12

Add:

- (6) Subsection (2) does not apply in relation to Commonwealth premises being used exclusively in connection with the sittings, or any other operation, of a court as defined in the *Court Security Act 2013*.

Note: A defendant bears an evidential burden in relation to the matter in subsection (6) (see subsection 13.3(3) of the *Criminal Code*).

2 Part IIA (heading)

Omit “federal courts and tribunals”, substitute “investigatory authorities”.

3 Section 13A (definition of *authorised officer*)

Omit “, in relation to a court,”, substitute “for an investigatory authority”.

4 Section 13A (paragraph (b) of the definition of *authorised officer*)

Omit “court” (wherever occurring), substitute “authority”.

5 Section 13A

Insert:

authority premises for an investigatory authority means any premises occupied or used (whether permanently or temporarily or under a lease or otherwise) in connection with the sittings, or any other operations, of the authority.

6 Section 13A (definition of *court*)

Repeal the definition.

7 Section 13A (definition of *court premises*)

Repeal the definition.

8 Section 13A

Insert:

investigatory authority means a tribunal, authority or person having power under a law of the Commonwealth to require the production of documents or the answering of questions.

9 Section 13AA

Repeal the section.

10 Section 13B

Omit “a court (as defined by section 13A)”, substitute “an investigatory authority”.

11 Subsection 13C(1)

Omit “in relation to a court”, substitute “for an investigatory authority”.

12 Subsection 13C(1)

Omit “court premises”, substitute “authority premises”.

13 Subsection 13D(1)

Omit “in relation to a court”, substitute “for an investigatory authority”.

14 Paragraphs 13D(1)(a) and (b)

Omit “court premises”, substitute “authority premises”.

15 Subsection 13D(3)

Omit “in relation to the court”, substitute “for the investigatory authority”.

16 Section 13E (heading)

Omit “court premises”, substitute “**authority premises**”.

17 Subsection 13E(1)

Omit “in relation to a court”, substitute “for an investigatory authority”.

18 Subsection 13E(1)

Omit “court premises” (wherever occurring), substitute “authority premises”.

19 Subsection 13E(2)

Omit “court premises”, substitute “authority premises”.

20 Subsection 13E(2)

Omit “in the court”, substitute “in public by or before the investigatory authority”.

21 Paragraph 13E(3)(b)

Omit “court premises”, substitute “authority premises”.

22 Subsection 13E(4)

Omit “court premises”, substitute “authority premises where a hearing of proceedings is being held in public by or before the investigatory authority concerned”.

23 Section 13F (heading)

Omit “**court premises**”, substitute “**authority premises**”.

24 Section 13F

Omit “court premises”, substitute “authority premises”.

25 Subsection 13G(1)

Omit “or person in relation to the conduct of proceedings in a court or the regulation of the conduct of people on court premises”, substitute “, tribunal, authority or person in relation to the conduct of proceedings by or before an investigatory authority or the regulation of the conduct of people on authority premises”.

26 Subsection 13G(2)

Omit “a court in relation to contempt of the court or any other similar power”, substitute “an investigatory authority that is like a power of a court in relation to contempt of the court”.

*[Minister's second reading speech made in—
House of Representatives on 20 March 2013
Senate on 16 May 2013]*

(72/13)

6 *Court Security (Consequential Amendments) Act 2013 No. 129, 2013*