Australian War Memorial Regulations

Statutory Rules No. 343, 1983

made under the

Australian War Memorial Act 1980

Compilation No. 4

Compilation date: 12 September 1995

Includes amendments: F1996B00304

Prepared by the Office of Parliamentary Counsel, Canberra

Authorised Version F2026C00669 registered 21/07/2026

About this compilation

This compilation

This is a compilation of the *Australian War Memorial Regulations* that shows the text of the law as amended and in force on 12 September 1995 (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

The effect of uncommenced amendments is not shown in the text of the compiled law. The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au).

Application, saving and transitional provisions

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.

Presentational changes

The *Legislation Act 2003* provides for First Parliamentary Counsel to make presentational changes to a compilation. Presentational changes are applied to give a more consistent look and feel to legislation published on the Register, and enable the user to more easily navigate those documents.

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. Any modifications affecting the law are accessible on the Register.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Citation

These Regulations may be cited as the Australian War Memorial Regulations.

2 Repeal of former Australian War Memorial Regulations

Statutory Rules 1980 Nos. 182 and 298 are repealed.

3 Interpretation

In these Regulations, unless the contrary intention appears:

certificate means a certificate issued under regulation 5;

memorial material means:

(a) material forming part of the memorial collection;

(b) any other historical material that is otherwise in the possession of the Memorial;

(c) any showcase or other structure in or on which material of the kind referred to in paragraph (a) or (b) is displayed; and

(d) the stone known as the Stone of Remembrance situated on Memorial land;

Memorial building means the building, erected on Memorial land, in which memorial material is displayed;

Memorial land means the land made available by the Commonwealth pursuant to paragraph 6(2)(b) of the *Australian War Memorial Act 1962*, being the land specified in the Schedule to a notice dated 22 June 1967 and published in the Gazette on 29 June 1967;

security officer means a person appointed under regulation 5 to be a security officer;

the Act means the *Australian War Memorial Act 1980*.

4 Allowances payable to Director

For the purposes of subsection 22(2) of the Act, the following allowances are prescribed, namely the allowances payable to an officer of the Australian Public Service.

5 Security officers

(1) The Director may, by instrument in writing, appoint a person referred to in section 27 or 28 of the Act to be a security officer.

(2) The Director shall cause to be issued to each person appointed to be a security officer a certificate, in accordance with the form set out in the Schedule, containing a photograph of the person.

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(3) A person who ceases to be a security officer shall forthwith return his certificate to the Director.

(4) A security officer shall, when exercising his powers under these Regulations in relation to a person, at the request of the person produce his certificate for inspection by the person.

6 Powers of security officer

(1) Where a security officer has reasonable grounds for believing that:

(a) memorial material or the Memorial building has been, or is being, damaged by a person; or

(b) a person has refused to obey a direction of a security officer given under subregulation (3),

the security officer may, using such force as is reasonably necessary, apprehend the person.

(2) When a person has been apprehended, a security officer shall:

(a) remove the person from the Memorial building, or Memorial land, or both; or

(b) deliver the person forthwith to a member of the Australian Federal Police.

(3) Where a security officer has reasonable grounds for believing that:

(a) public safety is or may be endangered by the continued presence of a person, or a group of persons, in the Memorial building or on Memorial land or, for any other reason, the safety of members of the public who are present in the Memorial building or on Memorial land is endangered;

(b) the conduct of a person or of a group of persons is likely to cause offence to members of the public; or

(c) a person has committed, or is committing, an offence against these Regulations,

the security officer may direct the person or persons, or the members of the public, as the case requires, to leave the Memorial building or the Memorial land, or both.

7 Offences

(1) A person shall not, in the Memorial building or on Memorial land:

(a) refuse to obey a direction of a security officer given in the exercise of his powers under these Regulations;

(b) without the consent in writing of the Council, expose or cause to be exposed for show, sale or hire any article for use or consumption by a member of the public;

(c) without the consent of the Council, or a person authorized in writing by the Council for the purposes of this paragraph, fail to obey a notice displayed in the Memorial building or on Memorial land; or

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(d) where the person is carrying a prescribed article upon entering the Memorial building—fail to deposit the prescribed article at the counter in the Memorial building made available by the Council for the purpose.

Penalty: $200.

(2) A person shall not:

(a) cause or permit an animal belonging to the person or in his charge to enter or remain in the Memorial building;

(b) bring any liquid or food into the Memorial building;

(c) consume any food or potable liquid within the Memorial building, other than in an area set aside by the Director for that purpose; or

(d) smoke in an area of the Memorial building other than an area in which smoking is permitted.

Penalty: $200.

(3) Paragraph (2)(a) does not apply to or in relation to the taking by a blind person of his guide dog into the Memorial building.

(4) Paragraph (2)(b) does not apply to or in relation to the bringing by a person of medication in liquid form into the Memorial building.

(5) In paragraph (1)(d), ***prescribed article*** means:

(a) an overcoat, a bag (other than a handbag), case, parcel or other container; and

(b) an umbrella, an aerosol container or any other article that is capable of being used to cause damage to memorial material.

8 Motor vehicles

(1) A security officer may direct the person apparently in charge of a motor vehicle that is on Memorial land:

(a) not to park the vehicle on Memorial land except in a specified place;

(b) not to park the vehicle in a specified place; or

(c) not to park the vehicle on Memorial land.

(2) A person to whom a direction under subregulation (1) is given shall not, without reasonable excuse, fail to comply with the direction.

Penalty: $100.

8A Entry charge to the Treloar Centre

(1) The charge to be paid by a person to whom this regulation applies to enter the exhibition areas of the building known as the Treloar Centre, operated by the Memorial at Mitchell in the Australian Capital Territory, is set out in the following Table:

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TABLE

Item	Person	Charge
1	A person who is at least 15 years old and not referred to in item 3, 4 or 5	$3
2	A person who is at least 5 years old but less than 15 years old	$2
3	A person who is the holder of a pensioner concession card granted under the *Social Security Act 1991*	$2
4	A person who is the holder of a seniors health card granted under the *Social Security Act 1991* or the *Veterans' Entitlements Act 1986*	$2
5	A full-time student at a school, college or university who is less than 25 years old	$2
6	A person who is the holder of a health care card granted under the *Health Insurance Act 1973*	$2

(2) This regulation applies to all persons except the following persons:

(a) a member, or a former member, of the Defence Force who:

(i) served outside Australia on active service; or

(ii) served in Australia on active service during World War 2; or

(iii) served outside Australia on operational service within the meaning of the *Veterans' Entitlements Act 1986*; or

(iv) is regarded as having rendered operational service within the meaning of paragraph 6(1)(b) or (c) of the *Veterans' Entitlements Act 1986*;

(b) a person who is in receipt of a pension under Part II or III of the *Veterans' Entitlements Act 1986*;

(c) a person who is invited by an authorised officer of the Memorial to enter the exhibition areas without charge;

(d) a person who is less than 5 years old;

(e) a person who enters the exhibition areas for a purpose connected with:

(i) the operation of the Treloar Centre; or

(ii) the maintenance of memorial material; or

(iii) the maintenance, renovation, reconstruction or extension of the Treloar Centre;

(f) a person who enters the exhibition areas:

(i) in the course of his or her duties as an officer or employee of the Memorial; or

(ii) for the purpose of providing a service to the Memorial.

(3) In this regulation, ***exhibition areas*** means the areas of the Treloar Centre that:

(a) are open to the public; and

(b) contain exhibitions and displays of historical material:

(i) from the memorial collection; or

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(ii) that is otherwise in the Memorial's possession.

9 Delegation by Council

(1) The Council may, by resolution, either generally or as otherwise provided by the resolution, delegate to a person its powers under these Regulations.

(2) A power so delegated, when exercised by the delegate shall, for the purposes of these Regulations, be deemed to have been exercised by the Council.

(3) A delegation under this regulation:

(a) may be revoked by a resolution of the Council (whether or not constituted by the persons constituting the Council at the time the power was delegated);

(b) does not prevent the exercise of the power by the Council; and

(c) continues in force notwithstanding a change in the membership of the Council.

(4) A certificate signed by the Chairman stating any matter with respect to a delegation of a power under this regulation is evidence of that matter.

(5) A document purporting to be a certificate mentioned in subregulation (4) shall, unless the contrary is established, be deemed to be such a certificate and to have been duly given.

10 Delegations by Director

(1) The Director may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to a person any of his powers under these Regulations, other than this power of delegation.

(2) A power so delegated, when exercised by the delegate, shall for the purposes of this Act, be deemed to have been exercised by the Director.

(3) A delegation under this regulation does not prevent the exercise of a power by the Director.

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Schedule

Regulation 5

IDENTITY CERTIFICATE

(*Front of form*)

SECURITY OFFICER

AUSTRALIAN WAR MEMORIAL

Name:

(*Signature of officer*)
Identification No:

(*Back of form*)

This is to certify that (*name of security officer*) is a security officer employed by the Australian War Memorial.

(*Signature of Director*)
DIRECTOR

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Endnotes

Endnote 1—About the endnotes

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 how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and "(md not incorp)" is added to the amendment history.

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Endnote 2—Abbreviation key

ad = added or inserted

AIA = *Acts Interpretation Act 1901*

am = amended

amdt = amendment

C[x] = Compilation No. x

ch = Chapter(s)

cl = clause(s)

cont. = continued

def = definition(s)

Dict = Dictionary

disallowed = disallowed by Parliament

div = Division(s)

ed = editorial change

exp = expires/expired or ceases/ceased to have effect

gaz = gazette

LA = *Legislation Act 2003*

LIA = *Legislative Instruments Act 2003*

(md) = misdescribed amendment can be given effect

(md not incorp) = misdescribed amendment cannot be given effect

mod = modified/modification

No. = Number(s)

Ord = Ordinance

orig = original

p = page(s)

para = paragraph(s)/subparagraph(s) /sub-subparagraph(s)

pres = present

prev = previous

(prev…) = previously

pt = Part(s)

r = regulation(s)/Court rule(s)

reloc = relocated

renum = renumbered

rep = repealed

rs = repealed and substituted

s = section(s)/subsection(s) /rule(s)/subrule(s)/order(s)/suborder(s)

sch = Schedule(s)

SLI = Select Legislative Instrument

SR = Statutory Rules

sub ch = Sub-Chapter(s)

sub div = Subdivision(s)

sub pt = Subpart(s)

underlining = whole or part not commenced or to be commenced

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Endnote 3—Legislation history

Number and year	Registration or gazettal	Commencement	Application, saving and transitional provisions
343, 1983	30 Dec 1983 (F1996B00301)	30 Dec 1983	
39, 1984	23 Mar 1984 (F1996B00302)	23 Mar 1984 (gaz 1984, No S113)	—
448, 1990	21 Dec 1990 (C2004L03935)	1 Jan 1991 (r 1) Note: disallowed by the Senate on 14 February 1991.	—
375, 1994	1 Nov 1994 (F1996B00303)	1 Nov 1994 (r 1) (AIA s 48 and gaz 1994, No S385)	
271, 1995	12 Sept 1995 (F1996B00304)	12 Sept 1995 (r 1) (AIA s 48 and gaz 1995, No S346)	

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Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
r 3	am No 39, 1984; No 448, 1990 (disallowed)
r 8A	ad No 448, 1990 (disallowed); No 375, 1994
	am No 271, 1995

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