



Australian Federal Police (Protective and Custodial Functions) Direction 2024

I, Mark Dreyfus KC MP, Attorney-General, make the following direction.

Dated 23 September 2024

Mark Dreyfus KC MP

Attorney-General

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1 Name

This instrument is the *Australian Federal Police (Protective and Custodial Functions) Direction 2024*.

2 Commencement

This instrument commences on 23 September 2024.

3 Repeal

This instrument repeals previous directions made under paragraph 8(1)(be) and section 8A of the *Australian Federal Police Act 1979 (the Act)*.

4 Authority

This instrument is made under paragraph 8(1)(be) and section 8A of the Act.

5 Direction - Protective and custodial functions

- (1) For paragraph 8(1)(be) of the Act, the protective and custodial functions that the Australian Federal Police are to perform are police services and protective services with respect to persons and property, in Australia or in a foreign country, in relation to:
- (a) laws of the Commonwealth;
 - (b) property of the Commonwealth (including Commonwealth places) and property of authorities of the Commonwealth;
 - (c) the safeguarding of Commonwealth interests;
 - (d) assisting, or cooperating with an Australian or foreign law enforcement, security or emergency services agency;
 - (e) the functions specified in column 3 of an item in Schedule 1 in respect of each person described or specified in column 2 of that item; and
 - (f) any other protective or custodial functions that the Commissioner of Police (**the Commissioner**):
 - (i) considers that the Australian Federal Police has the capacity to provide; and
 - (ii) authorises the Australian Federal Police to perform.

6 Direction - Protective service functions

For section 8A of the Act, the protective and custodial functions in Schedule 1 are protective service functions.

Schedule 1 **Protective and custodial functions**

Item	Person	Functions
1	Department of Defence.	Protective services for defence property including special defence undertakings declared under section 6 of the <i>Defence (Special Undertakings) Act 1952</i> .
2	Department of Home Affairs.	Custodial services under the <i>Migration Act 1958</i> (including escort services, however described).
3	Agency Head, a person who is able to make binding arrangements on behalf of a foreign country, an international organisation, or any authority of such a person or organisation.	Protective services, protective security advice, conduct of security surveys of premises, monitoring of alarms installed at premises, and security training of personnel in Australian or in a foreign country.
4	Agency Head, a person who is able to make binding arrangements on behalf of a foreign country, an international organisation, or any authority of such a person or organisation.	Custodial services, in Australia or in a foreign country, and all services reasonably related to the provision of those services, for a period determined by the Commissioner in consultation with the person making the request.
5	Operators of airports under the <i>Aviation Transport Security Act 2004</i> .	Counter-terrorist first response force services under the <i>Aviation Transport Security Regulations 2005</i> and other protective services at those airports.