**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

Contents

1 Name 1

2 Commencement 1

3 Repeal 1

4 Authority 1

5 Direction - Protective and custodial functions 1

6 Direction - Protective service functions 1

Schedule 2

1 Name

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

1. Commencement

This instrument commences on 23 September 2024.

1. 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 *Defence (Special Undertakings) Act 1952.*

2 Department of Home Affairs. Custodial services under the

*Migration Act 1958* (including escort services, however described).

3 Agency Head, a person who is able Protective services, protective

to make binding arrangements on security advice, conduct

behalf of a foreign country, an of security surveys of premises,

international organisation, or any monitoring of alarms installed at

authority of such a person or premises, and security training of

organisation. personnel in Australian or in a

foreign country.

4 Agency Head, a person who is able Custodial services, in Australia or in

to make binding arrangements on a foreign country, and all services

behalf of a foreign country, an reasonably related to the provision

international organisation, or any of those services, for a period

authority of such a person or determined by the Commissioner in

organisation. consultation with the person

making the request.

5 Operators of airports under the Counter-terrorist first response

*Aviation Transport Security Act 2004.* force services under the *Aviation Transport Security* *Regulations*

*2005* and other protective services at those airports.