TASMANIA

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WORKPLACE PROTECTION ORDERS BILL 2026

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SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS

WORKPLACE PROTECTION ORDERS BILL 2026

(Brought in by the Minister for Justice, Corrections and Rehabilitation, the Honourable Guy Barnett)

A BILL FOR

An Act to prevent personal violence in workplaces, to facilitate the safety and protection of persons who experience, or are at risk of, personal violence at work or on account of their work, to provide legally enforceable mechanisms to deter such violence and to hold perpetrators of personal violence in the workplace accountable and for related purposes

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Workplace Protection Orders Act 2026*.

2. Commencement

The provisions of this Act commence on a day or days to be proclaimed.

3. Interpretation

(1) In this Act, unless the contrary intention appears –

aircraft has the same meaning as in the *Criminal Code*;

approved form means a form approved by the Chief Magistrate of the Court, within the meaning of the *Magistrates Court Act 1987*;

child means a person who has yet to attain the age of 18 years;

Court means the Magistrates Court;

district registrar means a district registrar appointed under section 16A of the *Magistrates Court Act 1987*;

employee, in relation to a workplace, means a person who is –

(a) employed or engaged to work at the workplace; or

(b) a trainee or apprentice, within the meaning of the *Training and Workforce Development Act 2013*, at the workplace; or

(c) a volunteer in respect of the workplace;

employer, in relation to a workplace, means the person who has the authority to

employ, or engage, individuals under a contract of service or a contract for service in respect of the workplace;

Family Court order includes –

(a) an order made under Part 7 of the *Family Law Act 1975* of the Commonwealth; and

(b) an application for an order made under Part 7 of that Act; and

(c) any family dispute resolution process or other process undertaken under Part 7 of that Act to facilitate the making of a relevant Family Court order;

family member, of a person, includes –

(a) the spouse or partner, within the meaning of the *Relationships Act 2003*, of the person; and

(b) a parent of the person, whether by blood or marriage; and

(c) a child, or dependant, of the person, whether by blood, adoption or marriage; and

(d) a sibling of the person, whether by blood or marriage;

firearm has the same meaning as in the *Firearms Act 1996*;

firearm accessory includes a firearm part, and ammunition, within the meaning of the *Firearms Act 1996*;

guardian, in relation to a child, includes –

(a) a person who is the legal guardian of the child; and

(b) a person who has the legal custody of the child; and

(c) any other person who generally acts in the place of a parent of the child and has done so for a significant length of time;

interim workplace protection order means an order made under section 16(1)(a) in respect of a workplace;

personal violence – see section 4;

proposed WPO respondent, in relation to an application under section 8 for a workplace protection order, means the person who is proposed to be the subject of the order;

vehicle has the same meaning as in the *Vehicle and Traffic Act 1999*;

vessel has the same meaning as in the *Biosecurity Act 2019*;

workplace – see section 5;

workplace protection order – see section 6;

workplace-related person, in relation to a workplace, includes –

(a) the owner or operator of the workplace; and

(b) the owner or operator of the premises where the workplace is located; and

(c) an employer in relation to the workplace; and

(d) an employee in relation to the workplace; and

(e) the customers and patrons of the workplace; and

(f) if the workplace is a workplace in relation to an elected official, each elected official who works at that workplace;

WPO application includes –

(a) an application under section 8 for a workplace protection order; and

(b) an application under section 18 for a variation, extension or revocation of a workplace protection order;

WPO respondent, in relation to a workplace protection order or interim workplace protection order, means the person who is the subject of the order.

(2) For the purposes of determining if a person's action or behaviour is in respect of a workplace, it is sufficient if the person's action or behaviour is committed, or has been threatened to be committed –

(a) in the workplace; or

(b) because of the person's, or another person's, connection to the workplace.

4. Meaning of *personal violence*

(1) For the purposes of this Act, an action or behaviour is personal violence if the action or behaviour involves one or more of the following:

(a) physical, or sexual, violence or abuse;

(b) harassment, intimidation or offensive behaviour that is not trivial or incidental in nature;

(c) stalking, within the meaning of section 106A of the *Justices Act 1959*;

(d) a threat to act or behave in a manner that a reasonable person would find is intended to cause an individual to fear that they will be subject to an action or behaviour specified in this subsection.

(2) In this section, a reference to an action or behaviour includes an action or behaviour that –

(a) occurs in person, online, digitally or through any other means of communication; and

(b) occurs publicly or only before one or more individuals; and

(c) relates to a specific person or is able to be inferred as relating to a person; and

(d) involves artificially generated, or manipulated, images, documents or information.

5. Meaning of *workplace*

(1) For the purposes of this Act, a place is a workplace for a person if the place –

(a) is where the person carries out a business or undertaking, within the meaning of the *Work Health and Safety Act 2012*, including, but not limited to, as a partnership, unincorporated association or volunteer association; or

(b) is somewhere where the person goes, or is likely to be, as part of the person's work; or

(c) is prescribed as a workplace for a class of persons and the person is a member of that class of persons.

(2) For the purposes of this section, a place includes, but is not limited to –

(a) an area of land or water; and

(b) a building or structure; and

(c) a temporary or mobile building or structure; and

(d) a place inside, or on, a vehicle, vessel or aircraft; and

(e) an installation –

(i) on land or on the bed of any waters; or

(ii) floating on any waters.

6. Meaning of *workplace protection order*

A workplace protection order is an order of a court, made under section 11 or 30 in respect of a workplace, that imposes such restraints and obligations on a person specified in the order as the court considers necessary or appropriate in the circumstances to prevent the person from acting in a manner specified in section 11(1) in respect of the workplace or a workplace-related person.

7. Application of Act

Unless the contrary intention appears –

(a) this Act is in addition to, and does not derogate from, the provisions of any other Act; and

(b) the making of a workplace protection order in respect of a workplace does not, of itself, discharge any duty under the *Work Health and Safety Act 2012* in respect of that workplace.

PART 2 – WORKPLACE PROTECTION ORDERS

Division 1 – General

8. Applications for workplace protection orders

(1) Each of the following persons may apply for a workplace protection order in respect of a workplace:

(a) an employer in relation to the workplace;

(b) the owner or occupier of –

(i) the workplace; or

(ii) the premises where the workplace is located;

(c) a health and safety representative, within the meaning of the *Work Health and Safety Act 2012*, in respect of the workplace;

(d) a representative of an employer organisation, within the meaning of the *Work Health and Safety Act 2012*, that relates to the workplace;

(e) a union, within the meaning of the *Work Health and Safety Act 2012*, that represents employees in relation to the workplace;

(f) a police officer;

(g) a prescribed person or a member of a prescribed class of persons.

(2) An application for a workplace protection order is to –

(a) be in an approved form; and

(b) include the prescribed information.

(3) An application for a workplace protection order may not be made in respect of workplace if the proposed WPO respondent is an employer, or employee, in respect of the workplace.

(4) If an applicant is a personal information custodian, within the meaning of the *Personal Information Protection Act 2004*, the applicant is not in breach of that Act by reason only that the applicant uses the personal information of a person, in good faith, for the purpose of applying for a workplace protection order against that person under this Act.

9. Matters relevant to making workplace protection orders

(1) In deciding whether or not to make a workplace protection order in respect of a workplace, and what conditions to impose as part of a workplace protection order, the Court must consider that the protection, safety and welfare of workplace-related persons, and family members of those workplace-related persons, are of paramount importance.

(2) In addition to subsection (1), in deciding whether or not to make a workplace protection order in respect of a workplace, and what conditions to impose as part of a workplace protection order, the Court may take into account any information before the Court on the following matters, if the Court considers it relevant in the circumstances:

(a) whether making the order will unreasonably impact on, or interfere with, any person's ability to access and obtain essential goods and services including, but not limited to, healthcare, education and legal services;

(b) any hardship that may be caused to any person if the order is made including, but not limited to, the WPO respondent or proposed WPO respondent;

(c) any breaches of a workplace protection order, or interim workplace protection order, committed by the WPO respondent or proposed WPO respondent;

(d) whether making the order will place any person at an unacceptable risk of harm or increase any risk of harm to a person;

(e) any previous personal violence by the WPO respondent, or proposed WPO respondent, in relation to any person or any other workplace;

(f) any previous workplace protection orders made in respect of the WPO respondent or proposed WPO respondent;

(g) any previous orders made, or registered, under the *Family Violence Act 2004* in respect of the WPO respondent or proposed WPO respondent;

(h) any previous restraint orders made, or registered, under Part XA of the *Justices Act 1959* in respect of the WPO respondent or proposed WPO respondent;

(i) any physical, intellectual or developmental disability, or any mental and physical health concerns, that may have contributed to the actions or behaviour of the WPO respondent or proposed WPO respondent;

(j) if the WPO respondent or proposed WPO respondent is a child –

(i) after considering the practicable diversionary and therapeutic options, whether making the order is necessary or appropriate in the circumstances to prevent damage to, or personal violence in respect of, the workplace; and

(ii) what is in the best interests of the child, including but not limited to –

(A) the age, intellectual and emotional development, and mental and physical health of the child; and

(B) the family and community support available to the child;

(k) whether the workplace protection order is being sought to circumvent, or discredit, any legitimate complaints, disclosures, industrial activities, peaceful protests or other lawful activities occurring in respect of the workplace;

(l) any other matter that the Court considers relevant.

10. Commissioner of Police may provide certain information

If requested to do so by the Court, the Commissioner of Police is to inquire into, and report to the Court on, the following matters in respect of a proposed WPO respondent:

(a) convictions for offences committed by the proposed WPO respondent regardless of whether those offences –

(i) were committed in Tasmania or elsewhere; or

(ii) were committed before or after the commencement of this section;

(b) offences with which the proposed WPO respondent has been charged, but the proceedings have not yet been finally determined, regardless of whether –

(i) those offences were committed in Tasmania or elsewhere; or

(ii) those offences were committed before or after the commencement of this section; or

(iii) those proceedings commenced before or after the commencement of this section;

(c) information about any workplace protection order or interim workplace protection order made in respect of the proposed WPO respondent;

(d) any information that is part of a class of information prescribed for the purposes of this section.

11. Court may make workplace protection orders

(1) The Court may make a workplace protection order in respect of a workplace if the Court is satisfied, on the balance of probabilities, that the proposed WPO respondent in respect of the order –

(a) has engaged in –

(i) damage to the workplace or to property that relates to the workplace; or

(ii) personal violence against a person who is a workplace-related person in respect of the workplace; or

(iii) personal violence against a family member of a person who is a workplace-related person in respect of the workplace; and

(b) unless restrained, is at serious risk of –

(i) continuing to engage in such actions or behaviour in respect of the workplace, workplace-related person or family member; or

(ii) carrying out previous threats to engage in such actions or behaviour.

(2) For the purposes of subsection (1)(b), in determining whether the proposed WPO respondent is at serious risk as required for that paragraph, the Court –

(a) may take into account –

(i) the overall context of the proposed WPO respondent's actions and behaviours; and

(ii) the proposed WPO respondent's cumulative actions and behaviours; and

(iii) whether the proposed WPO respondent's actions and behaviours are evidence of a pattern of behaviour; and

(b) is not required to make a determination as to whether any actions or behaviours, of the proposed WPO respondent in respect of the workplace, are imminent or certain to reoccur.

(3) If the Court is satisfied that a sealed copy of an application for a workplace protection order has been served on the proposed WPO respondent, or all reasonable attempts have been made to serve a sealed copy of the application on the proposed WPO respondent, the Court may make the workplace protection order sought in the application –

(a) in the absence of the proposed WPO respondent; and

(b) on such conditions as the Court considers appropriate in the circumstances.

12. WPO applications where respondent is a child

(1) If a proposed WPO respondent, or WPO respondent, is a child at the time at which a WPO application is made in respect of the respondent –

(a) the Court may transfer the WPO application and proceedings to the Magistrates Court (Youth Justice Division) at any time during the proceedings; and

(b) that Division of the Court has the jurisdiction to hear and determine the WPO application and proceedings.

(2) For the avoidance of doubt, if, in proceedings before any court in respect of this Act, it becomes apparent to that court that the person who is the subject of those proceedings should, by reason of age, be dealt with in some other court, the court may transfer those proceedings to the appropriate court.

(3) If a court makes a workplace protection order or interim workplace protection order in respect of a child, the court must take steps to ensure that the child, if present, understands –

(a) the purpose and effect of the order; and

(b) the consequences that may follow if the child fails to comply with the order; and

(c) the way in which the order may be varied; and

(d) any rights that the child has in relation to the order and hearings under this Act; and

(e) the rights of the child to –

(i) legal assistance; and

(ii) the support of an advocate including, but not limited to, a Commissioner within the meaning of the *Commission for Children and Young People Act 2025*.

(4) A court may take one or more of the following steps under subsection (3) when explaining a workplace protection order or interim workplace protection order to a child:

(a) directly explaining the matters to the child in the court;

(b) having an appropriate person give an explanation of the matters to the child including, but not limited to, an interpreter or another person able to communicate effectively with the child;

(c) causing a written explanation to be provided to the child in a language in which the child is fluent.

13. Making of workplace protection orders

(1) A workplace protection order is to specify –

(a) the workplace to which the order relates; and

(b) the WPO respondent in respect of the order; and

(c) the period for which the order has effect; and

(d) any conditions that apply in respect of the order.

(2) A workplace protection order may not be made in respect of a child who has not attained the age of 10 years.

(3) A workplace protection order may –

(a) apply to more than one workplace; and

(b) be subject to such conditions as the Court considers necessary or appropriate in the circumstances including, but not limited to, a condition specified in section 22.

14. Commencement of certain orders

Unless otherwise specified in a workplace protection order or interim workplace protection order, the order takes effect –

(a) if the WPO respondent is present in court when the order is made, on the making of the order; or

(b) if the WPO respondent is not present in court when the order is made, when the WPO respondent is served with a copy of the order in accordance with section 25.

15. Duration of workplace protection orders

(1) A workplace protection order made in respect of a workplace remains in force –

(a) for the period specified in the order; or

(b) if no such period is specified in the order, for a period of 12 months.

(2) Despite subsection (1), if a WPO respondent or proposed WPO respondent is a child, the workplace protection order –

(a) may only be in force for a period not exceeding 6 months; and

(b) may be extended one or more times, under section 20, but may not be in force for a period exceeding 12 months in total.

Division 2 – Powers in respect of initial WPO applications

16. Powers after filing of initial WPO applications

(1) If an application under section 8 for a workplace protection order has been filed with the Court in respect of a workplace, the Court may do one or more of the following:

(a) at any time before the application is determined by the Court –

(i) make an interim workplace protection order, in accordance with section 17, in respect of the

workplace and the proposed WPO respondent; or

(ii) amend or revoke an interim workplace protection order in respect of the workplace and the WPO respondent;

(b) if satisfied that it is necessary or appropriate in the circumstances to do so, give such directions with respect to the further hearing of the application as the Court considers necessary.

(2) If an application under section 8 for a workplace protection order has been filed with the Court under this Act and, at any stage of the proceedings in respect of the application, the Court believes that the application should have been an application for –

(a) a family violence order under the *Family Violence Act 2004*; or

(b) a restraint order under Part XA of the *Justices Act 1959* –

the Court may proceed under either of those Acts, as appropriate, as if the application for the workplace protection order were an application for the relevant order under that Act.

(3) If the parties to an application under section 8 in relation to a workplace protection order under this Act both consent, the Court may make a workplace protection order under this Act in

accordance with the terms so consented to by the parties.

(4) The Court may make an interim workplace protection order –

(a) regardless of whether a sealed copy of an application for a workplace protection order has been served on the proposed WPO respondent for the interim workplace protection order; and

(b) in the absence of the proposed WPO respondent.

17. Interim workplace protection orders

(1) The Court may make an interim workplace protection order in respect of a workplace and a proposed WPO respondent if –

(a) an application for a workplace protection order –

(i) has been made under section 8 in respect of the workplace and the proposed WPO respondent; and

(ii) has not been determined or withdrawn; and

(b) the Court is satisfied that the interim workplace protection order is necessary or appropriate in the circumstances –

(i) to ensure the safety of a workplace-related person, in

respect of the workplace, or a family member of such a workplace-related person; or

(ii) to prevent substantial damage to the workplace or property relating to the workplace.

(2) An interim workplace protection order may be subject to such conditions as the Court considers necessary or appropriate in the circumstances including, but not limited to, a condition specified in section 22.

(3) In making an interim workplace protection order, the Court –

(a) is not required to be satisfied of any of the matters specified in section 11 before making the order; and

(b) is to take into account any relevant matters in accordance with section 9 before making the order; and

(c) may make the order in the absence of the proposed WPO respondent.

(4) An interim workplace protection order is to specify –

(a) the workplace to which the order relates; and

(b) the WPO respondent in respect of the order; and

(c) any conditions that apply in respect of the order; and

(d) the period for which the interim workplace protection order has effect.

(5) An interim workplace protection order may only be in force –

(a) if the WPO respondent is a child, for a period not exceeding 60 days; and

(b) in any other case, for a period not exceeding 6 months.

(6) An interim workplace protection order may not be made in respect of a child who has not attained the age of 10 years.

(7) An interim workplace protection order is revoked if –

(a) the application for a workplace protection order that is made under section 8, to which the interim workplace protection order relates, is withdrawn; or

(b) if that application is determined by the Court –

(i) when a workplace protection order is made and takes effect in respect of the application; or

(ii) if a workplace protection order is not made in respect of the application, when the application is determined by the Court.

Division 3 – Powers in respect of workplace protection orders

18. Application for variation, extension or revocation of workplace protection orders

(1) Each of the following persons may apply for the variation, extension or revocation of a workplace protection order:

(a) a party to the application for the workplace protection order including, but not limited to, the applicant and the WPO respondent;

(b) a police officer;

(c) if the WPO respondent is a child –

(i) a parent or guardian of the child; or

(ii) an advocate acting on behalf of the child;

(d) a person granted leave under subsection (2) in respect of the order.

(2) The Court may grant a person leave to apply for the variation, extension or revocation of a workplace protection order, if the Court is satisfied that it is appropriate in the circumstances for the person to make the application in respect of that order.

(3) An application for the variation, extension or revocation of a workplace protection order is to –

(a) be in an approved form; and

(b) include the prescribed information.

19. Variation of workplace protection orders

On considering an application under section 18 for the variation of a workplace protection order, the Court may vary the order if, after taking into account any relevant matters in accordance with section 9, the Court considers it necessary or appropriate in the circumstances.

20. Extension of workplace protection orders

(1) On considering an application under section 18 for the extension of a workplace protection order, the Court may extend the order if, after taking into account any relevant matters in accordance with section 9, the Court –

(a) is satisfied that the serious risk, referred to in section 11(1)(b), remains in respect of the WPO respondent and the relevant workplace; and

(b) considers the extension to be necessary or appropriate in the circumstances.

(2) The Court may extend a workplace protection order under this section regardless of whether there has been any further action by the WPO respondent in respect of the workplace or a workplace-related person.

21. Revocation of workplace protection orders

On considering an application under section 18 for the revocation of a workplace protection order, the Court may revoke the order if, after taking into account any relevant matters in accordance with section 9, the Court is satisfied that the order is no longer necessary or appropriate in the circumstances.

Division 4 – Powers in respect of all WPO applications

22. Conditions may be imposed in respect of orders

(1) After taking into account any relevant matters in accordance with section 9, the Court may impose one or more of the following conditions in respect of a workplace protection order, or interim workplace protection order, made under this Act in respect of the workplace:

(a) prohibit the WPO respondent from entering into, or remaining on –

(i) the workplace; or

(ii) another premises, or location, that relates to a workplace-related person or a family member of a workplace-related person; or

(iii) a vehicle, vessel, aircraft or mobile structure specified in the order;

(b) prohibit the WPO respondent from being within a specified distance from –

(i) the workplace; or

(ii) another premises, or location, that relates to a workplace-related person or a family member of a workplace-related person; or

(iii) a vehicle, vessel, aircraft or mobile structure specified in the order;

(c) prohibit the WPO respondent from following, surveilling or loitering nearby –

(i) the workplace or any vehicle, vessel, aircraft or mobile structure specified in the order; or

(ii) a workplace-related person or a family member of a workplace-related person;

(d) prohibit the WPO respondent from contacting, or interacting with –

(i) a workplace-related person; or

(ii) a family member of a workplace-related person;

(e) prohibit the WPO respondent from publishing, or communicating, personal information, images or location information relating to –

(i) the workplace or any vehicle, vessel, aircraft or mobile structure specified in the order; or

(ii) a workplace-related person or a family member of a workplace-related person;

(f) prohibit the WPO respondent from instigating, enabling or aiding another person to take an action specified in this subsection in respect of –

(i) the workplace or any vehicle, vessel, aircraft or mobile structure specified in the order; or

(ii) a workplace-related person or a family member of a workplace-related person;

(g) require the WPO respondent to surrender any firearms, or firearm accessories, in the WPO respondent's possession or control;

(h) prohibit the WPO respondent from –

(i) purchasing, or otherwise acquiring, a firearm or firearm accessory; or

(ii) applying for a licence, permit or exemption under the *Firearms Act 1996*;

(i) make any entry into, or time in, the workplace by the WPO respondent subject to such conditions as are specified in the order;

(j) make any contact or interaction, by the WPO respondent with a workplace-related person, subject to such conditions as are specified in the order;

(k) any other condition that the Court considers appropriate in the circumstances.

(2) If the Court imposes a condition under subsection (1)(g) in respect of a workplace protection order or interim workplace protection order, the Court must also impose a condition under subsection (1)(h) in respect of the order.

(3) When imposing a condition in respect of an order made under this Act in respect of a workplace, the Court is to take into account that the conditions to be imposed are to be no more onerous on the WPO respondent than is necessary or appropriate in the circumstances.

23. Proceedings relating to WPO applications

(1) Except as otherwise specified in this Act, or ordered by the Court –

(a) a WPO application is to be heard and determined –

(i) in open court; and

(ii) in the same manner, as nearly as practicable, as a complaint for a simple offence; and

(b) a person who makes a WPO application is to be treated, as nearly as practicable, as a complainant within the meaning of the *Justices Act 1959*.

(2) If a proposed WPO respondent is a child, the Court is to be satisfied that the child has been provided with the opportunity to be –

(a) represented by a lawyer in those proceedings; and

(b) supported by a parent, guardian or advocate including, but not limited to, a Commissioner within the meaning of the *Commission for Children and Young People Act 2025*.

(3) At the hearing of a WPO application, the following persons may conduct the applicant's or respondent's case and examine and cross-examine witnesses:

(a) the applicant or respondent;

(b) a lawyer who represents the applicant or respondent;

(c) a police officer who represents the applicant or respondent;

(d) any other person to whom the Court grants leave to represent the applicant or respondent.

(4) A statutory declaration of a police officer in respect of a fact is admissible as evidence of the fact in a hearing of a WPO application, whether or not the police officer may be available as a witness, if –

(a) the police officer, in the police officer's professional capacity, could give direct oral evidence of that fact in the hearing; and

(b) the Court, having regard to all the circumstances, is of the opinion that justice does not require that the evidence of the police officer in respect of the fact be tested by cross-examination.

(5) The opinion of a medical practitioner in a document tending to establish a fact is admissible as evidence of the fact in the hearing of a WPO application, whether or not the medical practitioner may be available as a witness, if –

(a) the medical practitioner, in the medical practitioner's professional capacity, could give that opinion as direct oral evidence in the hearing; and

(b) the Court, having regard to all the circumstances, is of the opinion that justice does not require that the opinion

of the medical practitioner be tested by cross-examination.

24. Warrants and other orders on making of workplace protection orders

(1) If the Court makes a workplace protection order, or interim workplace protection order, that is subject to a condition that –

(a) prohibits or restricts the WPO respondent from having the possession, custody or control of any firearm or firearm accessory; or

(b) directs the forfeiture, disposal or surrender of any firearm or firearm accessory in the possession or custody of, or under the control of, the WPO respondent –

the Court may issue a warrant authorising a police officer, using such force as is necessary, to –

(c) enter and remain in the premises specified in the warrant or any premises on or in which the police officer reasonably believes that such a firearm, or firearm accessory, may be situated; and

(d) seize any such firearm or firearm accessory as specified in the warrant.

(2) On or in any premises entered in accordance with a warrant issued under subsection (1), the police officer may –

(a) search the premises and anything in or on the premises; and

(b) open or break open anything in or on the premises in which a firearm or firearm accessory may be kept; and

(c) require any person in or on the premises to give reasonable assistance to the police officer in exercising the police officer's powers under this section.

(3) On making a workplace protection order, the Court may make such ancillary and other orders as it considers necessary or appropriate in the circumstances.

(4) Without limiting the orders that the Court may make under subsection (3), the Court may make one or more of the following orders:

(a) that the WPO respondent or any other person specified in an order made under that subsection –

(i) remain in the precincts of the courthouse until such time as the WPO respondent or person is provided with a copy of the workplace protection order or other order; or

(ii) immediately provide the district registrar with the WPO respondent's or person's postal address, or email address for electronic communication, so that the workplace protection order or other order, or a copy of it, may be provided to the WPO respondent or person at that address;

(b) that any licence, permit or exemption held by the WPO respondent under the *Firearms Act 1996* be suspended or cancelled;

(c) that any firearm and firearm accessory in the possession or control of the WPO respondent be forfeited or disposed of, as specified in the order –

(i) whether or not the WPO respondent holds a licence, permit or exemption under *Firearms Act 1996* in respect of the firearm; and

(ii) whether or not the firearm is registered under that Act or is a prohibited firearm under that Act.

(5) If the Court makes an order under subsection (4)(b) –

(a) the relevant district registrar is to provide a copy of the order to the Commissioner of Police; and

(b) the Commissioner of Police is to do all things necessary to facilitate the operation of that order.

25. Service of workplace protection orders

(1) Unless otherwise specified by the Court, a workplace protection order or interim workplace protection order made under this Act, or a copy of it, is to be personally served on the following persons:

(a) the WPO respondent in respect of the order;

(b) if the applicant for the order is not the employer in respect of the relevant workplace, that employer;

(c) if the WPO respondent is a child, at least one parent or guardian of the child, unless one cannot be found.

(2) Subsection (1) does not apply to the service of a workplace protection order or interim workplace protection order, on a person, if the person is present in court when the order is made.

(3) If subsection (2) applies to a person in respect of a workplace protection order or interim workplace protection order, a copy of the order is to be provided to the person –

(a) in person; or

(b) by email, or electronic communication, through contact details given by the person for that purpose.

(4) The Court may require that a workplace protection order or interim workplace protection order is to be served on the WPO respondent by a member of the Police Service.

(5) Nothing in subsection (3) prevents the operation of section 29AB of the *Acts Interpretation Act 1931* in respect of the provision of an order, or a copy of an order, under this section.

26. Costs in relation to workplace protection orders

(1) Unless otherwise determined by the Court, each party to proceedings under this Act is to bear its own costs incurred in connection with the proceedings.

(2) Despite subsection (1), the Court may order a party to an application under this Act to pay such costs as the Court considers necessary or appropriate in the circumstances, if the Court is satisfied that –

(a) the party has made the application, objected to the application, or withdrawn the application for a purpose, or in a manner, that is malicious, frivolous, vexatious or in bad faith; or

(b) exceptional circumstances exist that make the imposition of costs on the party

necessary or appropriate in the circumstances.

(3) If costs are ordered to be paid under this section, the costs are to be assessed –

(a) by the Court; or

(b) if the Court directs, by a district registrar.

(4) If costs are assessed by a district registrar, the district registrar must have regard to the same matters that a court would have regard to if the court were assessing the costs, including the amount that could have been awarded in respect of witnesses' expenses, under section 45 of the *Justices Act 1959*.

(5) An assessment of costs under this section –

(a) is part of the order to which it relates; and

(b) is to comply with any relevant provisions of the rules of court for the Court.

(6) If costs are ordered to be paid under this section, those costs may be recovered as if they had been allowed under the *Magistrates Court (Civil Division) Act 1992*.

PART 3 – MISCELLANEOUS

27. Persons must not contravene workplace protection orders

(1) A person must not contravene a workplace protection order or interim workplace protection order, that applies in respect of the person, while the order is in effect under this Act.

Penalty: In the case of –

(a) a first offence, a fine not exceeding 20 penalty units or imprisonment for a term not exceeding 12 months, or both; and

(b) a second or subsequent offence, a fine not exceeding 30 penalty units or imprisonment for a term not exceeding 18 months, or both.

(2) For the purposes of subsection (1), an offence is a second or subsequent offence if the offence is committed by the same person, regardless of whether or not the second or subsequent offence relates to the same workplace or the same workplace protection order.

(3) If a police officer has reasonable cause to suspect that a person has committed an offence under subsection (1), the officer may –

(a) without a warrant, arrest and detain that person; and

(b) for the purpose of arresting and detaining such a person, enter, using force if necessary, any premises on which the police officer has reasonable cause to believe that the person is present; and

(c) search those premises for that person.

28. Effect of workplace protection orders on interests in property

For the avoidance of doubt, a workplace protection order or interim workplace protection order that affects a person's access to premises or property does not affect any legal or equitable interest held by any person in the premises or property.

29. Restriction of publication of names of parties

(1) If it appears to the Court that it is in the interests of justice, or appropriate, to prohibit the publication of any material relating to proceedings before it under this Act, the Court, before or during the course of the proceedings or after the proceedings, may make an order prohibiting the publication of that material.

(2) A person must not publish any material that is prohibited to be published by an order made under subsection (1).

Penalty: Fine not exceeding 50 penalty units or imprisonment for a term not exceeding 3 months, or both.

(3) A person must not publish any material relating to proceedings under this Act if the material discloses, or may disclose, the identity of any child referred to in, or who is concerned with or affected by, the proceedings.

Penalty: Fine not exceeding 50 penalty units or imprisonment for a term not exceeding 3 months, or both.

(4) A person must not publish any reference or allusion to material, which it is an offence to publish under this section, for the purpose of disclosing, or that is sufficient to disclose or infer, the material.

Penalty: Fine not exceeding 50 penalty units or imprisonment for a term not exceeding 3 months, or both.

(5) A person is not guilty of an offence under this section if the person, in good faith, publishes material which it is an offence to publish under this section –

(a) for the purpose of enforcing a workplace protection order to which the material relates; and

(b) only to the extent necessary for that enforcement and not in a manner that would publicly disclose the material.

30. Powers to make workplace protection orders at other proceedings

(1) In this section –

relevant proceedings means proceedings before a court in relation to –

(a) a complaint, or indictment, for an offence; or

(b) an application for –

(i) a family violence order, or interim family violence order, under the *Family Violence Act 2004*; or

(ii) a restraint order, or interim restraint order, under Part XA of the *Justices Act 1959*.

(2) At any hearing held in respect of relevant proceedings, the Court or the Supreme Court may make a workplace protection order under this Act in respect of a workplace if that court is satisfied, on the balance of probabilities, that –

(a) the relevant proceedings relate to, or have a connection with, the workplace; and

(b) section 11(1) applies in respect of the proposed WPO respondent and the workplace.

(3) Before making a workplace protection order under subsection (2) in respect of a workplace, the court making the order is to take into account any relevant matters in accordance with section 9.

(4) A workplace protection order made under subsection (2) as part of relevant proceedings may be made in addition to any other order, or action, taken in respect of the proceedings.

(5) For the avoidance of doubt –

(a) a reference in this Act to a workplace protection order includes a reference to a workplace protection order made by the Supreme Court; and

(b) the powers of the Court in relation to the variation, extension or revocation of a workplace protection order apply to a workplace protection order made by the Supreme Court.

31. Decisions may be subject to review

(1) The following persons may apply to the Supreme Court for a review of a decision made by the Court under this Act in respect of a WPO application, a workplace protection order or an interim workplace protection order:

(a) the applicant for the order;

(b) in the case of a WPO application, the proposed WPO respondent;

(c) in the case of an order, the WPO respondent;

(d) a police officer;

(e) if the WPO respondent is a child –

(i) a parent or guardian of the child; or

(ii) an advocate acting on behalf of the child;

(f) any other person granted leave, by the Supreme Court, to apply for a review of a decision under this section.

(2) A person may only make an application under this section, in respect of an order made under this Act, on the grounds that the Court made an error or mistake on a question or matter of fact or law, or both, when making the decision.

(3) An application under subsection (1) –

(a) may only be made within 28 days after the decision, to which the application relates, is made under this Act; and

(b) must specify the grounds on which the review is sought; and

(c) is to be in accordance with the rules of court for the Supreme Court; and

(d) is taken to be a notice to review.

(4) An applicant under this section, in respect of an order, must –

(a) file the notice of review in the Supreme Court; and

(b) serve a copy of the notice of review on –

(i) if the application under this section relates to a workplace protection order or interim workplace protection order and the applicant is not the WPO respondent, the WPO respondent; and

(ii) if the application under this section relates to a WPO application, the proposed WPO respondent; and

(iii) each workplace-related person personally named in the order; and

(iv) persons interested in upholding the order; and

(v) the Administrator of the Court, within the meaning of the *Magistrates Court Act 1987*.

(5) Nothing prevents the Supreme Court from considering an application made under this section outside of the time period specified in this section.

(6) The Supreme Court may make rules of court in relation to the practice and procedures of that Court in relation to proceedings under this section.

32. Other orders prevail if inconsistent

A workplace protection order, or interim workplace protection order, operates subject to –

(a) any relevant Family Court orders; and

(b) any relevant family violence orders, interim family violence orders or police family violence orders under the *Family Violence Act 2004*; and

(c) any relevant restraint orders, or interim restraint orders, under Part XA of the *Justices Act 1959*.

33. Rules of court

Without limiting the matters in respect of which rules of court may be made under section 15AE of the *Magistrates Court Act 1987* in respect of the Court, the rules of court may provide for the practice and procedure of the Court in relation to proceedings under this Act.

34. Regulations

(1) The Governor may make regulations for the purposes of this Act.

(2) Without limiting the generality of subsection (1), the regulations may provide for –

(a) the sharing, or disclosing, of certain information, including personal information, for the purposes of this Act; and

(b) the fees and charges payable in respect of any matter under this Act.

(3) The regulations may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations.

(4) The regulations may authorise any matter to be from time to time determined, approved, applied or regulated by such person as is specified in the regulations.

35. Review of Act

The Minister is to –

(a) cause a review of this Act to be made in respect of the 3-year period commencing on the commencement of this section; and

(b) ensure that the review is completed and cause a copy of a report of the review to be laid before each House of Parliament, within 4 years after the commencement of this section.

36. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

(a) the administration of this Act is assigned to the Minister for Justice, Corrections and Rehabilitation; and

(b) the department responsible to that Minister in relation to the administration of this Act is the Department of Justice.

37. Consequential amendments

The legislation specified in Schedule 1 is amended as specified in that Schedule.

SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS

Section 37

Firearms Act 1996

1. Section 3 is amended as follows:

(a) by inserting the following definition after the definition of *interim restraint order*:

interim workplace protection order has the same meaning as in the *Workplace Protection Orders Act 2026*;

(b) by omitting "fired." from paragraph (b) of the definition of *use* and substituting "fired;";

(c) by inserting the following definition after the definition of *use*:

workplace protection order has the same meaning as in the *Workplace Protection Orders Act 2026*.

2. Section 29 is amended as follows:

(a) by inserting in subsection (2)(f) "workplace protection order, interim workplace protection order," after "a";

(b) by inserting the following paragraph after paragraph (d) in subsection (3):

(da) is subject to a workplace protection order, or interim workplace protection order, due to personal violence within the meaning of the *Workplace Protection Orders Act 2026*; or

3. Section 51 is amended as follows:

(a) by inserting the following paragraph after paragraph (e) in subsection (2):

(ea) if the holder is a WPO respondent, within the meaning of the *Workplace Protection Orders Act 2026*, in respect of a workplace protection order or interim workplace protection order; or

(b) by inserting the following paragraph after paragraph (b) in subsection (7):

(ba) whether a workplace protection order, or interim workplace protection order, is still in effect in respect of the holder of the licence; and

4. Section 53 is amended as follows:

(a) by inserting in subsection (1) "interim workplace protection order," after "an";

(b) by inserting in subsection (2)(a) "interim workplace protection order," after "an".

5. Section 96A(6) is amended by inserting after paragraph (d) the following paragraph:

(da) is a WPO respondent, within the meaning of the *Workplace Protection Orders Act 2026*, in respect of a workplace protection order or interim workplace protection order; or

Youth Justice Act 1997

1. Section 161(1) is amended by inserting after paragraph (c) the following paragraph:

(ca) has jurisdiction to hear and determine an application for a workplace protection order, under the *Workplace Protection Orders Act 2026*, if the respondent in respect of the application is a person who is less than 18 years old at the time at which the application is first made; and