

I, Reece P Kershaw, Commissioner of the Australian Federal Police, in the exercise of my powers under:

- sections 37, 38 and 69C of the [Australian Federal Police Act 1979](#) (Cth)
- regulation 79 of the [Australian Federal Police Regulations 2018](#) (Cth)

issue this Commissioner's Order 3 within the terms set out in the following text and in any attachments to it

This Order takes effect from its publication on the AFP intranet.

Reece P Kershaw  
Commissioner

## INTRODUCTION

### 1. Disclosure and compliance

This document is classified **Official: Sensitive** and is intended for internal AFP use.

Disclosing any content must comply with Commonwealth law and the [AFP National Guideline on information management](#).

This instrument is part of the AFP's professional standards framework. The [AFP Commissioner's Order on Professional Standards \(CO2\)](#) outlines the conduct expected of AFP appointees. Inappropriate departures from the provisions of this instrument may constitute a breach of AFP professional standards and be dealt with under Part V of the [Australian Federal Police Act 1979](#) (Cth).

### 2. Introduction

2.1 This commissioner's order informs appointees of their obligations regarding operational safety and use of force practice, reporting, training, assessment, qualification and administration in order to control the risk to the AFP of injury/death of members of the public or AFP members and the AFP's reputation due to the incorrect application of use of force. Non-compliance with this commissioner's order may result in Professional Standards investigation

2.2 This Order applies to AFP appointees whose role and duties require them to:

- prevent an act likely to injure an AFP appointee or another person
- use, or potentially use, force
- manage operations and incidents that involve operational safety and the potential or actual use of force
- possess, use or store AFP equipment
- train and qualify persons in use of force and operational safety
- monitor and report on use of force.

## POLICY

### 3. AFP Operational Safety Policy

3.1 Any use of force against another person by an AFP appointee in the course of their duties must be lawful and in accordance with this Order.

3.2 Using reasonable force underpins all AFP conflict management strategies, training and the AFP's Operational Safety Policy.

3.3 AFP's Use of Force Model and Operational Safety Principles:



## **REASONABLE**

- Any application of force must be reasonable, necessary and proportionate to the threat or resistance offered.

## **EVALUATION**

- Prior intelligence gathering and evaluation may reduce the need for later use of force
- Conduct risk assessments.

## **SAFETY**

- The primary consideration must be the safety of all persons involved

## **PREPARATION**

- Prepare mentally and physically
- Planning is critical
- Consider limitations and parity/disparity.

## **OBJECTIVES**

- Objectives should be continually re-assessed
- Do not lose sight of aims and objectives merely because of confrontation.

## **NEGOTIATION**

- Negotiation is the preferred means of confrontation management wherever possible
- Communication should be active and ongoing wherever possible
- Cordon and containment options are preferred wherever possible.

## **SENSITIVITY**

- Adoption of communication strategies for dealing with the mentally ill
- Acceptance and accommodation of cultural diversity in interactions
- Sensitivity to the persons and issues involved.

## **EMPOWERMENT**

- Acceptance of responsibility and accountability
- Allocation of appropriate resources
- Effective command and control - assertive communication style.

## **General use of force policy**

3.4 AFP appointees may use force in the course of their operational duties for a range of purposes, including:

- defending themselves or another person
- protecting property from unlawful appropriation, damage or interference
- preventing criminal trespass to any land or premises
- effecting an arrest
- where authorised by a law.

3.5 Prior to using physical force, AFP appointees must consider the principles of negotiation and conflict de-escalation including in public order management and crowd control incidents. The safety of AFP appointees and members of the public are of paramount importance.

3.6 In instances where an IARD response to an AAO is initiated there is recognition that AFP appointees will need to act immediately and deliberately in order to save lives. Negotiation and conflict de-escalation techniques may not be initially applicable to these incidents. Nonetheless, appointees must use the minimal amount of force necessary in resolving the incident and apply negotiation and de-escalation techniques wherever possible.

3.7 When effecting an arrest, an AFP appointee must not:

- use more force than is reasonable and necessary to make the arrest or prevent escape of the person after arrest
- do anything likely to cause death or serious injury unless it is reasonably necessary to protect themselves or others from death or serious injury.

3.8 AFP appointees responsible for supervision or management of an operation or incident that may involve use of force must have regard to this Order and relevant AFP governance and procedures, particularly in relation to

- incident command, control and coordination
- decision making
- risk management
- work health and safety.

3.9 Where operational planning identifies a potential need to use force (e.g. to execute forced entry search warrants or arrest warrants, intercept a vehicle, during public order management or crowd control etc.), AFP operational risk management practices must be used to assess and treat identified risks. AFP appointees must consult AFP specialist teams if any risk rating is assessed as significant or higher. Where it is intended to deploy an AFP Specialist Support Team (SST) in an operational role, the Team Leader of the SST must consult with AFP Specialist Protective Command (SPC) regarding the proposed concept of operations prior to deployment.

3.10 The AFP Operational Safety Policy will be implemented by:

- establishing and maintaining appropriate training standards
- accrediting operational safety trainers (OSTs), in accordance with this Order
- qualifying and re-qualifying AFP appointees in operational safety and use of force
- maintaining appropriate reporting mechanisms and management structures for operational use of force, operational safety training, monitoring and improvement.

3.11 The AFP must ensure all AFP appointees who are required by this Order to maintain an operational safety qualification are trained appropriately, and in the case of specialist teams, to their requisite specialist qualification.

3.12 AFP appointees must, unless exempted by this Order, maintain their operational safety qualification. The AFP will, within operational requirements, provide opportunities to maintain operational safety skills between re-qualification processes.

## **Use of Lethal Force Policy**

3.13 Lethal force is an option of last resort and must only be used if an AFP appointee believes the conduct is reasonably necessary in the following circumstances:

- in self-defence from the imminent threat of death or serious injury
- in defence of others against whom there is an imminent threat of death or serious injury
- only when less extreme means are insufficient to achieve these objectives.

3.14 An AFP appointee who considers using lethal force to be reasonably necessary must:

- act appropriately and in proportion to the seriousness of the circumstances
- minimise damage or injury to other people with a view to preserving human life.

3.15 AFP appointees who use lethal force or who are present when lethal force is used must ensure that, as soon as practicable, all necessary assistance and medical aid is rendered to any injured or affected person.

3.16 AFP appointees present at a location where lethal force has been used must secure and treat the area as a crime scene.

## 4. Using AFP equipment

4.1 AFP appointees must only use AFP equipment, including specialist equipment, tactics and munitions:

- that has been approved for AFP use by the OSC Chair as listed on the [AFP Authorised Equipment Register](#) (AER).
- they are qualified and approved to carry and use in accordance with this Order
- in the performance of their duties as permitted by relevant legislation and governance
- in accordance with any specific restrictions as outlined in this Order, or by the Operational Safety Committee (OSC) Chair.
- in accordance with their operational safety qualifications.

4.2 All operational trials of operational safety equipment must be approved by the OSC Chair and must only be used within the parameters of the trial. The Armoury Registrar or Deputy Armoury Registrars may conduct evaluations of operational safety equipment within their area of expertise and responsibility without prior approval of the OSC or OSC Chair.

## 5. Carrying and handling AFP equipment

5.1 AFP appointees must only be issued with, or seek to be issued with, AFP equipment and munitions they are qualified and authorised to carry and use. The lists of authorised AFP equipment and munitions can be found in the [Authorised Equipment Register \(AER\)](#) and the [AFP Munitions Register \(AMR\)](#).

5.2 AFP appointees must only handle, carry, use, store and transport AFP equipment in accordance with:

- applicable Australian legislation
- AFP governance, including this Order
- their training and qualifications.

5.3 AFP appointees must carry all personally issued AFP equipment while on duty, unless:

- carriage is prohibited by a law
- carriage is prohibited or not required in accordance with the provisions outlined in this Order
- a variation is approved in accordance with the provisions outlined in this Order
- the appointee is wearing ceremonial uniform
- the appointee is undergoing training and carriage of their personally issued AFP equipment is not required
- the appointee is of the rank of Commander or higher
- the appointee is required to attend drug testing or a PRS interview and an authorised officer issues the appointee with a lawful direction to not carry their accoutrements during the testing or interview.

5.4 While on duty AFP appointees must only carry AFP equipment in an approved holster, scabbard, case, attachment or pouch.

5.5 AFP appointees performing duties in uniform must carry AFP equipment attached to an approved accoutrement belt, load bearing vest, ballistic vest or other approved device.

5.6 AFP appointees performing duties in uniform must carry at all times a tier 3 holster (as per AER) with approved light source attached to firearm

5.7 AFP appointees (uniform or plain clothes) utilising a light source attached to their firearm must only use the light source in relation to the use of a firearm (during drawing, aiming or discharging)

5.8 AFP appointees performing duties in plain clothes must carry AFP equipment in a manner concealed from general public view unless

- a variation is approved in accordance with the provisions outlined in this Order;
- doing so may compromise or impede operational activity or officer safety;
- doing so may create a health or safety risk due to climatic conditions or other external factors.

5.9 Where AFP appointees performing duties in plain clothes carry AFP equipment in an unconcealed manner they must also carry and display an AFP identification badge that is clearly visible to members of the public. If an appointee does not carry an AFP identification badge they must wear a high visibility vest or other signage clearly identifying themselves as police, a federal agent or a federal officer. Appointees in plain clothes may also wear an approved AFP baseball cap in addition to a high visibility vest or identification badge to enhance the ability of members of the public to identify them as police, a federal agent or a federal officer

5.10 AFP appointees must use an approved load/unload bay, approved weapons clearing station, approved portable unloading device or an approved firing range when loading or unloading their standard issue firearm. If an approved load/unload bay or approved portable unloading device is not available appointees must load and unload their standard issue firearm in a safe direction, accordance with their training and this Order.

## **Detention facilities**

5.11 When entering a detention facility, AFP appointees carrying AFP equipment must notify a person in authority at the facility and comply with their procedures (including storing AFP equipment).

5.12 Section 5.11 does not apply to AFP appointees responding to a public order management situation within a detention facility.

## **Transporting AFP equipment**

5.13 AFP appointees and authorised contractors must only transport AFP equipment including personally issued controlled items in accordance with the provisions of the [AFP National Guideline on controlled items](#).

5.14 Section 5.11 does not apply to transfers by hand within an AFP operational area, however the AFP appointee making the transfer must record the transfer in their notebook or diary and, as soon as practicable, must inform the appropriate armoury and/or equipment registrar.

## **Transporting AFP equipment on an aircraft**

5.15 AFP appointees and authorised contractors must only transport AFP equipment including personally issued controlled items by air in accordance with the provisions of *Attachment C* of the [AFP National Guideline on controlled items](#) which refers to the [Better Practice Guide on Carriage of Dangerous Goods on Alliance, Qantas, REX Airlines, Virgin Australia, Airnorth and Link Airways \(DOCX, 160KB\)](#), outlining transport of Controlled Items and any airline or aircraft charter requirements.

# **6. Variations from CO3**

6.1 AFP appointees must comply with this Order unless:

- an approval, in writing, for the appointee to not comply (vary) has been granted in accordance with this Order or
- the appointee is an exempted AFP appointee under Schedule 1 of this Order or
- the appointee is deployed overseas under [Australian Federal Police \(Overseas Conditions of Service\) Determination \(no 1\) of 2013](#) for a period of 12 months or more.

6.2 An AFP appointee must apply for a variation from this Order by completing and submitting an application to vary from CO3 via the Corporate Self-Service System (Insight!). An AFP appointee must have a current operational safety qualification when applying for a variation to CO3. An application must be submitted by the appointee seeking the variation and a single application cannot be submitted for multiple appointees.

6.3 The supervisor of an AFP appointee who submits an application to vary from CO3 must consider the purpose of the variation and balance this against the potential risk to the AFP appointee, the community and the AFP if the application is granted to determine whether it should proceed to consideration by the relevant delegate.

6.4 If an application to vary from CO3 proceeds to the relevant delegate for decision the delegate may approve the application in full or in part, vary the terms of the application or reject the application. The delegate must ensure the outcome of the application is recorded in writing on the application within Insight!. Schedule 3 of this Order lists the appointees authorised to be delegates for the purpose of this section.

6.5 An AFP appointee who submits an application to vary from CO3 must continue to comply with this Order until the outcome of the delegate's decision is known.

6.6 An AFP appointee who submits an application to vary from CO3 must comply with the decision of the delegate.

6.7 In deciding whether to approve an application to vary from CO3 the delegate must consider the purpose of the variation and balance this against the potential risk to the AFP appointee, the community and the AFP if the application is granted.

6.8 A delegate must not approve an AFP appointee to vary from CO3 for a period exceeding one year from the date the application is approved.

6.9 In urgent circumstances, an AFP appointee may make a verbal application to the relevant delegate to vary from CO3. In these circumstances, the appointee must, in writing, document the outcome of the application including any conditions determined by the delegate. The appointee must subsequently and as soon as practicable complete an application to vary from CO3 via Insight!.

6.10 The OSC must review all applications to vary from CO3 during their quarterly meeting.

## 7. Reporting use of force

7.1 A reportable use of force incident means any incident that is not a routine use of force where an AFP appointee, performing AFP duties, uses:

- a firearm
- a baton
- a shield
- a chemical munition
- a conducted electrical/energy weapon (CEW)
- a pyrotechnic device
- an extended range chemical munition
- an extended range impact weapon
- a long range audio device
- a strike or kick
- handcuffs or restraints

- a police dog or horse to apply force
- non consensual protester removal techniques
  - Empty Hand tactics
  - application of solvents to a person's skin
  - application of water / or other fire retarding mediums - such as fire extinguisher contents
  - destruction of property / and or clothing as part of the removal process
  - exposure to heat, sound, and or pressure as a result of the use of hand and or power tools
  - the application of Personal Protective Equipment (PPE) to a person, which is deemed necessary to minimise a person's exposure to scenarios that could cause them harm.

7.2 Routine use of force, or verbal commands not involving the application of use of force options, do not constitute a reportable use of force. The circumstances of each routine use of force incident event must be recorded within the relevant PROMIS case

7.3 All reportable use of force incidents must be recorded on PROMIS ([UoF Reporting User Guide \(DOC, 305KB\)](#)) or Case Note Entry (CNE) prior to ceasing duty on the day the incident occurred

7.4 The supervisor of an AFP appointee who uses force must ensure the appointee submits an AFP Operational Safety Use of Force Report or CNE prior to ceasing duty on the day the reportable use of force incident occurred.

7.5 The supervisor of an AFP appointee who uses force may grant an extension of no more than two working days for the appointee to submit an AFP Operational Safety Use of Force Report or CNE. If a supervisor grants an extension the supervisor must record the period of the extension and the reasons for granting it in the relevant PROMIS case and in their official notebook or diary. A supervisor who grants an AFP appointee an extension to submit an AFP Operational Safety Use of Force Report or CNE must ensure the appointee submits the report within the period of the extension.

7.6 If due to medical or other legitimate reasons an AFP appointee who uses force is unable to submit an AFP Operational Safety Use of Force Report or CNE the appointee's supervisor must nominate another appointee to submit the report. The nominated appointee must complete the report to the best of their ability noting they may not have access to all relevant information regarding the incident. If a supervisor nominates another appointee to submit the report the supervisor must record the nominated appointee's details and the reasons for their nomination in the relevant PROMIS case and in their official notebook or diary. A supervisor who nominates another appointee to submit an AFP Operational Safety Use of Force Report or CNE must ensure the nominated appointee submits the report prior to ceasing duty on the day the reportable use of force incident occurred

7.7 An AFP appointee who submits an AFP Operational Safety Use of Force Report or CNE must ensure the report includes

- the time, date and location of the reportable use of force incident
- the time and date the report was submitted
- the service number, name, team and supervisor of the appointee in command of the incident
- the service number, name, team and supervisor of all appointees involved in the incident
- the service number, name, team and supervisor of any appointee involved in the incident who was not use of force qualified at the time of the incident
- a detailed narrative of the incident including a thorough description of the types of force used and the reasons for their use
- description of any injuries caused to AFP appointees or other persons as a result of the incident.

7.8 The supervisor of an AFP appointee who submits an AFP Operational Safety Use of Force Report or CNE must review the report prior to ceasing duty on the day the report is submitted. When reviewing the report the supervisor must:

- ensure the report is accurate and has been completed to a high standard containing sufficient detail to comply with the requirements stipulated in this Order
- record on the relevant PROMIS case any direction provided to the appointee to address issues within the report

- record on the relevant PROMIS case whether they endorse the report including an assessment of whether the use of force was appropriate and justified
- identify, address and report to Professional Standards (PRS) any suspected misconduct issues arising from the reportable use of force incident including any involved appointee who was not use of force qualified at the time of the incident.

7.9 AFP appointees must ensure all AFP Operational Safety Use of Force Reports and reportable use of force incidents are recorded on PROMIS. In locations where PROMIS is not available an appointee who uses force must ensure a typed or handwritten report is completed and submitted to their supervisor in accordance with the requirements of this Order. On receiving the report the appointee's supervisor must ensure they complete a typed or handwritten review in accordance with the requirements of this Order. Within two working days of receiving the report the supervisor must ensure the report and review are forwarded to an appointee with access to PROMIS. The appointee receiving the report and review must ensure the documents are uploaded to the relevant PROMIS case prior to ceasing duty on the day the report is received.

7.10 The AFP Commander PRS must cause a report to be generated and presented to the quarterly AFP OSC meetings regarding use of force by AFP appointees in the course of AFP duties. The contents of this report will be determined through consultation with the OSC Chair.

7.11 The AFP Commander PRS may, in consultation with the OSC Chair, authorise an AFP appointee to submit a single Operational Safety Use of Force Report if the reportable use of force incident relates to the operations of a specialist team, a specialist role, a public order management incident or a crowd control incident. If the Commander PRS approves the provision of a single Operational Safety Use of Force Report the report must comply with section 7.7 of this Order.

## **Occurrences requiring immediate notification to AFP Professional Standards**

7.12 AFP PRS must be immediately notified of any reportable use of force incident involving an AFP appointee or associated with police contact, where the incident results in:

- death or serious injury to any person
- the discharge of munitions from a specialist or official firearm against a person
- any unauthorised discharge of:
  - a firearm
  - a CEW
  - munitions.

7.13 An AFP appointee involved in a reportable use of force incident requiring immediate notification to AFP PRS must comply with any lawful direction given to them by a member of AFP PRS investigating the incident unless they are unable to do so due to medical or other reasonable circumstances.

7.14 AFP appointees involved in a reportable use of force incident requiring immediate notification to AFP PRS must preserve the incident scene for any evidentiary or investigational requirements.

7.15 An AFP appointee responsible for an unauthorised discharge of a firearm will, in accordance with the process detailed in this Order, have their operational safety qualification revoked pending the completion of a review of the circumstances and the appointee's competence for safe handling of the firearm. Commander PRS must be consulted prior to the appointee's operational safety qualification being reinstated.

## Occurrences requiring immediate notification to Comcare

7.18 The AFP, as the Person Conducting a Business or Undertaking (PCBU), is required to notify Comcare immediately after becoming aware of a notifiable incident by the fastest possible means under section 38 of the [Work Health and Safety \(WHS\) Act 2011](#) (C'th) (WHS Act). The [Comcare Notifiable Workplace Incidents Factsheet \(DOCX, 160KB\)](#) provides details on how to notify the incident to Comcare.

7.19 Under Section 35 of the WHS Act, a notifiable incident means:

- the death of a person,
- a serious injury or illness of a person,
- a dangerous incident, including an unauthorised discharge of a firearm (AFP specific).

7.20 All appointees are required to make the incident site safe, preserve the scene and immediately inform their management or supervisor when an incident occurs and any remedial action that may have been taken.

7.21 It is important to note that a person includes **any person**, whether they are a worker or otherwise. This includes members of the public who are killed or seriously injured as the result of a dangerous incident.

## EQUIPMENT

### 8. Firearms

8.1 AFP appointees must only use official firearms lawfully and in accordance with this Order.

s 37(2)(b)

s 37(2)(b)

8.6 AFP appointees must carry their official firearm in the 'actioned' condition.

8.7 Before discharging a firearm AFP appointees must consider alternative courses of action in accordance with their training, including negotiation, withdrawal and other use of force options.

8.8 AFP appointees must only use munitions approved by the Armoury Registrar or a Deputy Armoury Registrar and issued to them by a member of the AFP Armoury, an operational safety trainer or SPC Logistics.

### **Short Barrel Rifle (SBR)**

8.9 The SBR is approved for use by AFP appointees who have undertaken the appropriate training and qualifications in accordance with the SBR Better Practice Guide (SBR BPG) and:

s 37(2)(b)

8.12 AFP appointees must carry their firearms in the 'actioned' condition.

8.13 AFP appointees must only use SBR munitions approved by the Armoury Registrar or a Deputy Armoury Registrar and issued to them by a member of the AFP Armoury or an operational safety trainer.

### **Discharging firearms – lethal munitions**

8.14 AFP appointees must only discharge an official firearm:

- against another person in accordance with the use of lethal force policy
- when training under the direct supervision of an operational safety trainer
- to destroy injured or dangerous animals in accordance with relevant state, territory or local legislation.

s 37(2)(b)

8.16 Where practicable, and before discharging a firearm against a person, AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a firearm
- ensure there is sufficient time for the warning to be complied with before using the firearm, unless they believe on reasonable grounds this would
  - unduly place themselves at risk of serious injury or death
  - create a risk of serious injury or death to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

8 17 When an AFP appointee discharges a firearm against another person the appointee must ensure the person receives, as soon as practicable, adequate medical attention.

## **9. Conducted electrical/energy weapons (CEWs)**

9.1 AFP appointees must only use CEWs lawfully and in accordance with this Order.

9.2 AFP appointees must only use a CEW against another person or animal where they believe on reasonable grounds the use is necessary:

- to defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- to resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- to deter attacking animals
- when training under the direct supervision of an operational safety trainer.

9.3 Where practicable and before discharging a CEW, AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a CEW
- ensure there is sufficient time for the warning to be complied with before using the CEW, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

9.4 When an AFP appointee discharges a CEW against another person the appointee must ensure the person receives, as soon as practicable, adequate medical attention.

### **CEW safety procedures**

9.5 AFP appointees must not be offered voluntary exposure to CEWs in a training environment unless approved by the OSC Chair on advice from the OSC.

9.6 CEW probes must only be removed by a person trained to do so and according to their CEW training.

9.7 If CEW probes are lodged in a sensitive region of a person, the AFP appointee must seek assistance from a medical practitioner or ambulance officer to remove them.

9.8 AFP appointees must handle and dispose of CEW probes fired at a person as if they are biological hazards and in accordance with CEW training.

## **10. Batons**

10.1 AFP appointees must only use batons lawfully and in accordance with this Order.

10.2 AFP appointees must only use batons when they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- deter attacking animals
- assist in resolving public order management or crowd control incidents

10.3 Where practicable and before using a baton, AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a baton
- ensure there is sufficient time for the warning to be complied with before using the baton, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident

10.4 When an AFP appointee uses a baton against another person the appointee must ensure the person receives, as soon as practicable, adequate medical attention

## 11. Shields

11.1 AFP appointees must only use shields lawfully and in accordance with this Order.

11.2 AFP appointees must only use shields when they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves and the incident cannot be resolved less forcefully
- deter attacking animals
- assist in resolving public order management or crowd control incidents.

11.3 Where practicable and before using a shield, AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a shield
- ensure there is sufficient time for the warning to be complied with before using the shield, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

11.4 When an AFP appointee uses a shield against another person the appointee must ensure the person receives, as soon as practicable, adequate medical attention.

## 12. Ballistic and spike rated vests and other personal ballistic protection

12.1 AFP appointees must only use Ballistic and Spike Rated Vests (BSRVs) and other personal ballistic protective equipment lawfully and in accordance with this Order.

12.2 BSRVs must be worn when participating in a live fire activity unless OSC approval has been granted not to do so, this includes during an Operational Safety Assessment.

12.3 AFP appointees in uniform must wear their overt BSRVs while on duty unless a variation has been granted in accordance with the provisions outlined in this Order.

12.4 Unless directed otherwise by their supervisor, uniformed appointees are not required to wear their BSRV when

- wearing ceremonial uniform
- performing duties as a police motorcyclist
- performing duties in an office or secure environment where the appointee is unlikely to come into contact with members of the public
- attending locations where the carriage of accoutrements is not permitted, for example courts, prisons and watch houses
- performing general maritime duties.

12.5 AFP appointees performing duties in plain clothes must, in consultation with their supervisor, adopt a risk-based approach to the wearing of discreet or overt BSRVs. The decision to wear a BSRV must be based on

- the nature of the duties being performed by the appointee
- the potential threat related to those duties
- the security environment
- the location
- any other relevant consideration.

s 37(2)(b)

## 13. Police dogs

13.1 Police dogs must only be used by qualified AFP appointees lawfully and in accordance with this Order.

13.2 AFP appointees must only use a police dog against another person where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves and the incident cannot be resolved less forcefully
- arrest a person whom they believe, on reasonable grounds, there is an apprehension of violence and the arrest cannot be afforded less forcefully
- assist in resolving public order management or crowd control incidents.

13.3 Where possible and before using a police dog, AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a police dog and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the police dog, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

13.4 When an AFP appointee uses a police dog against another person the appointee shall ensure the person receives, as soon as practicable, adequate medical attention.

## 14. Police horses

14.1 Police horses must only be used by qualified AFP appointees lawfully and in accordance with this Order.

14.2 AFP appointees must only use a police horse against another person where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves and the incident cannot be resolved less forcefully
- arrest a person whom they believe, on reasonable grounds, there is an apprehension of violence and the arrest cannot be afforded less forcefully
- assist in resolving public order management or crowd control incidents.

14.3 Where possible and before using a police horse, AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a police horse and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the police horse, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

14.4 When an AFP appointee uses a police horse against another person the appointee shall ensure the person receives, as soon as practicable, adequate medical attention.

## 15. Handcuffs and other restraints

15.1 AFP appointees must only use handcuffs and other approved restraints, lawfully and in accordance with this Order.

15.2 AFP appointees must only apply handcuffs, restraints or spit hoods to persons in custody if it is lawful to do so.

15.3 In deciding whether to use handcuffs or restraints AFP appointees must consider:

- their safety and that of other persons and the person in custody
- the nature of the offence or breach of law
- the conduct and demeanour of the person either by words or actions
- whether the person has previously attempted to escape or is likely to attempt escape
- whether the person should be restrained to prevent the loss, concealment or destruction of evidence
- whether the person has a history of violent behaviour or the demeanour of the person is violent or aggressive
- whether the person threatens to expel a bodily fluid or has done so
- the number of other persons in custody at the time
- the parity/disparity in physical attributes of the appointee and person in custody
- the likelihood of injury to the appointee, other persons or the person in custody
- the person's mental health history including incidents of self-harm
- the requirement to prevent escalation of an incident
- the circumstances and location of the incident.

### Handcuffing children or young people

15.4 AFP appointees must not handcuff a child or young person unless they believe on reasonable grounds it is essential to safely transport the child to protect the welfare and/or security of the child or any other person.

15.5 Considerations for handcuffing or restraining a child or young person include those identified in s.15.3 above

## 16. Chemical munitions

16.1 AFP appointees must only use chemical munitions lawfully and in accordance with this Order.

16.2 AFP appointees must only use chemical munitions against another person or animal where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- deter attacking animals
- assist in resolving public order management or crowd control incidents.

16.3 Where possible and before using chemical munitions AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use a chemical munition and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the chemical munition, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

16.4 An AFP appointee who uses a chemical munition against another person must ensure that the person receives, as soon as practicable, adequate medical attention or de-contamination treatment.

## 17. Extended range chemical munitions

17.1 AFP appointees must only use extended range chemical munitions lawfully and in accordance with this Order.

17.2 AFP appointees must only use extended range chemical munitions against another person or animal where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- deter attacking animals
- assist in resolving public order management or crowd control incidents.

17.3 Where possible and before using extended range chemical munitions AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use extended range chemical munitions and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the extended range chemical munitions, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

17.4 An AFP appointee who uses extended range chemical munitions against another person must ensure that the person receives, as soon as practicable, adequate medical attention or de contamination treatment

## **18. Extended range impact weapons**

18.1 AFP appointees must only use extended range impact weapons lawfully and in accordance with this Order.

18.2 AFP appointees must only use extended range impact weapons against another person or animal where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- deter attacking animals
- assist in resolving public order management or crowd control incidents.

18.3 Where possible and before using extended range impact weapons AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use extended range impact weapons and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the extended range impact weapons, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

18.4 When an AFP appointee uses an extended range impact weapon against another person, the appointee shall ensure the person receives, as soon as practicable, adequate medical attention.

## **19. Long range acoustic devices**

19.1 AFP appointees must only use long range acoustic devices lawfully and in accordance with this Order.

19.2 AFP appointees must only use long range acoustic devices against another person or animal where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- deter attacking animals
- assist with the resolution of a negotiated surrender
- deny a person or persons access to an area or a location
- assist in resolving public order management or crowd control incidents.

19.3 Where possible and before using long range acoustic devices AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use long range acoustic devices and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the long range acoustic devices, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people

- be clearly inappropriate or ineffective given the circumstances of the incident.

19.4 When an AFP appointee uses a long range acoustic device against another person, the appointee must ensure the person receives, as soon as practicable, adequate medical attention.

19.5 Where an AFP appointee uses a long range acoustic device to facilitate communication with a subject the use of the device does not constitute a use of force within the meaning of this Order.

## 20. Pyrotechnic devices

20.1 AFP appointees must only use pyrotechnic devices lawfully and in accordance with this Order.

20.2 AFP appointees must only use pyrotechnic devices against another person or animal where they believe on reasonable grounds the use is necessary to:

- defend themselves or others from the threat of physical injury in circumstances where protection cannot be afforded less forcefully
- resolve an incident where a person is acting in a manner likely to injure themselves, an appointee or another person and the incident cannot be resolved less forcefully
- deter attacking animals
- assist with the resolution of a negotiated surrender
- assist in resolving public order management or crowd control incidents.

20.3 Where possible and before using pyrotechnic devices AFP appointees must:

- identify themselves as police, a federal agent or a federal officer
- give a clear oral warning of their intention to use pyrotechnic devices and the action required of the subject
- ensure there is sufficient time for the warning to be complied with before using the pyrotechnic devices, unless they believe on reasonable grounds this would:
  - unduly place them at risk of injury
  - create a risk of injury to other people
  - be clearly inappropriate or ineffective given the circumstances of the incident.

20.4 When an AFP appointee uses a pyrotechnic device against another person, the appointee shall ensure the person receives, as soon as practicable, adequate medical attention.

## MANAGEMENT OF EQUIPMENT

### 21. AFP equipment storage

21.1 AFP appointees are accountable for the security of AFP equipment and controlled items issued to them.

21.2 All AFP equipment must be stored in accordance with the [AFP National Guideline on controlled items attachments A and B](#).

s 37(2)(b)

## 22. Management of AFP equipment

22.1 AFP appointees and authorised contractors in the following roles are authorised to manage, possess and transport AFP equipment for armoury, forensic, logistical or training purposes:

- Armoury and deputy armoury registrars
- Members designated to the role of Armourer
- Forensics members, including members of the Firearms and Toolmark Identification Team (FTI)
- equipment/clothing store contractors when handling equipment as part of their direct duties
- authorised contractors engaged to transport AFP equipment
- police or protective service officers
- operational safety trainers
- property office staff.

22.2 AFP appointees and authorised contractors must only manage, possess, handle, store or transport AFP equipment in accordance with:

- Australian legislation
- AFP governance including this Order
- their operational safety qualification or the terms and conditions of their appointment and/or terms of engagement.

### Armoury Registrar and Deputy Armoury Registrar

22.3 The Commissioner, OSC Chair or their delegate, must appoint an AFP appointee to perform the role of Armoury Registrar.

22.4 The Armoury Registrar will appoint Deputy Armoury Registrars as required and appropriate.

22.5 The Armoury Registrar and Deputy Armoury Registrar are responsible for:

### Armourers

22.6 The Commissioner, OSC Chair or their delegate, may appoint an AFP appointee to be an armourer, who will report to the Armoury Registrar or Deputy Armoury Registrar.

22.7 Armourers are responsible for:

- servicing, alteration, modification or repair to firearms and firearm accessories in accordance with approved AFP requirements, armoury accreditations and where relevant, manufacturers recommendations and specifications recording the service history for each official firearm in the AFP Asset Register

## Equipment registrars

22.8 Commanders/managers may appoint AFP appointees to be equipment registrars.

22.9 Equipment registrars are responsible for:

- AFP equipment in accordance with this Order and in accordance with any directions given by the OSC; and
- controlling and recording the distribution of AFP equipment to AFP appointees located within their area of responsibility.

## Contracted AFP equipment/clothing store

22.10 Commanders/managers may appoint AFP appointees or engage authorised contractors to perform duties within the AFP equipment/clothing store.

22.11 AFP appointees and authorised contractors performing duties with the AFP equipment/clothing store are responsible for controlling and recording the distribution of AFP equipment and clothing issued from the store.

## Official firearm modification, servicing or repair

22.12 AFP appointees that have been issued an official firearm should be aware of the need for cleaning and maintenance to ensure their correct and reliable operation. AFP appointees should prioritise making their official firearms available for servicing by AFP armourers annually.

22.13 Official firearms must only be serviced, altered, modified or repaired by an AFP armourer.

22.14 Alterations or modifications to official firearms must be approved by the Armoury Registrar, except for the following:

- locking devices may be fitted by AFP appointees with current operational safety qualifications
- nominated minor routine maintenance and repair may be undertaken by AFP appointees authorised by the Armoury Registrar and who have been determined by the Armoury Registrar to have the relevant qualifications and expertise for this role.

## 23. Lost or damaged AFP equipment

23.1 AFP appointees must report any loss of personally issued AFP controlled items by submitting a [Security Incident Report](#) and complying with the requirements of the [AFP National Guideline on controlled items](#). The report is to be submitted as soon as practicable after the loss is discovered.

23.2 AFP appointees performing the duties of Registrars must report the loss of AFP controlled items in their control or custody by submitting a [Security Incident Report](#) and complying with the requirements of the [AFP National Guideline on controlled items](#). The report is to be submitted as soon as practicable after the loss is discovered.

23.3 The supervisor of an AFP appointee, including a Registrar, who reports an AFP controlled item as lost must review and endorse the appointee's [Security Incident Report](#) to ensure the report is accurate, has been completed to a high standard and contains sufficient detail to comply with the requirements stipulated in this Order and the [AFP National Guideline on controlled items](#).

23.4 The supervisor of an AFP appointee who reports AFP equipment lost or damaged must refer any instances of misconduct or deliberate or serious disregard of reasonable standards of care related to the loss or damage to Professional Standards.

23.5 If an AFP appointee is unable for medical or other justifiable reasons to submit a [Security Incident Report](#) the appointee's supervisor must ensure the report is submitted on the appointee's behalf in accordance with this Order

23.6 AFP appointees must report loss or damage of non-controlled items or other AFP equipment to [s 47E\(d\)@afp.gov.au](mailto:s47E(d)@afp.gov.au)

## 24. Returning AFP equipment

24.1 AFP appointees must immediately return all personally issued AFP equipment to the issuing registrar if:

- their operational safety qualification is revoked
- their operational safety qualification expires, unless they are scheduled to undertake an operational safety assessment within 7 days of the expiry
- they no longer require the equipment for operational duties
- they are suspended from duty
- they are transferring to another geographical region including an overseas posting
- they will be absent from duty for a period of more than 90 days
- they separate or resign from the AFP.

24.2 AFP appointees must immediately advise their supervisor in writing if they become subject to any of the circumstances referred to in section 24.1.

24.3 The supervisor of an AFP appointee who becomes subject to any of the circumstances referred to in section 24.1 must ensure the appointee returns all personally issued equipment to the issuing registrar in accordance with this Order.

24.4 If an AFP appointee is unable for medical or other justifiable reasons to return their personally issued AFP equipment the appointee's supervisor must take possession of the equipment and ensure it is returned in accordance with this Order. A supervisor may authorise another appointee to take possession of AFP equipment on their behalf if they are unable to do so personally.

24.5 The issuing registrar who receives personally issued AFP equipment from an appointee or an appointee's supervisor must:

- secure and handle the equipment in accordance with this Order, the [AFP National Guideline on controlled items](#) and the [AFP National Guideline on separation](#)
- ensure the AFP asset management system (SAP) is updated immediately to accurately record the return and location of the AFP equipment.

24.6 AFP appointees transferring to another geographical area must contact their equipment registrar within that geographical area for issue of new equipment.

24.7 AFP appointees who return personally issued AFP equipment under the provisions of section 24.1 must only apply for equipment to be reissued if they possess a valid operational safety qualification.

## USE OF FORCE QUALIFICATION

### 25. Training

25.1 Operational safety training and competency assessments must comply with this Order and must be approved by the OSC prior to delivery to AFP appointees or other persons.

25.2 AFP OSTs must deliver all operational safety training and competency assessments, including specialist firearm training and assessments, according to the standards approved by the OSC. This does not include specialist AFP Tactical Response (TR) capabilities. Specialist TR capability assessments must be conducted by appointees accredited to do so through SO TR.

25.3 OSTs must only deliver operational safety training and competency assessments, including specialist training and assessments, which they are certified and approved to deliver.

25.4 Superintendent Operational Safety Practice (SOSP) must ensure only AFP appointees certified as OSTs by the Commander Foundational Development and Learning (CFDL) and possessing valid certification deliver operational safety training and assessments.

25.5 SOSP must ensure AFP operational safety training and assessment, including specialist training and assessment, is delivered according to the standards approved by CFDL. The OSC may direct SOSP to review or quality assure operational safety training and assessment, including specialist training and assessment, as deemed necessary or appropriate.

## **Operational safety trainers**

25.6 All requests to certify an AFP appointee as an OST must be reviewed by SOSP prior to being forwarded to the CFDL for decision. The SOSP must advise CFDL whether an appointee has achieved the required competencies to be appointed as an OST.

25.7 Having regard to advice provided by SOSP, CFDL may certify an AFP appointee to be an OST. In making this decision, CFDL must be satisfied the appointee has achieved or can demonstrate the competencies required to be appointed as an OST.

25.8 OST certification is valid for two years. SOSP may revalidate an AFP appointee's OST certification if the appointee has satisfied all relevant competency requirements as approved by the OSC Chair and assessed by SOSP. If an OST has not satisfied the relevant competencies SOSP must revoke the appointee's OST certification.

25.9 An OST must deliver 10 days of Operational Safety Training per annum which includes all facets of training. If an OST does not deliver 10 days Operational Safety Training per annum, the OST's certification may be revoked following advice from SOSP.

25.10 Following advice from SOSP, CFDL may revoke an OST's operational safety certification.

25.11 An AFP appointee's certification as an OST must be revoked if the appointee's operational safety qualification is revoked in accordance with sections 28.4, 28.6, 28.7 or 22.21 of this Order. An appointee to whom this section refers can only be reinstated as an OST in accordance with sections 19.6 and 19.7 of this Order.

25.12 Appropriately certified and qualified OSTs may use and train in specialist firearms and specialist AFP equipment when performing official training duties.

## **Firearm and Toolmark Identification (FTI) and National Armoury (NA) Teams**

25.13 The Coordinator overseeing the FTI and NA will authorise AFP appointees performing duties within or on behalf of the FTI and NA to possess and use weapons, AFP equipment and munitions in the course of their FTI and NA duties.

25.14 The Coordinator overseeing the FTI and NA must ensure AFP appointees performing duties within or on behalf of the FTI and NA possess the necessary skills, experience and training to safely possess and use AFP equipment and munitions in the course of their duties.

## **AFP appointees in training**

25.15 AFP appointees undergoing training under the direct supervision of an OST may carry and use AFP equipment for training purposes

25.16 AFP appointees training under the direct supervision of an OST are not required to submit a Use of Force report for training activities

25.17 AFP appointees undergoing training must report work health and safety incidents in accordance with this Order and the [AFP National Guideline on work, health, safety and rehabilitation management arrangements](#).

## 26. Assessment

### Operational Safety Assessment

26.1 AFP appointees required to hold a valid operational safety qualification must successfully complete an operational safety assessment (OSA) annually. AFP appointees must have a current first aid qualification in order to undertake an OSA

26.2 The OSA must include the following assessable items:

- demonstrated knowledge of this Order, relevant powers, legislation and the Operational Safety Principles and Use of Force Model
- a Firearms Handling Assessment with a relevant official firearm
- the Official Firearms Qualifying Assessment with the AFP standard issue firearm and holster
- use and maintenance of all of the AFP appointee's personally issued AFP equipment
- holistic assessments focusing on practical interpretation of the Operational Safety Principles and cognitive reasons for choosing use of force options.

26.3 All assessment activities must be subject to recognised current competency assessment processes and completed within 7 days of commencing the OSA. If the assessment cannot be completed in the 7 day time frame the appointee will be required to undertake a full three day OSA. This time period does not apply to police and protective service officer (PSO) recruits or lateral entrants.

26.4 Assessment processes for recruits and lateral entrants must be completed in the initial recruit training period before attestation.

26.5. AFP appointees must present their personally issued official firearms and equipment for inspection and audit to their Team Leader/Supervisor. This is to be recorded by the Team Leader/Supervisor and sent to [s47E\(d\)@afp.gov.au](mailto:s47E(d)@afp.gov.au) prior to expiry of OSA Qualification.

26.6 During the OSA, AFP appointees must use AFP Approved standard issue equipment.

26.7 During the OSA, appointees must only carry their AFP equipment in the configuration they are approved to use and must wear the uniform or clothing they wear during the performance of their primary duties including BSRVs and jackets.

26.8 OSTs must assess AFP appointees' use of all AFP equipment the appointee is qualified to use. Appointees must successfully complete all elements of the OSA to maintain or renew their operational safety qualification. AFP appointees who practice or train while their operational safety qualification is valid are not subject to the formal assessment requirements of the OSA.

### Health Assessments

26.9 AFP appointees have a personal obligation to reduce risk to safety, the safety of their colleagues and the public.

26.10 AFP appointees who cannot commence or successfully complete an OSA due to a change of health, injury, illness, or other medical condition must complete a [Change of Health Notification \(COHN\)](#) to be

assessed by the Chief Medical Officer (CMO) or authorised clinical delegate.

26 11 In addition, an AFP appointee must complete a COHN if their health or fitness status has changed This includes where:

- there is a change in an AFP appointees psychological health; or
- the AFP appointee is diagnosed with, or treated for, a mental health related matter; or
- there is a change in the AFP appointee's health that affects, or may affect, their ability to perform their role and/or undertake their duties safely.

26 12 An AFP appointee must complete a COHN if required by the AFP appointee's supervisor or the CMO or authorised clinical delegate.

26 13 An AFP appointee must comply with and participate in an applicable 'health review process'

26.14 On receiving a COHN, or outcome of a health review process, the CMO or authorised clinical delegate may make a recommendation based on a health risk or fitness for duty in accordance with sections 28 17 and 28.19 of this Order.

## **27. Qualifications**

27.1 Following successful completion of the OSA an OST must grant an AFP appointee an operational safety qualification. An OST may also qualify an AFP appointee to carry and use AFP equipment if the appointee possesses a valid operational safety qualification and is authorised to use the equipment.

27.2 OSTs must not qualify an AFP appointee to use AFP equipment if the appointee's operational safety qualification has been revoked.

27.3 OSTs must update SAP as soon as practicable after an AFP appointee successfully completes operational safety training to ensure it accurately reflects the appointee's operational safety qualifications. The operational safety qualification must include the:

- classification or description of the relevant official firearm and/or AFP equipment
- name of the relevant AFP appointee
- date of issue
- expiry date.

27.4 AFP appointees must maintain their competencies in all aspects of operational safety while qualified.

## **28. Operational safety qualifications – expiration, revocation, exemption and reinstatement**

### **Expiration of operational safety qualifications**

28.1 An AFP appointee's operational safety qualification is valid for one year from the date the appointee successfully completes all elements of the OSA.

28.2 If an AFP appointee's operational safety qualification expires they must immediately comply with the requirements of section 24 of this Order.

### **Revocation of operational safety qualifications**

28.3 Where an AFP appointee is unable to demonstrate competence in an operational safety assessment item but the appointee is continuing to undergo the assessment the appointee must surrender their personally issued AFP equipment to an OST. The OST must retain and secure the equipment in accordance with this Order until the appointee demonstrates competence in the operational safety assessment they are attempting.

28.4 Where the AFP appointee is unable to demonstrate competence in an operational safety assessment item and they are no longer continuing the operational safety assessment the appointee's operational safety qualification must be revoked. An OST, SOSP, commander/manager or above has the authority to revoke an appointee's operational safety qualification under this sub section

28.5 Where an AFP appointee's operational safety qualification is revoked due to inability to demonstrate competence in an operational safety assessment item the appointee must immediately comply with the requirements of section 24 of this Order.

28.6 An AFP appointee's operational safety qualification may be revoked at any time by an appointee performing the role of commander/manager or above including if the appointee is considered to be unfit or unsuitable to carry or use AFP equipment

28.7 If an AFP appointee is suspended from duty the suspending officer must, in writing, advise the appointee's commander/manager of the suspension including the reason and process to be followed to address the issues leading to the suspension.

28.8 The commander/manager of an AFP appointee who is served a Suspension Notice or Show Cause Notice for either a PRS-related matter or performance issue/s must immediately revoke the appointee's operational safety qualification

28.9 If an AFP appointee's operational safety qualification is revoked for any reason, apart from the appointee being unable to demonstrate competence in an operational safety assessment item the revoking officer must, in writing advise:

- the appointee of the revocation including the reason and process to be followed to address the issues leading to the revocation
- the appointee's supervisor of the revocation including the reason and process to be followed to address the issues leading to the revocation
- SOSP of the revocation including the reason and process to be followed to address the issues leading to the revocation
- Commander Professional Standards of the revocation including the reason and process to be followed to address the issues leading to the revocation
- the office of the CMO of the revocation
- Commander/Manager Security of the revocation including the reason and process to be followed to address the issues leading to the revocation
- the relevant issuing Registrar of the revocation and the requirement for the appointee to immediately return their personally issued AFP equipment.

28.10 Where an AFP appointee's operational safety qualification is revoked in accordance with section 28.9 of this Order they must immediately comply with the requirements of section 18 of this Order.

28.11 The supervisor of an AFP appointee whose operational safety qualification is revoked must ensure the appointee complies with section 24 of this Order. If the appointee is unable for medical or other justifiable reasons to return their personally issued AFP equipment the supervisor must take possession of the equipment and ensure it is returned in accordance with this Order.

28.12 The issuing registrar who receives personally issued AFP equipment from an appointee whose operational safety qualification has been revoked or from the appointee's supervisor must comply with the requirements of section 24 of this Order. The registrar must also confirm in writing to the revoking officer, the appointee, the appointee's supervisor and SOSP that all personally issued AFP equipment has been returned.

28.13 SOSP must maintain a register recording the details of all AFP appointees whose operational safety qualifications are currently revoked including:

- date of revocation
  - name
  - service number
- LEX 5519

- location
- supervisor
- revoking officer
- reason for revocation
- confirmation that all personally issued AFP equipment has been returned
- date of reinstatement of operational safety qualification if applicable

28.14 An AFP appointee must immediately inform their supervisor, PRS via an Integrity Report and Security via a Change of Circumstances form if they are subject to any of the following

- an interim domestic violence protection order
- a domestic violence protection order
- a restraining order
- any court order relating to possessing an official or private firearm

28.15 The supervisor of an AFP appointee who is subject to the provisions of section 28.14 must immediately on becoming aware of the circumstances advise, in writing

- the appointee's commander/manager
- PRS
- AFP Security.

28.16 The commander/manager of an AFP appointee to whom section 28.14 of this Order applies must review the circumstances and consider revoking the AFP appointee's operational safety qualification. If the commander/manager decides not to revoke the appointee's operational safety qualification, the commander/manager must, in writing, advise the reasons for the decision to both:

- Commander Professional Standards
- Commander/Manager Security

### **Revocation of operational safety qualification or exemption from OSA for medical, psychological, or organisational health reasons**

28.17 The AFP CMO or authorised delegate may for medical, psychological or organisational health reasons recommend that an:

- AFP appointee's operational safety qualification be revoked
- AFP appointee be exempt from completing the operational safety assessment
- AFP appointee be exempt from carrying an item or items of AFP equipment.

28.18 To assist in making a recommendation under sub-section 28.17 the CMO or authorised delegate may request, in writing, evidence from the appointee's treating health practitioner.

28.19 If the AFP CMO or authorised delegate makes a recommendation under sub-section 28.17 they must, in writing advise:

- the appointee of the recommendation including the reason, duration and process to be followed to address the issues leading to the recommendation
- the appointee's supervisor of the recommendation including the duration and process to be followed to address the issues leading to the recommendation
- the appointee's commander/manager of the recommendation including the duration and process to be followed to address the issues leading to the recommendation
- Commander/Manager Security of the recommendation.
- National Manager People Command (NMPC) where the CMO or authorised clinical delegate recommends a health exemption for an AFP appointee from the OSA for a period exceeding twelve months

28.20 The commander/manager of an AFP appointee who is subject to a recommendation under sub-section 28 17 must consider revoking the appointee's operational safety qualification in accordance with section 28 9 of this Order. If the commander/manager decides not to revoke the appointee's operational safety qualification the commander/manager must, in writing, advise the CMO or authorised delegate as appropriate of the reasons for the decision.

28 21 The commander/manager of an AFP appointee who is subject to a recommendation under sub section 22.17 may, where appropriate and consistent with AFP risk management principles, consider granting the appointee a variation in accordance with section 8 of this Order

28.22 Where the CMO or authorised clinical delegate recommends a health exemption for an AFP appointee from the OSA for a period exceeding 12 months, NMPC may decide, after considering all available information including any submissions from the AFP appointee, to revoke the AFP appointee's operational safety qualification (if applicable), as well as revoke the AFP appointee's declaration or appointment as a member, PSO, special member or special PSO.

28 23 The CMO or authorised delegate may in the event of an imminent threat of death or serious injury to the AFP appointee issue an immediate health exemption and thereby revoke an AFP appointee's operational safety qualification

The CMO or authorised delegate must, in writing advise:

- the appointee of the revocation including the reason, duration and process to be followed to address the issues leading to the recommendation
- the appointee's supervisor of the revocation including the duration and process to be followed to address the issues leading to the recommendation
- the appointee's commander/manager of the revocation including the duration and process to be followed to address the issues leading to the recommendation
- SOSP of the revocation including the reason and process to be followed to address the issues leading to the revocation the Commander/Manager Security of the recommendation.

## **Reinstatement of operational safety qualifications**

28.24 If an AFP appointee's operational safety qualification was revoked for being unable to demonstrate competence in an operational safety assessment item it may be reinstated by an OST, SOSP, commander/manager or higher once the appointee has successfully completed an operational safety assessment.

28.25 If an AFP appointee's operational safety qualification was revoked following a recommendation from the CMO or authorised delegate, it may be reinstated by an authorised clinical delegate, a commander/manager or higher. The reinstating officer must not reinstate the appointee's operational safety qualification unless the CMO confirms in writing that the issues leading to the revocation have been resolved.

28.26 If an AFP appointee's operational safety qualification was revoked for any other reason it may be reinstated by the revoking officer, commander/manager or higher once the issues leading to the revocation have been resolved.

28.27 If an AFP appointee's operational safety qualification is reinstated the reinstating officer must, in writing advise the following personnel of the reinstatement, including any conditions the appointee is required to comply with:

- the appointee
- the appointee's supervisor
- SOSP
- if appropriate, Commander PRS
- if appropriate, Commander/Manager Security
- if appropriate, SHIELD Triage, who will inform the CMO or authorised delegate

- the relevant issuing Registrar and provide authority for the appointee to receive their personally issued AFP equipment

## SPECIALIST TEAMS

### 29. Requesting or deploying specialist teams and specialist roles

29 1 AFP appointees must comply with the provisions of this Order, the [AFP National Guideline on risk management](#), the [AFP National Guideline on Specialist Response Group \(SRG\) operations](#) and any other relevant AFP governance when requesting or deploying full time or part time specialist roles and specialist teams.

29 2 The Commander Specialist Operations, in consultation with the Deputy Chief Police Officer or commander as appropriate, is the delegate for approval for deployment of SPS.

29 3 The relevant commander is the delegate for approval for deployment of the Specialist Support Team located in their regional Command.

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### 30. Specialist AFP equipment and munitions

30.1 AFP appointees performing full time or part time specialist roles or in specialist teams must comply with this Order.

30.2 AFP appointees performing full time or part time specialist roles or in specialist teams must only use specialist AFP equipment and munitions lawfully and in accordance with this Order.

30.3 AFP appointees performing full time or part time specialist roles or in specialist teams must only carry and use specialist AFP equipment when performing an approved specialist task, or deployed as a member of a specialist team, or when undertaking official training.

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## OPERATIONAL SAFETY COMMITTEE

### 31. The Operational Safety Committee (OSC) and OSC Chair

31.1 The OSC is the AFP's primary source of advice for operational safety and use of force policy, equipment, training and administration. It performs duties in accordance with this Order and the [OSC terms of reference](#).

31.2 The OSC Chair must respond to and manage internal or external enquiries and correspondence regarding AFP operational safety and use of force policy, equipment, training and administration

31.3 The OSC Chair must ensure the OSC meets quarterly and that minutes of the meetings accurately reflect the business of the working group. The minutes of OSC meetings must be provided to the OSC Chair as soon as practicable after they have been endorsed by the OSC.

31.4 The OSC Chair must be an AFP appointee performing the duties of an AFP Assistant Commissioner

31.5 Following consultation with the OSC the OSC Chair has delegation to approve:

- amendments to this Order
- operational safety and use of force governance subordinate to this Order
- AFP equipment for operational use or operational trial including specialist equipment
- the establishment of full or part-time specialist roles and specialist teams
- specialist role and specialist team training curriculum, standards, assessment and qualification requirements.

31.6 The OSC Chair may consult with any AFP appointee, AFP internal committee or subject matter expert prior to exercising a delegated authority under section 31.5.

31.7 The OSC Chair may direct the OSC to perform tasks and functions consistent with this Order and the [OSC terms of reference](#).

## 32. Shortened forms

|         |                                                             |
|---------|-------------------------------------------------------------|
| AAO     | active armed offender                                       |
| ACIC    | Australian Criminal Intelligence Commission                 |
| ACPCC   | Assistant Commissioner People and Culture Command           |
| ACT     | Australian Capital Territory                                |
| AER     | Authorised Equipment Register                               |
| AFP     | Australian Federal Police                                   |
| AMR     | Authorised Munitions Register                               |
| BSRV    | ballistic and spike rated vest                              |
| CBRN    | Chemical, biological, radiological and nuclear environments |
| CEW     | conducted electrical/energy weapon                          |
| CMO     | Chief Medical Officer                                       |
| CO3     | The AFP Commissioner's Order on Operational Safety          |
| CO ACTP | Commander Operations ACTP                                   |
| CI ACTP | Commander Investigations ACTP                               |
| FTI     | Firearm and Toolmark Identification Team                    |
| IARD    | Immediate Action Rapid Deployment                           |
| NA      | National Armoury                                            |
| OC      | oleoresin capsicum                                          |
| OSA     | Operational Safety Assessment                               |
| OSC     | Operational Safety Committee                                |
| OST     | operational safety trainer                                  |
| PRS     | Professional Standards                                      |
| PSO     | protective service officer                                  |
| TR      | Tactical Response                                           |
| SAP     | Systems, Applications and Products                          |
| SBR     | Short Barrel Rifle                                          |

|      |                                            |
|------|--------------------------------------------|
| SO   | Specialist Operations                      |
| SOSP | Superintendent Operational Safety Practice |
| SPC  | Specialist Protective Command              |
| SO   | Specialist Operations                      |
| SST  | Specialist Support Team                    |

### 33. Definitions

**Active armed offender** means a person, or persons, who has caused death or serious injury to others, actively continues to do so, while having access to additional victims.

**AFP appointee** means a deputy commissioner, AFP employee, special member or special protective service officer and includes a person:

- engaged under section 35 of the AFP Act as a consultant or contractor to perform services for the AFP and determined under section 35(2) of the AFP Act to be an AFP appointee
- engaged overseas under section 69A of the AFP Act
- seconded to the AFP under section 69D of the AFP Act.

(See section 4 of the AFP Act.)

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**AFP equipment** means any item of equipment approved by the Commissioner or Operational Safety Committee (OSC) Chair and recorded on the AFP Authorised Equipment Register (AER) including batons, handcuffs and other restraints, chemical agents, oleoresin capsicum canisters, shields, ballistic vests, holsters, official firearms, firearm accessories, conducted electrical/energy weapons, weapons and munitions.

**AFP Authorised Equipment Register** means a register of authorised AFP equipment. The AER is maintained by the OSC and is published on the AFP Hub.

**Ammunition** means approved ammunition for standard issue and specialist firearms.

**Armourer** is a person appointed by the Commissioner or their delegate under this Order.

**Armoury Registrar and Deputy Armoury Registrar** are appointed by the Commissioner or their delegate under this Order.

**Authorised clinical delegate** means a clinical delegate as authorised by the CMO from time to time in an Instrument of Authorisation (see [Schedule 4](#))

**Authorised contractor** means contracted service provider/s engaged by the AFP under a contract to provide specific services covered in this Order e.g. transporting AFP equipment

**Ballistic vest** means approved equipment designed to provide AFP appointees with protection from ballistic threats

**Ballistic and Spike Rated Vest** means approved equipment designed to provide AFP appointees with protection from ballistic and/or spike related threats. These can be worn in either an overt or covert carrier

**Baton** means an approved impact weapon.

**Chemical munitions** means an approved substance discharged from an approved delivery mechanism that delivers a chemical in liquid, foam or gas form to achieve subject control.

**Chief Medical Officer** means a medical doctor and includes their authorised clinical delegate, registered with the Australian Health Practitioner Regulatory Agency, engaged by the AFP to perform the duties of the [Chief Medical Officer](#)

**Child or young person** means a person who is younger than 18.

**Commander** means an AFP member declared to hold the rank of Commander under s 9 of the AFP Act

**Compliant escort** means the escort of a person, including application of an escort hold with consent of the person, and without the requirement for any other use of force or threat of force, including verbal, to achieve the person's compliance. If during or after applying an escort hold a person physically or verbally resists an AFP appointee's directions or is injured the incident is no longer a compliant escort

**Compliant handcuffing** means application of handcuffs or approved restraints (but not spit hoods) to a person where the person complies with the application of the handcuffs or restraints without the requirement for any other use of force or threat of force, including verbal, to achieve the person's compliance. If during or after being compliantly handcuffed a person physically or verbally resists an AFP appointee's directions or is injured the incident is no longer a compliant handcuffing.

**Compliant search** means a search conducted on a person who is complying with directions, not offering resistance and without the requirement for any other use of force or threat of force (excluding compliant handcuffing), including verbal, to achieve the person's compliance. If during or after applying a compliant search a person physically or verbally resists an AFP appointee's directions or is injured the incident is no longer a compliant search

**Conducted electrical/energy weapon** means an approved device that delivers an electrical charge to achieve subject control

**Controlled item** means an item as defined in the [AFP Security Glossary of Terms \(DOCX, 145KB\)](#).

**Death or serious injury associated with police contact** means deaths and serious injuries resulting from or associated with:

- the discharge of an official firearm by an appointee
- any other form of force used by an appointee
- custody-related police operations, which include where police are attempting to detain a person (e.g. pursuits or sieges)
- persons in the process of escaping or attempting to escape from custody
- persons being in custody, whether in cells or otherwise, including where either:
  - there is suspicion on the part of any appointee
  - there is an allegation made by any person

- the circumstances indicate that any death occurring subsequent to a period of AFP detention is because of that detention
- any other action or inaction by an appointee in the course of their duties, including motor vehicle collisions

**Detention facility** means a watch-house, immigration detention facility, remand centre, holding room or other place used to detain a person in lawful custody. An AFP appointee authorised to grant variations under section 8 of this Order may declare an AFP interview room to be a detention facility. If an authorised AFP appointee makes such a declaration they must ensure local procedures for the carriage of personally issued AFP equipment within those facilities are communicated in writing to all AFP appointees who normally perform duty within the location impacted by the declaration. Interview rooms and other locations declared to be detention facilities must be clearly marked as such.

**Excessive force** means force beyond that which is considered reasonably necessary in the circumstances of any particular incident, including:

- any force when none is needed
- more force than is needed
- any force or level of force continuing after the necessity for it has ended

**Exempted AFP appointees** means the class of AFP appointees described in Schedule 1 who are exempted from complying with specified sections of this Order

**Extended range chemical munitions** means an approved irritant, inflammatory spray or chemical device fired from an approved specialist firearm

**Extended range impact weapon** means an approved specialist firearm that fires less lethal ammunition.

**Firearm accessories** means an item approved for attachment to an official firearm to enhance its performance or capability, including:

- lasers
- sound suppressors
- weapon sighting systems (scopes)
- light source
- slings
- grips

**Fixed storage facility** means a fixed storage facility within an AFP premises used for secure storage of AFP equipment, approved by AFP Security in accordance with the [AFP National Guideline on controlled items](#).

**Immediate Action Rapid Deployment (IARD)** is the approved AFP response to an active armed offender (AAO) consisting of the swift and immediate deployment of law enforcement resources to an ongoing, life threatening situation where delayed deployment may otherwise result in death or grievous bodily harm to innocent persons.

**Impact weapon** means any approved baton, shield or extended range impact weapon.

**Handcuffs and other restraints** means any approved implement to restrain a person's hands and/or feet and spit masks.

**Less lethal munitions** means approved munitions that are less likely to cause death or serious injury when properly applied.

**Lethal force** means force that is likely to cause death or serious injury.

**Load/unload bay** means an approved station or device that when used correctly is designed to safely capture an unauthorised discharge during the loading and/or unloading of an AFP issued firearm.

**Long Range Acoustic Device** means a device that is an approved AFP directional acoustic hailing device. The device may be used for area denial using a focused alert tone and may be used as a non lethal sonic repulsion device.

**Manager** means an AFP appointee performing duties in an SES Band 1 role

**Munitions** means approved ammunition, CEW cartridges, chemical canisters or pyrotechnics that can be discharged from an official firearm, CEW, pyrotechnics or chemical weapon delivery system, including handheld canisters.

**Official firearm** means an approved standard issue firearm or an approved specialist firearm

**Operational Safety Assessment** means the annual process used to assess and certify AFP appointees in fitness and competence to hold a valid operational safety qualification

**Operational Safety Committee** is the AFP's primary advisory body for operational safety and use of force policy, training, equipment, administration and related issues. The OSC performs functions in accordance with its [terms of reference](#).

**Operational Safety Committee Chair** is an AFP Assistant Commissioner appointed by the Commissioner to perform the role of OSC Chair, as described within this Order and the OSC terms of reference. The OSC Chair is a delegate of the Commissioner under s 38 of the AFP Act to amend this Order

**Operational safety qualification** means an operational safety qualification issued under this Order.

**Operational safety trainer** means a person certified to train AFP appointees and other persons in operational safety in accordance with this Order.

**Police Forward Commander** means the senior officer in command of AFP resources and personnel at the scene of an event or incident.

**Police dog** means a dog of any breed subject to the direct control of a qualified AFP dog handler and certified to perform police dog roles for the AFP.

**Police horse** means a horse of any breed subject to the direct control of a qualified AFP horse handler and certified to perform police horse roles for the AFP.

**Police negotiator** means an AFP appointee who has successfully completed approved training and is certified to perform duties as a member of Crisis, Hostage and Negotiation Operations.

**Primary weapon** means the approved firearm to be used first by a qualified AFP appointee when the appointee is carrying more than one firearm.

**Public Order Management (crowd control)** means the deployment of AFP resources to manage gatherings of persons displaying a common purpose to:

- harm persons or damage property
- use violence
- threaten, intimidate or harass persons
- breach the peace.

**Police Tactical Group** means a group comprised of AFP appointees who have successfully completed approved training and are authorised to perform duties as a member of the Police Tactical Group.

**Pyrotechnic device** means any device designed to stun or distract a person through the use of concussive force, sound, light or a combination of all these elements.

**Reasonable force** is the minimum force necessary and reasonable in the circumstances of a particular incident.

**Registrar** for the purpose of this Commissioner's Order means an Armoury Registrar, Deputy Armoury Registrar, Equipment Registrar, or equipment/clothing store contractor who is responsible for receiving, storing and issuing controlled items or AFP equipment to appropriately qualified or authorised AFP appointees

**Revoked (Use of Force qualification):** an AFP appointee's Use of Force qualification must be revoked in the following circumstances

- expiration of qualification
- inability to demonstrate competence in an Operational Safety Assessment
- the appointee is suspended from duty
- the appointee is considered to be unfit or unsuitable to carry or use AFP equipment
- health recommendation.

**Revoking officer** is an AFP appointee who is authorised under this Order to revoke another appointee's operational safety qualification.

**Routine use of force** means uses of force performed as part of an AFP appointee's operational duties including:

- compliant escort or restraint holds (including to affect an arrest)
- compliant handcuffing
- compliant search of a person
- force to enter a building, vehicle, vessel, or other secured area to search, recover, seize or arrest, where there is no application of force against a person.

**Safe Direction** means a direction in which any unintentional discharge would be safely stopped and contained, with NO human injury and at most only minimal property damage.

**Sensitive region** means an area of a person's body where

- the skin is especially sensitive (e.g. groin, neck, face, breast, etc.)
- contact by anyone other than a medically qualified person would cause unnecessary discomfort or indignity.

**Serious injury** means types of injuries which, by their nature, are likely to:

- be life threatening or
- require emergency admission to a hospital and significant medical treatment or
- result in permanent impairment or long term rehabilitation or
- constitute grievous bodily harm.

**Shield** means protective equipment used within the AFP to provide effective protection against physical assault (unarmed and armed with edged or melee weapons) and hand thrown debris.

**Shield defensive techniques** means techniques involving the use of a shield to defend the user or another person from harm.

**Shield dispersal techniques** means techniques employed in public order management incidents involving the use of a shield to assist in dispersing a crowd.

**Specialist AFP equipment** means an approved item of specialist AFP equipment including specialist firearms, weapons and munitions.

**Specialist firearm** is any approved non-standard issue firearm.

**Specialist roles** means full or part time roles, approved by the OSC Chair, requiring AFP appointees to successfully complete specialist training. Approved specialist roles are listed at Schedule 2 of this Order.

**Specialist team** means a specialist team of a type approved by the OSC Chair. Approved specialist teams are listed at Schedule 2 of this Order

**Specialist Operations** means a group of AFP appointees who have successfully completed approved training and are authorised to perform duties as a member of Specialist Operations

**Specialist Support Team** means a team based in some AFP geographic regions, comprising AFP appointees who have successfully completed approved training to perform duties as a member of the Specialist Support Team.

**Specialist training** means training and assessment designed to permit appropriately qualified AFP appointees or other persons to perform duties in a specialist role or a specialist team.

**Standard issue firearm** means a handgun of a type and model approved as a standard issue firearm for qualified AFP appointees.

**States of weapon readiness** means

- unloaded
  - the trigger finger is outside the trigger guard
  - there is no magazine in the magazine well
  - there is no round in chamber or red safety plug has been inserted
- loaded
  - the trigger finger is outside of the trigger guard
  - there is a loaded magazine in the magazine well
  - there is no round in the chamber
- actioned
  - the trigger finger is outside the trigger guard
  - there may or may not be a magazine in the magazine well
  - if there is a magazine in the magazine well, there may or may not be rounds in the magazine
  - there is a round in the chamber.

**Suspending officer** means an AFP appointee authorised to suspend another AFP appointee from duty.

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**Unauthorised discharge** means discharging an official firearm whether or not used to deploy less lethal munitions, or discharging a CEW contrary to this Order. This excludes any discharge where an AFP appointee is training under the supervision of an operational safety trainer and the discharge occurs downrange without endangering any person.

**Use** means, in relation to a:

- firearm, CEW, chemical munition or extended range impact weapon means one or more of the following:
  - drawing
  - aiming
  - discharging
- baton means one or more of the following:
  - raising with the intention to strike or gain compliance
  - striking a person with the baton
- shield means striking a person with any part of the shield

- police dog means:
  - directed intentional deployment at a person with the intention to gain compliance whether or not the police dog bites the subject
  - defence of itself, its handler or any other person
- police horse means:
  - directed intentional deployment at a person with the intention to gain compliance whether or not the police horse physically impacts the subject
  - defence of itself, its handler or any other person
- pyrotechnic device means discharging the device so that concussive force, light, sound or any combination of these is emitted against another person
- long range audio device means emitting sound from the device against another person to gain subject control

## SCHEDULE 1 – EXEMPTED AFP APPOINTEES

### 1. Purpose

1.1 The purpose of this Schedule is to exempt a class of AFP appointees from complying with specified sections of this Order

### 2. Definitions and interpretation

2.1 In this Schedule 1:

**Australian Criminal Intelligence Commission (ACIC) officer** means a member of the staff of the Australian Crime Commission (ACC) (as described in the [Australian Crime Commission Act 2002](#)) who is appointed as a special member.

**ACIC equipment** means any firearm, weapon, munitions, equipment or accoutrements issued by ACIC to a special member.

**Exempted AFP appointee** means a special member within the class of AFP appointees described in s.3 of this Schedule.

**Home agency** means the law enforcement agency that is the legal employer of a law enforcement officer appointed as a special member.

**Home agency equipment** means any firearm, weapon, munitions, equipment or accoutrements issued by a home agency to a special member.

**Home agency qualification** means a qualification, authority, licence or permit issued by a home agency to an exempted AFP appointee that authorises them to use force and to possess and carry home agency equipment in the performance of their duties.

**Law enforcement officer** means:

- a member of the police force of another Australian State or Territory or
- an officer of Customs (including Australian Border Force officers) authorised to carry a firearm and personal defence equipment in accordance with section 189A of the [Customs Act 1901](#) (Cth).

**Instrument of appointment** means an instrument appointing a special member under s. 40E of the [Australian Federal Police Act 1979](#) (Cth).

**Special member** means a law enforcement officer or ACIC officer appointed as a special member under an instrument of appointment.

### 3. Class of exempted AFP appointees

3.1 This exemption applies to special members who:

- hold a current home agency or AFP qualification and
- are authorised under the terms and conditions of their instrument of appointment to possess, carry or use home agency equipment while assisting the AFP in the performance of its functions

## 4. Exempted sections

### 4.1 Law enforcement officers

An exempted AFP appointee who is a law enforcement officer is exempted from complying with the following sections of this Order:

- Section 3: 3.10, 3.11
- Section 4: All
- Section 5: All
- Section 6: All
- Section 7: All
- Section 8: All
- Section 9: All
- Section 10: All
- Section 11: All
- Section 12: All
- Section 13: All
- Section 14: All
- Section 15: All
- Section 16: All
- Section 17: All
- Section 18: All
- Section 19: All
- Section 20: All
- Section 21: All
- Section 22: All
- Section 23: All
- Section 24: All
- Section 25: All
- Section 26: All
- Section 27: All
- Section 28: All
- Section 29: All
- Section 30: All
- Schedule 2: All
- Schedule 3: All

### 4.2 ACIC officers

In relation to ACIC officers appointed as special members:

- all references to "AFP equipment" in this Order are replaced with the term "ACIC equipment" where the context so permits
- all references to "issuing registrar" are replaced with "ACIC issuing registrar or authority" where the context so permits.

An exempted AFP appointee who is an ACIC officer is exempted from complying with the following sections of this Order:

- Section 3: 3.8, 3.9
- Section 4: All

- Section 5: All
- Section 7 All
- Section 8: 8.1, 8.2, 8.4, 8.5
- Section 9 9 1, 9 2, 9 5
- Section 10: All
- Section 11 All
- Section 12: All
- Section 13 All
- Section 14: All
- Section 15 15 1
- Section 21: All
- Section 22 All
- Section 23: All
- Section 24 24 2 to 24 7
- Section 25: All
- Section 28 28 6 to 28 21, 28 23 to 22 25
- Section 29: All
- Section 30 All
- Schedule 2: All
- Schedule 3 All

4.3 An exempted AFP Appointee is required to comply with all other sections of this Order.

## SCHEDULE 2 – APPROVED SPECIALIST ROLES AND TEAMS

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## SCHEDULE 3 – s.6 DELEGATES

In accordance with section 6 certain AFP appointees performing duties at or above the role of commander/manager may approve applications to vary from CO3 Delegate authority is listed in table 1 below.

**Table 1**

| <b>Class of appointee</b> | <b>Delegate</b>                                                                                                   |
|---------------------------|-------------------------------------------------------------------------------------------------------------------|
| All AFP appointees        | The appointee's responsible functional or regional commander/manager or assistant commissioner / national manager |

## SCHEDULE 4 AUTHORISED CLINICAL DELEGATE

- [Instrument of Authorisation - Clinical Delegates for the Chief Medical Officer \(PDF, 107KB\)](#)