

Excluding Someone From Your Business Premises

Whilst the issuing of banning notices to customers is common practice among businesses, there are limited legislative options available to enforce this.

As a business owner or representative you may refuse entry to any person as long as the reason is not discriminatory e.g. if it is known that the person has been abusive to staff members, you can ask them to leave. This request revokes their lawful right to be there and they must be given the opportunity to leave. If the person returns to the store again the business owner or representative must again ask the person to leave and give them the opportunity to leave again. This can occur many times.

It is important that you attempt to identify the person and keep a record of their course of conduct. If the person's behaviour is disruptive or threatening call Police

immediately and seek advice because they may be breaking the law. You will be provided with options for courses of action or it may be necessary for police to attend.

In situations like this police have a number of options which may be available to them including move on powers which is found in section 4 of the *Crime Prevention Powers Act 1998* (ACT). You may also be given advice on how to apply for a Workplace Order. The legislative provision for a Workplace Order is found in section 49 of the *Domestic Violence and Protection Orders Act 2008* (ACT).

