

1992  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Mr Humphries)

**Crimes (Amendment) Bill 1992**

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**A BILL  
FOR**

**An Act to amend the Crimes Act, 1900 of the State of  
New South Wales in its application in the Territory**

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**Short title**

1. This Act may be cited as the *Crimes (Amendment) Act 1992*.

**5 The Crimes Act**

2. In this Act, "the Crimes Act" means the Crimes Act 1900, of the State of New South Wales in its application in the Territory.

**Commencement**

10 3. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

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(2) Section 4 commences on a day fixed by the Minister by notice in the *Gazette*.

5 (3) If section 4 has not commenced by the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that section, by force of this subsection, commences on the first day after the end of that period.

#### Insertion

4. After section 155 of the Crimes Act the following section is inserted:

#### 10 Dishonestly appropriating property of corporation

“156. (1) An officer of a corporation shall not dishonestly appropriate any property of the corporation—

- 15 (a) for his or her own use or benefit; or  
 (b) for any use or purpose other than the use or purpose of the corporation.

Penalty: Imprisonment for 10 years.

“(2) For the purposes of this section—

‘corporation’ includes—

- 20 (a) a body corporate; and  
 (b) an unincorporated association;

‘officer’ includes—

- 25 (a) a director, secretary, executive officer, public officer, committee member or employee of the corporation;  
 (b) a receiver, or a receiver and manager, appointed under a power contained in an instrument, of property of the corporation;  
 (c) an official manager or deputy official manager of the corporation;  
 30 (d) a liquidator of the corporation appointed in a voluntary winding up of the corporation;  
 (e) a trustee or other person administering a compromise or arrangement made between the corporation and any other person or persons; and  
 (f) any person—

- (i) who carries out the duties or functions of a director;  
or
- (ii) in accordance with whose directions or instructions  
the directors of the corporation are accustomed to  
act;

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notwithstanding that the person may not have been appointed to  
the office of director.”.