

2001

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Bill Stefaniak)

Crimes Amendment Bill 2001 (No 3)

A Bill for

An Act to amend the *Crimes Act 1900*

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

1 Name of Act

This Act is the *Crimes Amendment Act 2001 (No 3)*.

2 Commencement

This Act is taken to have commenced on 17 October 2001.

3 Act amended

This Act amends the *Crimes Act 1900*.

4 New division 4.3D

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**Division 4.3D Offences relating to biological
substances or chemical agents**

135S Meaning of *economic loss*

In this division, *economic loss* caused through public awareness of the use, or possible use, of a biological substance or chemical agent includes economic loss caused through—

- (a) members of the public not buying or using particular goods or services; or
- (b) steps taken to avoid public alarm or anxiety or to avoid harm to members of the public.

135T Meaning of *use*

In this division, *use* in relation to a biological substance or chemical agent includes—

- (a) giving or sending the substance or agent to someone; or
- (b) putting or sending it where people are likely to be exposed to it.

135U Using substance or agent with intent to cause public alarm or economic loss

A person must not use a biological substance or chemical agent with the intention of—

- (a) causing public alarm or anxiety; or
- (b) causing economic loss through public awareness of the use of the substance or agent.

Maximum penalty: 1 000 penalty units, imprisonment for 10 years or both.

135V Threatening to use substance or agent with intent to cause public alarm or economic loss

- (1) A person must not threaten to use a biological substance or chemical agent with the intention of—

- (a) causing public alarm or anxiety; or
- (b) causing economic loss through public awareness of the possibility of the use of the substance or agent.

Maximum penalty: 1 000 penalty units, imprisonment for 10 years or both.

- (2) For this section, a threat may be made by any conduct, and may be explicit or implicit and conditional or unconditional.

135W Making false statements about use of substance or agent with intent to cause public alarm or economic loss

- (1) A person must not make a statement that the person believes to be false with the intention of—

- (a) inducing the person to whom the statement is made or others to believe that a biological substance or chemical agent has been used; and
- (b) in that way, either—

- 1 (i) causing public alarm or anxiety; or
- 2 (ii) causing economic loss through public awareness of the
- 3 use, or possible use, of the substance or agent.
- 4 Maximum penalty: 1 000 penalty units, imprisonment for 10 years
- 5 or both.
- 6 (2) For this section, making a statement includes communicating
- 7 information by any means.
- 8 **135X Territorial nexus for offences**
- 9 It is immaterial that the conduct of a person forming an offence
- 10 against this division happened outside the jurisdiction if the person
- 11 intended by the conduct—
- 12 (a) to cause public alarm or anxiety in the ACT; or
- 13 (b) to cause economic loss in the ACT through public awareness
- 14 of the use or possible use of the biological substance or
- 15 chemical agent.

Endnotes

Republications of amended laws

- 1 For the latest republication of amended laws, see www.legislation.act.gov.au.

Penalty units

- 2 The *Legislation Act 2001*, s 133 deals with the meaning of offence penalties that are expressed in penalty units.