

1991

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

POLICE OFFENCES (AMENDMENT) BILL 1991

EXPLANATORY MEMORANDUM

Circulated by authority of

Mr Bill Stefaniak MLA

POLICE OFFENCES (AMENDMENT) BILL 1991

The *Police Offences (Amendment) Act 1989* inserted a new section 35 in the *Police Offences Act 1930* providing that where a police officer has reasonable grounds for believing that a person in a public place has engaged, or is likely to engage, in violent conduct there, the police officer may direct the person to leave the vicinity. The new section creates an offence of contravening such a direction without reasonable excuse, specifies exempt circumstances and defines 'violent conduct'. Section 4 of the *Police Offences (Amendment) Act 1989* is a 'sunset clause' providing that section 35 shall, unless sooner repealed, cease to be in force at the expiration of 2 years (midnight on 5 September 1991).

The *Police Offences (Amendment) Bill 1991* will repeal the sunset clause, thus enabling section 35 to have ongoing operation.

Clause 1 provides that the proposed Act may be cited as the *Police Offences (Amendment) Act 1991*.

Clause 2 defines the Principal Act to mean the *Police Offences (Amendment) Act 1989*.

Clause 3 provides for the repeal of section 4 of the Principal Act (the sunset clause).