

1991

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

CRIMES (AMENDMENT) BILL (NO. 7) 1991

EXPLANATORY MEMORANDUM

(Circulated by the authority of
the Attorney General)

CRIMES (AMENDMENT) BILL (No. 7) 1991

OUTLINE

This Bill amends the *Crimes Act 1900* (NSW) in its application in the Territory to:

Relocate section 115 to a more suitable part of the Act;

Enable the Executive to pardon offences and to remit the consequences of a conviction for an offence; and

Create a regulation making power.

FINANCIAL CONSIDERATIONS

The Bill is intended to be budget neutral.

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CLAUSE NOTES

Clause 1: Short Title

This clause cites the title of the proposed Act.

Clause 2: The Crimes Act

This clause defines the term "Crimes Act".

Clause 3: Dishonest use of computers

This clause relocates and renumbers section 115 of the Crimes Act, dealing with dishonest use of computers, placing it in Division 5 of Part IV which is specifically concerned with offences relating to computers.

Clause 4: Insertion

This clause inserts a new Part, Part XVB, into the Act. This Part provides for Executive pardons and remissions.

Proposed section 557 enables the Executive to grant a pardon in respect of an offence. Proposed subsection 557(2) defines the effect of such a grant of pardon, limiting it to any further consequences of a conviction for that offence.

Proposed section 558 enables the Executive to remit sentences of imprisonment, fines and certain other consequences of a conviction for an offence.

Clause 5: Insertion

This clause creates a new provision, section 578, to enable regulations to be made under the Act.