

AUSTRALIAN CAPITAL TERRITORY

No. 17 of 1980

An Ordinance to amend the *Police Offences Ordinance 1930*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this thirtieth day of June 1980.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

P. DURACK
Attorney-General

POLICE OFFENCES (AMENDMENT) ORDINANCE 1980

Short title

1. This Ordinance may be cited as the *Police Offences (Amendment) Ordinance 1980*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Police Offences Ordinance 1930*.²

3. Section 28 of the Principal Ordinance is repealed and the following section substituted:

Valueless cheques

"28. (1) A person who—

- (a) obtains any chattel, money or valuable security; or
- (b) purports to pay wages or salary,

by passing a cheque that is not paid on presentation is guilty of an offence.

Penalty: \$2,000 or imprisonment for 1 year.

"(2) It is a defence to a prosecution for an offence against sub-section (1) that the defendant—

- (a) had reasonable grounds for believing that the cheque would be paid in full on presentation; and
- (b) did not have an intent to defraud.

“(3) In a prosecution for an offence against sub-section (1), the fact that, at the time when the cheque was drawn, there were some funds standing to the credit of the account on which the cheque was drawn is not of itself a defence.”

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 8 July 1980.
2. Ordinance No. 9, 1930 as amended by No. 10, 1934; No. 31, 1937; Nos. 7 and 10, 1939; No. 3, 1948; No. 12, 1953; No. 21, 1959; No. 1, 1961; No. 19, 1966; No. 3, 1967; No. 41, 1970; No. 35, 1975; No. 65, 1977; No. 46, 1978.