



AUSTRALIAN CAPITAL TERRITORY

Crimes (Amendment) Act (No. 3) 1990

No. 66 of 1990

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

[Notified in ACT Gazette S98: 24 December 1990]

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

Short title

1. This Act may be cited as the *Crimes (Amendment) Act (No. 3) 1990*.

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

3. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day fixed by the Minister by notice in the *Gazette*.

(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Insertion

4. After section 151 of the Crimes Act the following Division is inserted in Part IV:

“Division 5—Offences relating to computers

Interpretation

“152. (1) In this Division, unless the contrary intention appears—

‘data’ includes information, a computer program or part of a computer program.

“(2) A reference in this Division to data stored in a computer includes a reference to data entered or copied into the computer, whether temporarily or permanently.

Unlawful access to data in computer

“153. A person who, intentionally and without lawful authority or excuse, obtains access to data stored in a computer is guilty of an offence punishable, on conviction, by imprisonment for 2 years.

Damaging data in computers

“154. A person who intentionally or recklessly, and without lawful authority or excuse—

- (a) destroys, erases or alters data stored in, or inserts data into, a computer; or
- (b) interferes with, or interrupts or obstructs the lawful use of, a computer;

is guilty of an offence punishable, on conviction, by imprisonment for 10 years.”.

[Presentation speech made in Assembly on 29 November 1990.]