



AUSTRALIAN CAPITAL TERRITORY

Crimes (Amendment) Act (No. 2) 1995

No. 49 of 1995

An Act to amend the *Crimes Act 1900*

[Notified in ACT Gazette S306: 18 December 1995]

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. 2) 1995*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.
(2) The remaining provisions commence on a day, or respective days, 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.

Principal Act

3. In this Act, “Principal Act” means the *Crimes Act 1900*.¹

Insertion

4. After section 99 of the Principal Act the following section is inserted:

Minor theft

“99A. A person who steals property the value of which does not exceed \$1,000 is guilty of an offence punishable, on conviction, by imprisonment for 6 months or a fine not exceeding 50 penalty units, or both.”.

Making off without payment

5. Section 107 of the Principal Act is amended—

(a) by inserting after subsection (1) the following subsection:

“(1A) A person who dishonestly makes off without paying for goods supplied, or services provided, the value of which does not exceed \$1,000—

(a) knowing that he or she is required or expected to pay immediately; and

(b) intending to avoid payment of the amount due;

is guilty of an offence punishable, on conviction, by imprisonment for 6 months or a fine not exceeding 50 penalty units, or both.”; and

(b) by omitting from subsection (2) “Subsection (1) does not apply” and substituting “Subsections (1) and (1A) do not apply”.

Destroying or damaging property

6. Section 128 of the Principal Act is amended by adding at the end the following subsection:

“(4) A person who, intentionally and without lawful excuse, and by means other than fire or explosive, destroys or damages property which—

(a) belongs to another person, or to himself or herself and another person; and

(b) does not exceed \$1,000 in value;

is guilty of an offence punishable, on conviction, by imprisonment for 6 months or a fine not exceeding 50 penalty units, or both.”.

NOTES

Principal Act

1. Reprinted as at 31 January 1994. See also Acts Nos. 38, 46, 75, 84, 86, 97 and 98, 1994; Nos 2 and 3, 1995.

Penalty units

See section 33AA of the *Interpretation Act 1967*.

[Presentation speech made in Assembly on 17 October 1995]