



Australian Capital Territory

Crime Prevention Powers Act 1998 No 21

Republication No 1

Republication date: 16 November 2001

Last amendment made by Act 2001 No 63

Amendments incorporated to 27 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Crime Prevention Powers Act 1998* as in force on 16 November 2001. It includes any amendment, repeal or expiry affecting the republished law to 27 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
27 September 2001



Australian Capital Territory

Crime Prevention Powers Act 1998

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Australian Capital Territory

Crime Prevention Powers Act 1998

An Act relating to crime prevention

1 Short title

This Act may be cited as the *Crime Prevention Powers Act 1998*.

3 Definitions for Act

In this Act:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

public place means any street, road, public park or reserve or any building, premises or other place which the public are entitled to use or which is open to, or used by, the public, whether on payment of money or otherwise.

violent conduct means—

- (a) violence to, or intimidation of, a person; or
- (b) damage to property.

4 Move-on powers

- (1) This section applies if there are reasonable grounds for a police officer to believe that a person in a public place has engaged, or is likely to engage, in violent conduct in that place.
- (2) The police officer may direct the person to leave the vicinity of the public place.
- (3) The direction may be made subject to either or both of the following conditions:
 - (a) if the police officer has reasonable grounds for believing that the person is likely to engage in violent conduct while, or immediately after, leaving the vicinity by a particular route—that the person leave the vicinity by a different route (whether the route is stated or unstated);
 - (b) that the person not return to the vicinity for a stated period of not longer than 6 hours.
- (4) A person must not, without reasonable excuse, contravene a direction (including a condition of a direction) given to the person under subsection (2).

Maximum penalty: 2 penalty units.

- (5) This section does not apply in relation to a person who, whether in the company of other people or not, is—
 - (a) picketing a place of employment; or
 - (b) demonstrating or protesting about a particular issue; or
 - (c) speaking, bearing or otherwise identifying with a banner, placard or sign or otherwise behaving in a way that is

apparently intended to publicise the person's view about a particular issue.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
o = order	sub = substituted
om = omitted/repealed	SL = Subordinate Law
	<u>underlining</u> = whole or part not commenced

3 Legislation history

Crime Prevention Powers Act 1998 No 21

notified 10 July 1998 (Gaz 1998 No S190)

commenced 10 July 1998 (s 2)

as amended by

Legislation (Consequential Amendments) Act 2001 No 44 pt 89

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 89 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

Crimes Legislation Amendment Act 2001 No 63 pt 3

notified 10 September 2001 (Gaz 2001 No S66)

s 1, s 2 commenced 10 September 2001 (IA s 10B)

pt 3 commenced 27 September 2001 (s 2 (2) and CN 2001 No 3)

4 Amendment history

Commencement

s 2 om 2001 No 44 amdt 1.992

Move-on powers

s 4 sub 2001 No 63 s 10

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