

2007

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Mr Bill Stefaniak)

# Crimes (Street Offences) Amendment Bill 2007

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## **Crimes (Street Offences) Amendment Bill 2007**

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### **A Bill for**

An Act to amend the *Crimes Act 1900*

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

## **1 Name of Act**

This Act is the *Crimes (Street Offences) Amendment Act 2007*.

## **2 Commencement**

This Act commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

## **3 Legislation amended**

This Act amends the *Crimes Act 1900*.

## **4 Offences against Act—application of Criminal Code etc Section 7A, note 1, new dot points**

*insert*

- s 392 (Disorderly or offensive behaviour)
- s 392A (Offensive language)

## **5 Section 392**

*substitute*

### **392 Disorderly or offensive behaviour**

- (1) A person must not behave in a disorderly or offensive way in or near a public place or school.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

- (3) In this section:

*disorderly* includes violent or riotous.

*near*, a public place or school, includes within view of, or hearing from, the place or school.

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*offensive* includes intimidating, indecent, threatening, abusive, obscene or insulting.

**392A Offensive language**

- (1) A person must not use offensive language in or near a public place or school.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

- (3) In this section:

*near*, a public place or school, includes within view of, or hearing from, the place or school.

*offensive* includes intimidating, indecent, threatening, abusive, obscene or insulting.

**6 Offence notices  
Section 441 (1) (a)**

*substitute*

- (a) is satisfied as to the identity of a person; and

**7 Section 441 (10)**

*substitute*

- (10) In this section:

*prescribed offence* means an offence against any of the following sections:

- (a) section 119 (Defacing premises);
- (b) section 154 (Additional offences on territory premises);
- (c) section 379 (Misbehaviour at public meetings);
- (d) section 391 (Fighting);

- (e) section 392 (Disorderly or offensive behaviour);
- (f) section 392A (Offensive language);
- (g) section 393 (Indecent exposure);
- (h) section 394 (Noise abatement directions);
- (i) the *Liquor Act 1975*, section 139 (1) or (2) (Consumption of liquor in certain public places);
- (j) the *Liquor Act 1975*, section 152 (Sale or supply of liquor to under-age people);
- (k) the *Liquor Act 1975*, section 154 (Buying, possession and consumption of liquor by under-age people).

***prescribed penalty*** means—

- (a) if the penalty for the offence to which the prescribed penalty relates is more than 2 penalty units—\$200; or
- (b) otherwise—\$100.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2007.

**2 Notification**

Notified under the Legislation Act on 2007.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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