

2005

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

CRIMINAL CODE HARMONISATION BILL 2005

SUPPLEMENTARY EXPLANATORY STATEMENT

Presented by  
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September 2005

# CRIMINAL CODE HARMONISATION BILL 2005

## GOVERNMENT AMENDMENTS

### Amendment 1

#### Schedule 1, Amendment 1.3

#### Proposed new section 2A

#### Page 4, line 5

*omit*  
this Act  
*substitute*  
this regulation

This amendment amends an incorrect reference to “this Act” in a note. The amendment in the schedule is to a regulation.

### Amendment 2

#### Schedule 1, Amendment 1.115

#### Proposed new section 14 (6A)

#### Page 84, line 19

*omit proposed new section 14 (6A)*

This amendment will remove the application of strict liability for this offence. Section 14(6) is an offence that requires a person to notify the construction occupations registrar of any changes in the person’s particulars listed in section 21(1)(b) of the *Electricity Safety Act 1971*, ie. name and address, place of business, etc. Although in most cases the defendant will be aware of a change in these particulars, paragraphs (iv) and (v) of section 21(1)(b), also lists any cancellations of a licence and any other particulars prescribed under the principal Act as requiring notification. These are matters that a person may not be aware of or may not become aware of within seven days, accordingly strict liability is being removed.

### Amendment 3

#### Schedule 1, Amendment 1.116

#### Page 84, line 20

*omit amendment 1.116*

This item was a consequential amendment to renumber section 14 upon republication. The renumbering is no longer required with the removal of strict liability by the amendment above.

### Amendment 4

#### Schedule 1, Amendment 1.214

#### Proposed new penalty

#### Page 144, line 23

*insert*  
Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

This amendment is to insert a penalty clause that was omitted during the drafting of the Bill.