

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 24 of 1931.

AN ORDINANCE

To repeal the Crimes (Amendment) Act 1905 of the State of New South Wales in its application to the Territory, and for other purposes.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910-1931, as follows:—

1. This Ordinance may be cited as the *Crimes Ordinance* 1931. Short title.

2. The *Crimes (Amendment) Act*, 1905 of the State of New South Wales, in its application to the Territory, is repealed. Repeal of State Act.

3.—(1.) Any person who, having, whether before or after the commencement of this section, collected or received any money or valuable security upon terms requiring him to deliver or account for or pay to any person the whole or any part of— Fraudulent misappropriation of moneys collected or received.

(a) such money, valuable security or the proceeds thereof;
or

(b) any balance of such money, valuable security or the proceeds thereof after any authorized deductions or payments have been made thereout,

fraudulently misappropriates to his own use or the use of any other person, or fraudulently omits to account for or pay the whole or any part of such money, valuable security or proceeds, or the whole or any part of such balance in violation of the terms on which he collected or received such money or valuable security, shall be guilty of an indictable offence.

Penalty: Imprisonment for seven years.

(2.) For the purposes of this section, any such money, valuable security or proceeds thereof, or any balance thereout shall be deemed to be the property of the person on behalf of whom the money or valuable security was collected or received notwithstanding that the accused may have been authorized to make any

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deduction thereout on his own behalf, or any payment thereout to another person, or to mix such money, valuable security, or proceeds thereof, or such balance with his own moneys.

Dated this twenty-sixth day of November, One thousand nine hundred and thirty-one.

ISAAC A. ISAACS
Governor-General.

By His Excellency's Command,

FRANK BRENNAN
for Minister of State for Home Affairs.