

Passed by both Houses



New South Wales

Crimes Legislation Amendment (Assaults on Retail Workers) Bill 2023

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2023



New South Wales

Crimes Legislation Amendment (Assaults on Retail Workers) Bill 2023

Act No _____, 2023

An Act to amend the *Crimes Act 1900* to create new offences in relation to assaults on, and other actions in relation to, retail workers; and to amend the *Criminal Procedure Act 1986* to provide for certain of the new offences to be triable summarily.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Crimes Legislation Amendment (Assaults on Retail Workers) Act 2023*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

Part 3 Offences against the person

Insert after section 60E—

Division 8C Assaults etc against retail workers

60F Definitions

In this division—

retail worker means a person whose duties primarily involve working in an area of a shop open to the public.

shop means the whole or a part of a building, place, stall, structure, tent, vehicle or yard in which goods are sold, or offered or exposed for sale, by retail, including by auction.

60G Assault and other action against retail workers

- (1) A person who assaults, throws a missile at, stalks, harasses or intimidates a retail worker in the course of the worker's duty, although no actual bodily harm is caused to the worker, commits an offence.
Maximum penalty—imprisonment for 4 years.
- (2) A person commits an offence if the person—
 - (a) assaults a retail worker in the course of the worker's duty, and
 - (b) by the assault, causes actual bodily harm to the worker.Maximum penalty—imprisonment for 6 years.
- (3) A person commits an offence if the person by any means—
 - (a) wounds or causes grievous bodily harm to a retail worker in the course of the worker's duty, and
 - (b) is reckless as to causing actual bodily harm to the retail worker or another person.Maximum penalty—imprisonment for 11 years.
- (4) For this section, an action is taken to be carried out in relation to a retail worker in the course of the worker's duty, even if the worker is not on duty at the time, if the action is carried out as a consequence of, or in retaliation for, actions undertaken by the retail worker in the course of the worker's duty.

Schedule 2 Amendment of Criminal Procedure Act 1986 No 209

[1] Schedule 1 Indictable offences triable summarily

Insert “, 60G(2)” after “60E(2)” in Table 1, item 2.

[2] Schedule 1, Table 2, item 1

Insert “, 60G(1)” after “60E(1) and (4)”.