



New South Wales

Crimes Amendment (Murder of Police Officers) Bill 2006

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Crimes Act 1900* to provide that compulsory life sentences are to be imposed by courts on persons convicted of murdering police officers. A compulsory life sentence is to be imposed if the murder was committed while the police officer was executing his or her duties or as a consequence of, or in retaliation for, actions undertaken by any police officer.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision that gives effect to the amendment to the *Crimes Act 1900* set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 amends the *Crimes Act 1900* as described in the above Overview.

Introduced by Mr P J Debnam, MP

First print



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New South Wales

Crimes Amendment (Murder of Police Officers) Bill 2006

No. , 2006

A Bill for

An Act to amend the *Crimes Act 1900* to provide for compulsory life sentences to be imposed for the murder of police officers.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Crimes Amendment (Murder of Police Officers) Act 2006</i> .	3 4
2 Commencement	5
This Act commences on the date of assent.	6
3 Amendment of Crimes Act 1900 No 40	7
The <i>Crimes Act 1900</i> is amended as set out in Schedule 1.	8
4 Repeal of Act	9
(1) This Act is repealed on the day following the day on which this Act commences.	10 11
(2) The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	12 13

Schedule 1 Amendment

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(Section 3)

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Section 19B

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Insert after section 19A:

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19B Compulsory life sentences for murder of police officers

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(1) A court is to impose a sentence of imprisonment for life on a person who is convicted of murder of a police officer if the murder was committed:

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(a) while in the execution of the police officer's duty, or

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(b) as a consequence of, or in retaliation for, actions undertaken by that or any other police officer in the execution of the officer's duty.

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(2) A person sentenced to imprisonment for life under this section is to serve the sentence for the term of the person's natural life.

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(3) This section applies to a person who is convicted of murder of a police officer only if the person was of or above the age of 18 years at the time the murder was committed.

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(4) If this section requires a person to be sentenced to imprisonment for life, nothing in section 21 (or any other provision) of the *Crimes (Sentencing Procedure) Act 1999* or in any other Act or law authorises a court to impose a lesser or alternative sentence.

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(5) Nothing in this section affects the prerogative of mercy.

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