

## LEGISLATIVE ASSEMBLY

### Crimes Amendment (Zoe's Law) Bill 2013 (No 2)

#### Proposed amendment

Page 3, Schedule 1[2], proposed section 8A, line 29. Insert after proposed section 8A(4) the following:

- “(5) For the avoidance of doubt, nothing in this section creates a criminal offence in respect of an unborn child in circumstances which, prior to the commencement of the *Crimes Amendment (Zoe's Law) Act 2013*, did not constitute a criminal offence in respect of the mother of that unborn child.
- (6) Nothing in this section is intended to create any difference between:
- (a) the nature or total of any imprisonment or other penalties which a court in all the circumstances chooses to impose for:
    - (i) an applicable offence in respect of an unborn child, and
    - (ii) any applicable offence arising out of the same or related circumstances in respect of the mother of the unborn child, and
  - (b) the nature or total of any imprisonment or other penalties which a court in all the circumstances would, prior to the commencement of the *Crimes Amendment (Zoe's Law) Act 2013*, have chosen to impose for the applicable offence in respect of the mother of the unborn child.”