

Agreement in Principle

Ms LINDA BURNEY (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [10.27 a.m.], on behalf of Mr Nathan Rees: I move:
That this bill be now agreed to in principle.

The Government is pleased to introduce the Electricity Supply Amendment (Offences) Bill 2007. The amendments in this bill strengthen the protection of vital electricity infrastructure in New South Wales. The Government is committed to securing a reliable supply of electricity to the people of New South Wales. This includes ensuring the protection and security of electricity infrastructure such as transmission towers, power poles and distribution lines. In recent years, on several occasions, young persons have been caught climbing on high-voltage transmission towers. That is an extremely dangerous activity. Currently there is no criminal offence in New South Wales that prohibits a person from climbing on, or just being on, electricity works. That gap needs to be addressed in order to protect the safety of individuals and the vital electricity works that deliver the reliable supply of electricity in New South Wales.

The bill amends the Electricity Supply Act to create a new offence of entering, climbing, or being on electricity works. The maximum penalty is a \$1,100 fine and imprisonment for up to three months. The new offence is designed to deter illegal and dangerous conduct involving electricity works. The new offence will apply to electricity works as defined in the Electricity Supply Act to mean any electricity power lines or associated equipment or electricity structures that form part of a transmission or distribution system. This means the prohibition extends from transmission towers to the distribution lines and poles that deliver electricity to residential and commercial buildings.

The maximum penalty for the new offence is consistent with the maximum penalty for climbing on, or jumping from, other structures contained in section 8A of the Summary Offences Act.

The new offence does not apply to persons authorised to be on electricity works, such as employees or contractors acting on behalf of the electricity businesses. The proposed offence explicitly states that a person must not enter, climb, or be on electricity works unless authorised to do so by the network operator or retail supplier concerned. This ensures that the offence will only apply to people committing illegal acts without any authority from the owner of the electricity works concerned.

I turn now to the other object of the bill, which concerns the theft of electricity. The bill amends section 64 of the Electricity Supply Act to increase the maximum term of imprisonment for the offence of theft of electricity from two years to five years imprisonment. It also provides for the offence to be an indictable offence if committed by an individual. The maximum fine for theft of electricity aligns with the maximum fine for larceny. However, the current maximum term of imprisonment of two years for theft of electricity is significantly below the maximum term of five years imprisonment for larceny. Theft of electricity is no less serious than theft of tangible goods. For this reason, the bill increases the maximum term of imprisonment for theft of electricity to align it with the penalty for larceny contained in the Crimes Act. The increase in the maximum term of imprisonment provided for in the bill will send a clear message to offenders that theft of electricity will be taken no less seriously than theft of tangible goods.

Lastly, the bill makes the offence of theft of electricity an indictable offence. Chapter 5 of the Criminal Procedure Act will apply to the offence. Chapter 5 of the Criminal Procedure Act provides for the summary disposal of proceedings for indictable offences unless an election to proceed on indictment is made. This approach is consistent with the approach taken for the disposal of larceny offences. I trust that members will support the protection of vital electricity infrastructure that is provided by the bill, which I commend to the House.