



New South Wales

Crimes Amendment (Custody of Knives) Bill 2022

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 create an indictable offence, with a maximum penalty of imprisonment for 4 years, of having custody of a knife in a public place or school.

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 to the proposed Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

Schedule 1 gives effect to the object described in the above overview by re-enacting, in the *Crimes Act 1900*, an offence of having custody of a knife in a public place or school that is currently found in the *Summary Offences Act 1988*, section 11C. In re-enacting the offence, the amendment also—

- (a) doubles the maximum penalty for the offence from 20 penalty units or imprisonment for 2 years, or both, to 40 penalty units or imprisonment for 4 years, or both, and
- (b) provides that previous convictions for knife-related offences must be taken into account as an aggravating factor in determining the appropriate sentence for an offence under the re-enacted provision.

Schedule 2 Consequential amendments

Schedule 2 amends the following Acts consequential on Schedule 1—

- (a) *Criminal Procedure Act 1986*,
- (b) *Summary Offences Act 1988*.