

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7 March, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1967.

An Act to increase certain penalties under the Police Offences Act, 1901, the Vagrancy Act, 1902, and the Crimes Act 1900, as amended by subsequent Acts; for this and other purposes to amend those Acts, as so amended; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Police Offences, Vagrancy and Crimes (Amendment) Act, 1967".

(2) Short title and citation.

Police Offences, Vagrancy and Crimes (Amendment).

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1967.

2. The Police Offences Act, 1901, as amended by subsequent Acts, is amended— Amendment of Act No. 5, 1901.

- (a) by omitting from section six the words “four dollars” and by inserting in lieu thereof the words “ten dollars”; Sec. 6. (Being found drunk in a public place.)
- 10 (b) by omitting from section seven the words “six dollars” and by inserting in lieu thereof the words “thirty dollars”; Sec. 7. (Being found drunk and disorderly in a public place.)
- 15 (c) by omitting from section eight the words “shall be liable to a penalty not exceeding four dollars” and by inserting in lieu thereof the following words :— Sec. 8. (Certain offences in public places to annoyance, &c., of residents, &c.)
 - (a) where he plays at any game in contravention of this section, be liable to a penalty not exceeding twenty dollars; and
 - 20 (b) in any other case, be liable to a penalty not exceeding four dollars”;
- (d) by omitting from section 8A the words “four dollars” and by inserting in lieu thereof the words “fifty dollars”; Sec. 8A. (Selling detonators.)
- 25 (e) by omitting from section nine the words “makes or assists in making any bonfire, or lets off any fire-work; or,”; Sec. 9. (Riding or driving furiously in street.)

(f)

Police Offences, Vagrancy and Crimes (Amendment).

- (f) by inserting next after section nine the following New sec. 9A.
new section :—

5 9A. Whosoever in any street or public place Making bon-
makes or assists in making any bonfire, or fires or
lets off any firework, shall be liable to a penalty not letting off
exceeding twenty dollars. fireworks in
street or
public
place.

- (g) by omitting from section thirteen the words “four Sec. 13.
dollars” and by inserting in lieu thereof the words (Street
“twenty dollars”; musicians
not departing
when desired
so to do.)

10 (h) by omitting from subsection three of section Sec. 18.
eighteen the words “imprisonment for one month (Commis-
or to a penalty not exceeding twenty dollars” and sioner of
by inserting in lieu thereof the words “a penalty Police to
not exceeding one hundred dollars or to imprison- make regu-
15 ment for a term not exceeding three months or to lations for
both such penalty and imprisonment”; preventing
obstructions
in the streets
during pub-
lic proces-
sions, &c.)

(i) by omitting from section twenty-seven the words Sec. 27.
“twenty dollars or to imprisonment for a term not (Persons
exceeding three months” and by inserting in lieu unlawfully
20 thereof the words “two hundred dollars or to in posses-
imprisonment for a term not exceeding six months sion of
or to both such penalty and imprisonment”; property.)

(j) (i) by omitting from subsection two of section Sec. 29.
twenty-nine the words “twenty dollars,” and (Person
25 by inserting in lieu thereof the words “two from whom
hundred dollars”; stolen goods
are said to
have been
received

(ii) by omitting from the same subsection the to be
30 words “three months” and by inserting in lieu examined by
thereof the words “six months or to both such the Justice.)
penalty and imprisonment”;

(k)

Police Offences, Vagrancy and Crimes (Amendment).

- (k) by omitting from subsection six of section 41C the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41C. (Penalty on using, buying, selling, or having a firearm or air gun.)
- 5 (l) by omitting from subsection one of section 41E the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41E. (Restriction on sale of certain cartridges to young persons.)
- (m) by omitting from section 41H the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41H. (Precaution to be taken by owners.)
- 10 (n) by omitting from section 41L the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41L. (Liability of parent or guardian.)
- 15 (o) by omitting from section 41M the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41M. (Discharging firearms or air guns in street, etc.)
- (p) by omitting from section fifty-nine the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 59. (Assault on constable.)
- 20 (q) by omitting from section sixty the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 60. (Penalty on persons harbouring constables during the hours of duty.)

(r)

Police Offences, Vagrancy and Crimes (Amendment).

- (r) by omitting from subsection one of section seventy- two the words "four dollars" and by inserting in lieu thereof the words "twenty dollars"; Sec. 72. (Placing carriages, goods, &c., on footways, &c., and not removing same when required.)
- (s) by omitting section seventy-five; Sec. 75. (Letting off firework in street.)
- 5 (t) by omitting from section seventy-eight the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 78. (Indecent exposure of the person.)
- 10 (u) by omitting from section one hundred and eight the words "twenty dollars" and by inserting in lieu thereof the words "two hundred dollars". Sec. 108. (Assaulting or resisting special constables.)
3. The Vagrancy Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 74, 1902.
- (a) (i) by inserting in subsection one of section four after the word "liable" the words "to a penalty not exceeding two hundred dollars or"; Sec. 4. (Punishment of idle and disorderly persons.)
- 15 (ii) by inserting in the same subsection after the words "six months" the words "or to both such penalty and imprisonment";
- 20 (iii) by omitting from paragraph (iii) of the proviso to the same subsection the words "the Minister." and by inserting in lieu thereof the following words :—
- 25 "the Minister,
and may, whether or not he exercises his powers under paragraph (i), (ii) or (iii) of this proviso, impose the pecuniary penalty as aforesaid.";
- (iv)

Police Offences, Vagrancy and Crimes (Amendment).

- (iv) by inserting in subsection two of the same section after the word "liable" the words "to a penalty not exceeding two hundred dollars or";
- 5 (v) by inserting in the same subsection after the word "months" the words "or to both such penalty and imprisonment";
- (b) by omitting from section seven the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- 10 Sec. 7.
(Obscene language or writing in a public street.)
- (c) by omitting from section 8A the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 8A.
(Insulting behaviour, &c.)
- (d) by omitting from section 8B the words "forty dollars, or, in the discretion of the justices, to be imprisoned for any term not exceeding six months" and by inserting in lieu thereof the words "two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment";
- 15 Sec. 8B.
(Penalty on owner, occupier, or agent of house for permitting prostitution therein.)
- (e) by omitting from section thirteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 13.
(Penalty.)
- (f) by omitting from section fourteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars".
- 25 Sec. 14.
(Penalty.)
4. The Crimes Act 1900, as amended by subsequent Acts, is amended—
- Amendment of Act No. 40, 1900.
- (a) by omitting from section four hundred and ninety-three the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- 30 Sec. 493.
(Common assaults.)
- (b)

Police Offences, Vagrancy and Crimes (Amendment).

- (b) by omitting from section four hundred and ninety- Sec. 494.
four the words "forty dollars" and by inserting in (Aggravated
lieu thereof the words "two hundred dollars". assaults.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

[10c]

No. , 1967.

A BILL

To increase certain penalties under the Police Offences Act, 1901, the Vagrancy Act, 1902, and the Crimes Act 1900, as amended by subsequent Acts; for this and other purposes to amend those Acts, as so amended; and for purposes connected therewith.

[MR WILLIS—28 February, 1967.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Police Offences, Vagrancy and Crimes (Amendment) Act, 1967".
- (2) Short title and citation.

Police Offences, Vagrancy and Crimes (Amendment).

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1967.

2. The Police Offences Act, 1901, as amended by subsequent Acts, is amended—
- Amendment of Act No. 5, 1901.
- (a) by omitting from section six the words “four dollars” and by inserting in lieu thereof the words “ten dollars”;
- Sec. 6. (Being found drunk in a public place.)
- 10 (b) by omitting from section seven the words “six dollars” and by inserting in lieu thereof the words “thirty dollars”;
- Sec. 7. (Being found drunk and disorderly in a public place.)
- (c) by omitting from section eight the words “shall be liable to a penalty not exceeding four dollars” and by inserting in lieu thereof the following words :—
- 15 “shall—
- (a) where he plays at any game in contravention of this section, be liable to a penalty not exceeding twenty dollars; and
- 20 (b) in any other case, be liable to a penalty not exceeding four dollars”;
- (d) by omitting from section 8A the words “four dollars” and by inserting in lieu thereof the words “fifty dollars”;
- 25 (e) by omitting from section nine the words “makes or assists in making any bonfire, or lets off any fire-work; or,”;
- Sec. 8A. (Selling detonators.)
- Sec. 9. (Riding or driving furiously in street.)
- (f)

Police Offences, Vagrancy and Crimes (Amendment).

- (f) by inserting next after section nine the following new section :— New sec. 9A.
- 5 9A. Whosoever in any street or public place makes or assists in making any bonfire, or lets off any firework, shall be liable to a penalty not exceeding twenty dollars. Making bonfires or letting off fireworks in street or public place.
- (g) by omitting from section thirteen the words “four dollars” and by inserting in lieu thereof the words “twenty dollars”; Sec. 13. (Street musicians not departing when desired so to do.)
- 10 (h) by omitting from subsection three of section eighteen the words “imprisonment for one month or to a penalty not exceeding twenty dollars” and by inserting in lieu thereof the words “a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such penalty and imprisonment”; Sec. 18. (Commissioner of Police to make regulations for preventing obstructions in the streets during public processions, &c.)
- 15 (i) by omitting from section twenty-seven the words “twenty dollars or to imprisonment for a term not exceeding three months” and by inserting in lieu thereof the words “two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment”; Sec. 27. (Persons unlawfully in possession of property.)
- 20 (j) (i) by omitting from subsection two of section twenty-nine the words “twenty dollars,” and by inserting in lieu thereof the words “two hundred dollars”; Sec. 29. (Person from whom stolen goods are said to have been received to be examined by the Justice.)
- 25 (ii) by omitting from the same subsection the words “three months” and by inserting in lieu thereof the words “six months or to both such penalty and imprisonment”;
- 30

(k)

Police Offences, Vagrancy and Crimes (Amendment).

- (k) by omitting from subsection six of section 41C the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41C. (Penalty on using, buying, selling, or having a firearm or air gun.)
- 5 (l) by omitting from subsection one of section 41E the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41E. (Restriction on sale of certain cartridges to young persons.)
- (m) by omitting from section 41H the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41H. (Precaution to be taken by owners.)
- 10 (n) by omitting from section 41L the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41L. (Liability of parent or guardian.)
- 15 (o) by omitting from section 41M the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41M. (Discharging firearms or air guns in street, etc.)
- (p) by omitting from section fifty-nine the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 59. (Assault on constable.)
- 20 (q) by omitting from section sixty the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 60. (Penalty on persons harbouring constables during the hours of duty.)
- (r)

Police Offences, Vagrancy and Crimes (Amendment).

- (r) by omitting from subsection one of section seventy-
two the words "four dollars" and by inserting in
lieu thereof the words "twenty dollars";
- (s) by omitting section seventy-five;
- 5 (t) by omitting from section seventy-eight the words
"twenty dollars" and by inserting in lieu thereof
the words "one hundred dollars";
- 10 (u) by omitting from section one hundred and eight the
words "twenty dollars" and by inserting in lieu
thereof the words "two hundred dollars".
3. The Vagrancy Act, 1902, as amended by subsequent
Acts, is amended—
- 15 (a) (i) by inserting in subsection one of section four
after the word "liable" the words "to a
penalty not exceeding two hundred dollars
or";
- (ii) by inserting in the same subsection after the
words "six months" the words "or to both
such penalty and imprisonment";
- 20 (iii) by omitting from paragraph (iii) of the
proviso to the same subsection the words "the
Minister." and by inserting in lieu thereof the
following words :—
"the Minister,
25 and may, whether or not he exercises his
powers under paragraph (i), (ii) or (iii) of
this proviso, impose the pecuniary penalty as
aforesaid.";
- (iv)

Sec. 72.
(Placing
carriages,
goods, &c.,
on footways,
&c., and not
removing
same when
required.)

Sec. 75.
(Letting off
firework in
street.)

Sec. 78.
(Indecent
exposure
of the
person.)

Sec. 108.
(Assaulting
or resisting
special
constables.)

Amendment
of Act No.
74, 1902.

Sec. 4.
(Punishment
of idle and
disorderly
persons.)

Police Offences, Vagrancy and Crimes (Amendment).

- (iv) by inserting in subsection two of the same section after the word "liable" the words "to a penalty not exceeding two hundred dollars or";
- 5 (v) by inserting in the same subsection after the word "months" the words "or to both such penalty and imprisonment";
- (b) by omitting from section seven the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 7. (Obscene language or writing in a public street.)
- 10 (c) by omitting from section 8A the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 8A. (Insulting behaviour, &c.)
- (d) by omitting from section 8B the words "forty dollars, or, in the discretion of the justices, to be imprisoned for any term not exceeding six months" and by inserting in lieu thereof the words "two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment"; Sec. 8B. (Penalty on owner, occupier, or agent of house for permitting prostitution therein.)
- 15 (e) by omitting from section thirteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 13. (Penalty.)
- 20 (f) by omitting from section fourteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars". Sec. 14. (Penalty.)
- 25
- 4. The Crimes Act 1900, as amended by subsequent Acts, is amended— Amendment of Act No. 40, 1900.
- (a) by omitting from section four hundred and ninety-three the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 493. (Common assaults.)
- 30 (b)

Police Offences, Vagrancy and Crimes (Amendment).

- (b) by omitting from section four hundred and ninety- Sec. 494.
four the words "forty dollars" and by inserting in (Aggravated
lieu thereof the words "two hundred dollars". assaults.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[10c]

**POLICE OFFENCES, VAGRANCY AND CRIMES
(AMENDMENT) BILL, 1967.**

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to increase certain penalties under the Police Offences Act, 1901, the Vagrancy Act, 1902, and the Crimes Act 1900, as amended by subsequent Acts; and
- (b) to make other provisions incidental to or consequential upon the foregoing.

THE FEDERAL BUREAU OF INVESTIGATION
AND CRIME PREVENTION

EXHIBIT

...

PROOF

No. , 1967.

A BILL

To increase certain penalties under the Police Offences Act, 1901, the Vagrancy Act, 1902, and the Crimes Act 1900, as amended by subsequent Acts; for this and other purposes to amend those Acts, as so amended; and for purposes connected therewith.

[MR WILLIS—28 February, 1967.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Police Offences, Vagrancy and Crimes (Amendment) Act, 1967".

(2) Short title and citation.

Police Offences, Vagrancy and Crimes (Amendment).

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1967.

2. The Police Offences Act, 1901, as amended by sub-
5 sequent Acts, is amended—
- (a) by omitting from section six the words “four
dollars” and by inserting in lieu thereof the words
“ten dollars”; Sec. 6.
(Being found drunk in a public place.)
- 10 (b) by omitting from section seven the words “six
dollars” and by inserting in lieu thereof the words
“thirty dollars”; Sec. 7.
(Being found drunk and disorderly in a public place.)
- (c) by omitting from section eight the words “shall be
liable to a penalty not exceeding four dollars” and
by inserting in lieu thereof the following words :—
15 “shall— Sec. 8.
(Certain offences in public places to annoyance, &c., of residents, &c.)
- (a) where he plays at any game in contra-
vention of this section, be liable to a
penalty not exceeding twenty dollars;
and
- 20 (b) in any other case, be liable to a penalty
not exceeding four dollars”;
- (d) by omitting from section 8A the words “four
dollars” and by inserting in lieu thereof the words
“fifty dollars”; Sec. 8A.
(Selling detonators.)
- 25 (e) by omitting from section nine the words “makes or
assists in making any bonfire, or lets off any fire-
work; or,”; Sec. 9.
(Riding or driving furiously in street.)

(f)

Police Offences, Vagrancy and Crimes (Amendment).

- (k) by omitting from subsection six of section 41C the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41C. (Penalty on using, buying, selling, or having a firearm or air gun.)
- 5 (l) by omitting from subsection one of section 41E the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41E. (Restriction on sale of certain cartridges to young persons.)
- (m) by omitting from section 41H the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41H. (Precaution to be taken by owners.)
- 10 (n) by omitting from section 41L the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41L. (Liability of parent or guardian.)
- 15 (o) by omitting from section 41M the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 41M. (Discharging firearms or air guns in street, etc.)
- (p) by omitting from section fifty-nine the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 59. (Assault on constable.)
- 20 (q) by omitting from section sixty the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 60. (Penalty on persons harbouring constables during the hours of duty.)

(r)

Police Offences, Vagrancy and Crimes (Amendment).

- (r) by omitting from subsection one of section seventy- two the words "four dollars" and by inserting in lieu thereof the words "twenty dollars"; Sec. 72. (Placing carriages, goods, &c., on footways, &c., and not removing same when required.)
- (s) by omitting section seventy-five; Sec. 75. (Letting off firework in street.)
- 5 (t) by omitting from section seventy-eight the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 78. (Indecent exposure of the person.)
- 10 (u) by omitting from section one hundred and eight the words "twenty dollars" and by inserting in lieu thereof the words "two hundred dollars". Sec. 108. (Assaulting or resisting special constables.)
3. The Vagrancy Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 74, 1902.
- 15 (a) (i) by inserting in subsection one of section four after the word "liable" the words "to a penalty not exceeding two hundred dollars or"; Sec. 4. (Punishment of idle and disorderly persons.)
- (ii) by inserting in the same subsection after the words "six months" the words "or to both such penalty and imprisonment";
- 20 (iii) by omitting from paragraph (iii) of the proviso to the same subsection the words "the Minister." and by inserting in lieu thereof the following words :—
- 25 "the Minister,
and may, whether or not he exercises his powers under paragraph (i), (ii) or (iii) of this proviso, impose the pecuniary penalty as aforesaid.";
- (iv)

Police Offences, Vagrancy and Crimes (Amendment).

- (iv) by inserting in subsection two of the same section after the word "liable" the words "to a penalty not exceeding two hundred dollars or";
- 5 (v) by inserting in the same subsection after the word "months" the words "or to both such penalty and imprisonment";
- 10 (b) by omitting from section seven the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 7. (Obscene language or writing in a public street.)
- (c) by omitting from section 8A the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 8A. (Insulting behaviour, &c.)
- 15 (d) by omitting from section 8B the words "forty dollars, or, in the discretion of the justices, to be imprisoned for any term not exceeding six months" and by inserting in lieu thereof the words "two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment"; Sec. 8B. (Penalty on owner, occupier, or agent of house for permitting prostitution therein.)
- 20 (e) by omitting from section thirteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars"; Sec. 13. (Penalty.)
- 25 (f) by omitting from section fourteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars". Sec. 14. (Penalty.)
4. The Crimes Act 1900, as amended by subsequent Acts, is amended— Amendment of Act No. 40, 1900.
- 30 (a) by omitting from section four hundred and ninety-three the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 493. (Common assaults.)
- (b)

Police Offences, Vagrancy and Crimes (Amendment).

- (b) by omitting from section four hundred and ninety-^{Sec. 494.}
four the words "forty dollars" and by inserting in (Aggravated
lieu thereof the words "two hundred dollars". ^{assaults.)}

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

Police Officers, Papanoy and Cairns (Chauvinism)

(b) by omitting from section four hundred and ninety
two the words "forty dollars" and by inserting in
section four hundred and ninety three the words "two hundred dollars"

Section 492

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 19, 1967.

An Act to increase certain penalties under the Police Offences Act, 1901, the Vagrancy Act, 1902, and the Crimes Act 1900, as amended by subsequent Acts; for this and other purposes to amend those Acts, as so amended; and for purposes connected therewith. [Assented to, 23rd March, 1967.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Police Offences, Vagrancy and Crimes (Amendment) Act, 1967".

Short title
and
citation.
(2)

Police Offences, Vagrancy and Crimes (Amendment).

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1967.

- Amendment of Act No. 5, 1901.
2. The Police Offences Act, 1901, as amended by subsequent Acts, is amended—
- Sec. 6.
(Being found drunk in a public place.)
- (a) by omitting from section six the words “four dollars” and by inserting in lieu thereof the words “ten dollars”;
- Sec. 7.
(Being found drunk and disorderly in a public place.)
- (b) by omitting from section seven the words “six dollars” and by inserting in lieu thereof the words “thirty dollars”;
- Sec. 8.
(Certain offences in public places to annoyance, &c., of residents, &c.)
- (c) by omitting from section eight the words “shall be liable to a penalty not exceeding four dollars” and by inserting in lieu thereof the following words :—
- “shall—
- (a) where he plays at any game in contravention of this section, be liable to a penalty not exceeding twenty dollars; and
- (b) in any other case, be liable to a penalty not exceeding four dollars”;
- Sec. 8A.
(Selling detonators.)
- (d) by omitting from section 8A the words “four dollars” and by inserting in lieu thereof the words “fifty dollars”;
- Sec. 9.
(Riding or driving furiously in street.)
- (e) by omitting from section nine the words “makes or assists in making any bonfire, or lets off any firework; or,”;

(f)

Police Offences, Vagrancy and Crimes (Amendment).

- (f) by inserting next after section nine the following new section :—
- New sec. 9A.
- 9A. Whosoever in any street or public place makes or assists in making any bonfire, or lets off any firework, shall be liable to a penalty not exceeding twenty dollars.
- Making bonfires or letting off fireworks in street or public place.
- (g) by omitting from section thirteen the words “four dollars” and by inserting in lieu thereof the words “twenty dollars”;
- Sec. 13.
(Street musicians not departing when desired so to do.)
- (h) by omitting from subsection three of section eighteen the words “imprisonment for one month or to a penalty not exceeding twenty dollars” and by inserting in lieu thereof the words “a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such penalty and imprisonment”;
- Sec. 18.
(Commissioner of Police to make regulations for preventing obstructions in the streets during public processions, &c.)
- (i) by omitting from section twenty-seven the words “twenty dollars or to imprisonment for a term not exceeding three months” and by inserting in lieu thereof the words “two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment”;
- Sec. 27.
(Persons unlawfully in possession of property.)
- (j) (i) by omitting from subsection two of section twenty-nine the words “twenty dollars,” and by inserting in lieu thereof the words “two hundred dollars”;
- Sec. 29.
(Person from whom stolen goods are said to have been received to be examined by the Justice.)
- (ii) by omitting from the same subsection the words “three months” and by inserting in lieu thereof the words “six months or to both such penalty and imprisonment”;

(k)

Police Offences, Vagrancy and Crimes (Amendment).

- Sec. 41C.
(Penalty on using, buying, selling, or having a firearm or air gun.)
- (k) by omitting from subsection six of section 41C the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41E.
(Restriction on sale of certain cartridges to young persons.)
- (l) by omitting from subsection one of section 41E the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41H.
(Precaution to be taken by owners.)
- (m) by omitting from section 41H the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41L.
(Liability of parent or guardian.)
- (n) by omitting from section 41L the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41M.
(Discharging firearms or air guns in street, etc.)
- (o) by omitting from section 41M the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 59.
(Assault on constable.)
- (p) by omitting from section fifty-nine the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 60.
(Penalty on persons harbouring constables during the hours of duty.)
- (q) by omitting from section sixty the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";

(r)

Police Offences, Vagrancy and Crimes (Amendment).

- (r) by omitting from subsection one of section seventy-two the words "four dollars" and by inserting in lieu thereof the words "twenty dollars"; Sec. 72.
(Placing carriages, goods, &c., on footways, &c., and not removing same when required.)
- (s) by omitting section seventy-five; Sec. 75.
(Letting off firework in street.)
- (t) by omitting from section seventy-eight the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 78.
(Indecent exposure of the person.)
- (u) by omitting from section one hundred and eight the words "twenty dollars" and by inserting in lieu thereof the words "two hundred dollars". Sec. 108.
(Assaulting or resisting special constables.)
- 3. The Vagrancy Act, 1902, as amended by subsequent Acts, is amended—** Amendment of Act No. 74, 1902.
- (a) (i) by inserting in subsection one of section four after the word "liable" the words "to a penalty not exceeding two hundred dollars or"; Sec. 4.
(Punishment of idle and disorderly persons.)
- (ii) by inserting in the same subsection after the words "six months" the words "or to both such penalty and imprisonment";
- (iii) by omitting from paragraph (iii) of the proviso to the same subsection the words "the Minister." and by inserting in lieu thereof the following words :—
 "the Minister,
 and may, whether or not he exercises his powers under paragraph (i), (ii) or (iii) of this proviso, impose the pecuniary penalty as aforesaid.";
- (iv)

Police Offences, Vagrancy and Crimes (Amendment).

- (iv) by inserting in subsection two of the same section after the word "liable" the words "to a penalty not exceeding two hundred dollars or";
- (v) by inserting in the same subsection after the word "months" the words "or to both such penalty and imprisonment";
- Sec. 7.
(Obscene language or writing in a public street.)
- (b) by omitting from section seven the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 8A.
(Insulting behaviour, &c.)
- (c) by omitting from section 8A the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 8B.
(Penalty on owner, occupier, or agent of house for permitting prostitution therein.)
- (d) by omitting from section 8B the words "forty dollars, or, in the discretion of the justices, to be imprisoned for any term not exceeding six months" and by inserting in lieu thereof the words "two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment";
- Sec. 13.
(Penalty.)
- (e) by omitting from section thirteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 14.
(Penalty.)
- (f) by omitting from section fourteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars".
- Amendment of Act No. 40, 1900.
4. The Crimes Act 1900, as amended by subsequent Acts, is amended—
- Sec. 493.
(Common assaults.)
- (a) by omitting from section four hundred and ninety-three the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- (b)

Police Offences, Vagrancy and Crimes (Amendment).

- (b) by omitting from section four hundred and ninety-four the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars". Sec. 494. (Aggravated assaults.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

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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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 14 March, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 19, 1967.

An Act to increase certain penalties under the Police Offences Act, 1901, the Vagrancy Act, 1902, and the Crimes Act 1900, as amended by subsequent Acts; for this and other purposes to amend those Acts, as so amended; and for purposes connected therewith. [Assented to, 23rd March, 1967.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Police Offences, Vagrancy and Crimes (Amendment) Act, 1967".
- (2) Short title and citation.

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Police Offences, Vagrancy and Crimes (Amendment).

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901–1967.

Amendment of Act No. 5, 1901. **2.** The Police Offences Act, 1901, as amended by subsequent Acts, is amended—

Sec. 6.
(Being found drunk in a public place.) (a) by omitting from section six the words “four dollars” and by inserting in lieu thereof the words “ten dollars”;

Sec. 7.
(Being found drunk and disorderly in a public place.) (b) by omitting from section seven the words “six dollars” and by inserting in lieu thereof the words “thirty dollars”;

Sec. 8.
(Certain offences in public places to annoyance, &c., of residents, &c.) (c) by omitting from section eight the words “shall be liable to a penalty not exceeding four dollars” and by inserting in lieu thereof the following words :—
“shall—

(a) where he plays at any game in contravention of this section, be liable to a penalty not exceeding twenty dollars; and

(b) in any other case, be liable to a penalty not exceeding four dollars”;

Sec. 8A.
(Selling detonators.) (d) by omitting from section 8A the words “four dollars” and by inserting in lieu thereof the words “fifty dollars”;

Sec. 9.
(Riding or driving furiously in street.) (e) by omitting from section nine the words “makes or assists in making any bonfire, or lets off any firework; or,”;

(f)

Police Offences, Vagrancy and Crimes (Amendment).

- (f) by inserting next after section nine the following New sec. 9A.
new section :—
- 9A. Whosoever in any street or public place Making bon-
makes or assists in making any bonfire, or lets fires or
off any firework, shall be liable to a penalty not letting off
exceeding twenty dollars. fireworks in
street or
public
place.
- (g) by omitting from section thirteen the words “four Sec. 13.
dollars” and by inserting in lieu thereof the words (Street
“twenty dollars”; musicians
not departing
when desired
so to do.)
- (h) by omitting from subsection three of section Sec. 18.
eighteen the words “imprisonment for one month (Commis-
or to a penalty not exceeding twenty dollars” and sioner of
by inserting in lieu thereof the words “a penalty Police to
not exceeding one hundred dollars or to imprison- make regu-
ment for a term not exceeding three months or to lations for
both such penalty and imprisonment”; preventing
obstructions
in the streets
during pub-
lic proces-
sions, &c.)
- (i) by omitting from section twenty-seven the words Sec. 27.
“twenty dollars or to imprisonment for a term not (Persons
exceeding three months” and by inserting in lieu unlawfully
thereof the words “two hundred dollars or to in posses-
imprisonment for a term not exceeding six months sion of
or to both such penalty and imprisonment”; property.)
- (j) (i) by omitting from subsection two of section Sec. 29.
twenty-nine the words “twenty dollars,” and (Person
by inserting in lieu thereof the words “two from whom
hundred dollars”; stolen goods
are said to
have been
received
to be
examined by
the Justice.)
- (ii) by omitting from the same subsection the
words “three months” and by inserting in lieu
thereof the words “six months or to both such
penalty and imprisonment”;

(k)

Police Offences, Vagrancy and Crimes (Amendment).

- Sec. 41C.
(Penalty on using, buying, selling, or having a firearm or air gun.)
- (k) by omitting from subsection six of section 41C the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41E.
(Restriction on sale of certain cartridges to young persons.)
- (l) by omitting from subsection one of section 41E the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41H.
(Precaution to be taken by owners.)
- (m) by omitting from section 41H the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41L.
(Liability of parent or guardian.)
- (n) by omitting from section 41L the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 41M.
(Discharging firearms or air guns in street, etc.)
- (o) by omitting from section 41M the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- Sec. 59.
(Assault on constable.)
- (p) by omitting from section fifty-nine the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 60.
(Penalty on persons harbouring constables during the hours of duty.)
- (q) by omitting from section sixty the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";

(r)

Police Offences, Vagrancy and Crimes (Amendment).

- (r) by omitting from subsection one of section seventy-two the words "four dollars" and by inserting in lieu thereof the words "twenty dollars"; Sec. 72.
(Placing carriages, goods, &c., on footways, &c., and not removing same when required.)
- (s) by omitting section seventy-five; Sec. 75.
(Letting off firework in street.)
- (t) by omitting from section seventy-eight the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars"; Sec. 78.
(Indecent exposure of the person.)
- (u) by omitting from section one hundred and eight the words "twenty dollars" and by inserting in lieu thereof the words "two hundred dollars". Sec. 108.
(Assaulting or resisting special constables.)
3. The Vagrancy Act, 1902, as amended by subsequent Acts, is amended— Amendment of Act No. 74, 1902.
- (a) (i) by inserting in subsection one of section four after the word "liable" the words "to a penalty not exceeding two hundred dollars or"; Sec. 4.
(Punishment of idle and disorderly persons.)
- (ii) by inserting in the same subsection after the words "six months" the words "or to both such penalty and imprisonment";
- (iii) by omitting from paragraph (iii) of the proviso to the same subsection the words "the Minister." and by inserting in lieu thereof the following words :—
"the Minister,
and may, whether or not he exercises his powers under paragraph (i), (ii) or (iii) of this proviso, impose the pecuniary penalty as aforesaid.";
- (iv)

Police Offences, Vagrancy and Crimes (Amendment).

- (iv) by inserting in subsection two of the same section after the word "liable" the words "to a penalty not exceeding two hundred dollars or";
- (v) by inserting in the same subsection after the word "months" the words "or to both such penalty and imprisonment";
- Sec. 7.
(Obscene language or writing in a public street.)
- (b) by omitting from section seven the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 8A.
(Insulting behaviour, &c.)
- (c) by omitting from section 8A the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 8B.
(Penalty on owner, occupier, or agent of house for permitting prostitution therein.)
- (d) by omitting from section 8B the words "forty dollars, or, in the discretion of the justices, to be imprisoned for any term not exceeding six months" and by inserting in lieu thereof the words "two hundred dollars or to imprisonment for a term not exceeding six months or to both such penalty and imprisonment";
- Sec. 13.
(Penalty.)
- (e) by omitting from section thirteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars";
- Sec. 14.
(Penalty.)
- (f) by omitting from section fourteen the words "ten dollars" and by inserting in lieu thereof the words "fifty dollars".
- Amendment of Act No. 40, 1900.
- 4. The Crimes Act 1900, as amended by subsequent Acts, is amended—**
- Sec. 493.
(Common assaults.)
- (a) by omitting from section four hundred and ninety-three the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars";
- (b)

Police Offences, Vagrancy and Crimes (Amendment).

- (b) by omitting from section four hundred and ninety-^{Sec. 494.}
four the words "forty dollars" and by inserting in (Aggravated
lieu thereof the words "two hundred dollars". ^{assaults.)}

*In the name and on behalf of Her Majesty I assent to
this Act.*

A. R. CUTLER,
Governor.

*Government House,
Sydney, 23rd March, 1967.*

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Police Officer, Light and Camera (Kathmann)

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