

**CRIMES (SECURITIES INDUSTRY) AMENDMENT
ACT, 1981, No. 65**

New South Wales



ANNO TRICESIMO

ELIZABETHÆ II REGINÆ

Act No. 65, 1981.

An Act to amend the Crimes Act, 1900, consequent upon the enactment of the Securities Industry (Application of Laws) Act, 1981, and certain other Acts. [Assented to, 28th May, 1981.]

Crimes (Securities Industry) Amendment.

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 :—

Short title.

1. This Act may be cited as the "Crimes (Securities Industry) Amendment Act, 1981".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Securities Industry (Application of Laws) Act, 1981.

Amendment of Act No. 40, 1900.

3. The Crimes Act, 1900, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENT TO THE CRIMES ACT, 1900.

(1) Section 475A (2), (3)—

After "(d)" wherever occurring, insert ", (d1)".

Crimes (Securities Industry) Amendment.

(2) (a) Tenth Schedule—

After paragraph (d), insert :—

(d1) Any offence arising under, or the common law offence of attempting, or of conspiracy, to commit any offence arising under—

(i) section 37 (1), 73 (7), 124 (1) or (2), 125, 126, 128 (1), (2), (3), (4), (5) or (6) or 137 of the Securities Industry (New South Wales) Code; or

(ii) section 16 (1) of the National Companies and Securities Commission (State Provisions) Act, 1981.

(b) Tenth Schedule—

Omit paragraph (f), insert instead :—

(f) Subject to section 475A (2) of this Act, any offence arising under, or the common law offence of attempting, or of conspiracy, to commit any offence arising under—

(i) section 165, 166, 168, 169, 170, 172, 178A, 178BA, 178BB, 178C, 185, 252, 256, 257, 258, 259, 272, 273, 274, 275, 276, 292, 327, 330 or 339 of this Act;

(ii) section 47 (1), 51 (3), 64 (10), 86 (1), 163 (1) (being an offence committed as referred to in section 163 (3)), 179A (1), 180J (1) or (1A), 180W or 374F (1) or (2) of the Companies Act, 1961;

(iii) section 12 (6), 25 (1), 54 (1) or 58 (1), (2), (3) or (4) of the Securities Industry Act, 1975;

Crimes (Securities Industry) Amendment.

- (iv) section 14 (6), 34 (1), 68 (1) or 72 (1), (2), (3) or (4) of the Securities Industry (New South Wales) Code; or
- (v) section 44 or 53 of the Companies (Acquisition of Shares) (New South Wales) Code.

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

J. A. ROWLAND,
Governor.

*Government House,
Sydney, 28th May, 1981.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981

**CRIMES (SECURITIES INDUSTRY) AMENDMENT
BILL, 1981**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the National Companies and Securities Commission (State Provisions) Bill, 1981.

The object of this Bill is to amend the Crimes Act, 1900, consequent upon the enactment of the Securities Industry (Application of Laws) Bill, 1981, the National Companies and Securities Commission (State Provisions) Bill, 1981, and the Companies (Acquisition of Shares) (Application of Laws) Bill, 1981.

The Bill inserts into the Tenth Schedule to the Crimes Act, 1900, references to certain offences which may be dealt with by the Supreme Court in its summary jurisdiction. The offences are substantially the same as offences (already specified in that Schedule) that are created under provisions that are to be repealed or included by the Bills mentioned above.

*(This Bill amends the Crimes Act, 1900, consequent upon the
enactment of the Securities Industry (Application of Laws)
Bill, 1981, and certain other Bills.)*

(The Warrant of Committal, 1981.)

FINANCIAL SERVICES (SECURITIES INDUSTRY) AMENDMENT
BILL, 1981

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament.)

This Bill is cognate with the National Companies and Securities Commission (State Provisions) Bill, 1981.

The object of this Bill is to amend the Companies Act, 1980, consequent upon the enactment of the Securities Industry (Application of Law) Bill, 1981, the National Companies and Securities Commission (State Provisions) Bill, 1981, and the Companies (Acquisition of Shares) (Application of Law) Bill, 1981.

The Bill inserts into the Fourth Schedule to the Companies Act, 1980, references to certain offences which may be dealt with by the Supreme Court in its summary jurisdiction. The offences are substantially the same as offences already specified in that schedule, but are created under provisions that are to be repealed or amended by the Bills mentioned above.

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**CRIMES (SECURITIES INDUSTRY) AMENDMENT
BILL, 1981**

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 a public Act of the same, as follows:—

3 Short title.

1. This Act may be cited as the Crimes (Securities Industry) Amendment Act, 1981.

Commencement.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

No. , 1981.

(2) Except as provided in subsection (1), this Act shall

commence on the day appointed and notified under section 3 of the Securities Industry (Application of Laws) Act, 1981.

A BILL FOR

An Act to amend the Crimes Act, 1900, consequent upon the enactment of the Securities Industry (Application of Laws) Act, 1981, and certain other Acts.

[MR WALKER—18 March, 1981.]

SCHEDULE 1

(Sec. 3.)

AMENDMENT TO THE CRIMES ACT, 1900.

20 (1) Section 472A (2), (3) —

84194J 316—After " (d) " wherever occurring, insert " (d) "

Crimes (Securities Industry) Amendment.

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 :—

5 Short title.

1. This Act may be cited as the "Crimes (Securities Industry) Amendment Act, 1981".

Commencement.

2. (1) This section and section 1 shall commence on the date 10 of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Securities Industry (Application of Laws) Act, 1981.

Amendment of Act No. 40, 1900.

15 3. The Crimes Act, 1900, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENT TO THE CRIMES ACT, 1900.

20 (1) Section 475A (2), (3)—

After "(d)" wherever occurring, insert ", (d1)".

Crimes (Securities Industry) Amendment.

(2) (a) Tenth Schedule—

After paragraph (d), insert :—

- 5 (d1) Any offence arising under, or the common law offence of attempting, or of conspiracy, to commit any offence arising under—
- 10 (i) section 37 (1), 73 (7), 124 (1) or (2), 125, 126, 128 (1), (2), (3), (4), (5) or (6) or 137 of the Securities Industry (New South Wales) Code; or
- (ii) section 16 (1) of the National Companies and Securities Commission (State Provisions) Act, 1981.

(b) Tenth Schedule—

15 Omit paragraph (f), insert instead :—

- (f) Subject to section 475A (2) of this Act, any offence arising under, or the common law offence of attempting, or of conspiracy, to commit any offence arising under—
- 20 (i) section 165, 166, 168, 169, 170, 172, 178A, 178BA, 178BB, 178C, 185, 252, 256, 257, 258, 259, 272, 273, 274, 275, 276, 292, 327, 330 or 339 of this Act;
- 25 (ii) section 47 (1), 51 (3), 64 (10), 86 (1), 163 (1) (being an offence committed as referred to in section 163 (3)), 179A (1), 180J (1) or (1A), 180W or 374F (1) or (2) of the Companies Act, 1961;
- 30 (iii) section 12 (6), 25 (1), 54 (1) or 58 (1), (2), (3) or (4) of the Securities Industry Act, 1975;

Crimes (Securities Industry) Amendment.

- (iv) section 14 (6), 34 (1), 68 (1) or 72 (1), (2), (3) or (4) of the Securities Industry (New South Wales) Code; or
 - 5 (v) section 44 or 53 of the Companies (Acquisition of Shares) (New South Wales) Code. 2
 - (ii) section 16 (1) of the National Companies and Securities Commission (State Provisions) Act, 1981. 10
 - (b) Tenth Schedule— 12
 - (1) Subject to section 47A (2) of this Act, any offence arising under, or the common law offence of attempting to conspire, to
- BY AUTHORITY**
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981
- (i) section 165, 166, 168, 169, 170, 172, 178A, 178AB, 178C, 182, 252, 256, 257, 258, 259, 272, 273, 274, 275, 276, 292, 327, 330 or 339 of this Act; 20
 - (ii) section 47 (1), 51 (3), 64 (10), 86 (1), 163 (1) (being an offence committed as referred to in section 163 (3), 179A (1), 180A (1) or (1A), 180W or 374F (1) or (2) of the Companies Act, 1961; 22
 - (iii) section 12 (6), 22 (1), 24 (1) or 28 (1), (2), (3) or (4) of the Securities Industry Act, 1975; 30

(20c)



