INCLOSED LANDS PROTECTION (SUMMARY OFFENCES) AMENDMENT BILL, 1979

EXPLANATORY NOTE

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

This Bill is cognate with the Summary Offences (Repeal) Bill, 1979.

The object of this Bill is to amend the Inclosed Lands Protection Act, 1901, consequentially upon the repeal of the Summary Offences Act, 1970—

(a) to extend the definition of "Inclosed lands" in section 3 of the Inclosed Lands Protection Act, 1901, so that it includes buildings and structures and any part thereof and any land used in connection therewith; and

(b) to provide that a person shall not remain upon inclosed lands after he has been requested to leave by the owner, occupier or person apparently in charge.

62793J 349—

INCLOSED LANDS PROTECTION (SUMMARY OFFENCES) AMENDMENT BILL, 1979

No. , 1979.

A BILL FOR

An Act to amend the Inclosed Lands Protection Act, 1901, consequentially upon the enactment of the Summary Offences (Repeal) Act, 1979.

[MR F. J. WALKER—19 *April*, 1979.]

62793J 349—

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 **1.** This Act may be cited as the "Inclosed Lands Protection (Summary Offences) Amendment Act, 1979". Short title.

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

(2) Except as provided in subsection (1), this Act shall
10 commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Inclosed Lands Protection Act, 1901, is amended— Amendment of Act No. 33, 1901.

(a) by inserting in the definition of "Inclosed lands" in
15 section 3 after the word "recognised" the words ", and includes any building or structure or any part thereof, and any land occupied or used in connection with a building or structure or any part thereof"; Sec. 3. (Interpretation.)

(b) by omitting from section 4 (1) the words "in charge
20 of the same," and by inserting instead the words "apparently in charge of the same or remains upon the inclosed lands of another person after being requested by the owner or occupier or person apparently in charge of those lands to leave those lands,"; Sec. 4. (Penalty for unlawful entry upon inclosed lands.)

25 (c) by inserting after section 4 the following section :— Sec. 4A.

4A. Any person, who remains upon the inclosed lands of another person after being requested by the owner or occupier or the person apparently in charge of those lands to leave those lands and while remaining upon
30 those lands behaves, without reasonable excuse, in such a manner as would be likely to cause reasonable persons Behaviour causing serious alarm or affront while upon inclosed lands.

justifiably in all the circumstances to be seriously alarmed or seriously affronted, shall be liable to a penalty of $200.

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979
[8c]

INCLOSED LANDS PROTECTION (SUMMARY OFFENCES) AMENDMENT ACT, 1979, No. 73

New South Wales

ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

* *

Act No. 73, 1979.

An Act to amend the Inclosed Lands Protection Act, 1901, consequentially upon the enactment of the Summary Offences (Repeal) Act, 1979. [Assented to, 11th May, 1979.]

P 64102K [8c]

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 "Inclosed Lands Protection (Summary Offences) Amendment Act, 1979".

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 such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 33, 1901.

3. The Inclosed Lands Protection Act, 1901, is amended—

Sec. 3. (Interpretation.)

(a) by inserting in the definition of "Inclosed lands" in section 3 after the word "recognised" the words ", and includes any building or structure or any part thereof, and any land occupied or used in connection with a building or structure or any part thereof";

Sec. 4. (Penalty for unlawful entry upon inclosed lands.)

(b) by omitting from section 4 (1) the words "in charge of the same," and by inserting instead the words "apparently in charge of the same or remains upon the inclosed lands of another person after being requested by the owner or occupier or person apparently in charge of those lands to leave those lands,";

Sec. 4A.

(c) by inserting after section 4 the following section :—

Behaviour causing serious alarm or affront while upon inclosed lands.

4A. Any person, who remains upon the inclosed lands of another person after being requested by the owner or occupier or the person apparently in charge of those lands to leave those lands and while remaining upon those lands behaves, without reasonable excuse, in such a manner as would be likely to cause reasonable persons

justifiably in all the circumstances to be seriously alarmed or seriously affronted, shall be liable to a penalty of $200.

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

A. R. CUTLER,
Governor.

Government House,
Sydney, 11*th May,* 1979.

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES, 1979