

OFFENCES IN PUBLIC PLACES (AMENDMENT) BILL

EXPLANATORY NOTE

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

The object of this Bill is to repeal Section 5 of the Offences in Public Places Act, 1979 relating to the causing of serious alarm or affront.

The Bill includes a definition of offensive conduct.

The Bill creates an offence of Offensive conduct, to impose a penalty of \$400 or imprisonment for three months.

The Bill further creates an offence for writing or drawing unseemly words or obscene or indecent figures or representations and imposes a penalty of \$400 or imprisonment for three months.

The Bill further creates an offence of using unseemly language and imposes a penalty of \$400 or imprisonment for three months.

The Bill also creates an offence relating to actions which obstruct, annoy or create danger and imposes a penalty of \$100 for that offence.

OFFENCES IN PUBLIC PLACES (AMENDMENT) BILL

No. , 1983.

A BILL FOR

An Act to amend the Offences in Public Places Act, 1979, to make provision with respect to certain offences to be made punishable in a summary manner; to repeal Section 5 of the Offences in Public Places Act, 1979; and for purposes connected therewith.

[MR MOORE—17 *March*, 1983.]

Offences in Public Places (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 "Offences in Public Places (Amendment) Act, 1983".

Amendment of Act No. 96, 1979.

2. The Offences in Public Places Act, 1979, is amended in the manner 10 set forth in Schedule 1.

SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE OFFENCES IN PUBLIC PLACES ACT, 1979.

15 (1) Section 4 (1) add after the words "or requires—" the words " "offensive conduct" includes soliciting for the purposes of prostitution in or within view from a public place."

(2) Section 5—

Omit the section.

(3) Sections 4A–4C —after section 4 insert:—

20 4A. A person who in or within view from a public place or a school behaves in a riotous, indecent, offensive, threatening or insulting manner is guilty of an offence.

Penalty: Four hundred dollars or imprisonment for three months.

Offences in Public Places (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE OFFENCES IN PUBLIC PLACES ACT, 1979—*continued.*

- 5 4B. A person who, whether or not in a public place or a school, writes, draws, exhibits or displays any unseemly word or any obscene or indecent figure or representation so that it is within view from a public place or a school is guilty of an offence.

Penalty: Four hundred dollars or imprisonment for three months.

- 10 4C. A person who in or within hearing from a public place or a school uses, in any manner, any unseemly words is guilty of an offence.

Penalty: Four hundred dollars or imprisonment for three months.

- 15 4D. A person who, in circumstances likely to cause obstruction of, or annoyance or danger to, any other person or damage to the property of any other person—

(a) throws or discharges any stone or other missile in or into a public place or a school; or

(b) places a line across, or a pole in or across, any part of a public place,

is guilty of an offence.

- 20 Penalty: One hundred dollars.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983

