

**OFFENCES IN PUBLIC PLACES (FURTHER
AMENDMENT) BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Offences in Public Places Act 1979 so as to make it an offence for a person to have in his or her custody an offensive implement in a public place.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 inserts into the Principal Act proposed section 11A, which makes it an offence for a person to have in his or her custody in a public place, without reasonable excuse, an offensive implement. An offensive implement is defined as anything made or adapted for use for causing injury to any person or intended by a person having it in his or her custody to be used to injure or menace any person or damage any property. The provision enables a court to order forfeiture of the offensive implement in addition to fining or imprisoning a person guilty of the offence.



OFFENCES IN PUBLIC PLACES (FURTHER AMENDMENT) BILL 1987

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Act No. 63, 1979
-



**OFFENCES IN PUBLIC PLACES (FURTHER
AMENDMENT) BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Offences in Public Places Act 1979 in relation to the
offence of having custody of an offensive implement in a public place.

Offences in Public Places (Further Amendment) 1987

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 (Further Amendment) Act 1987".

Commencement

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

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

Amendment of Act No. 63, 1979

15 3. The Offences in Public Places Act 1979 is amended by inserting after section 11 the following section:

Custody of offensive implement in public place

11A. (1) A person shall not, without reasonable excuse (proof of
20 which lies on the person), have in his or her custody an offensive implement in a public place.

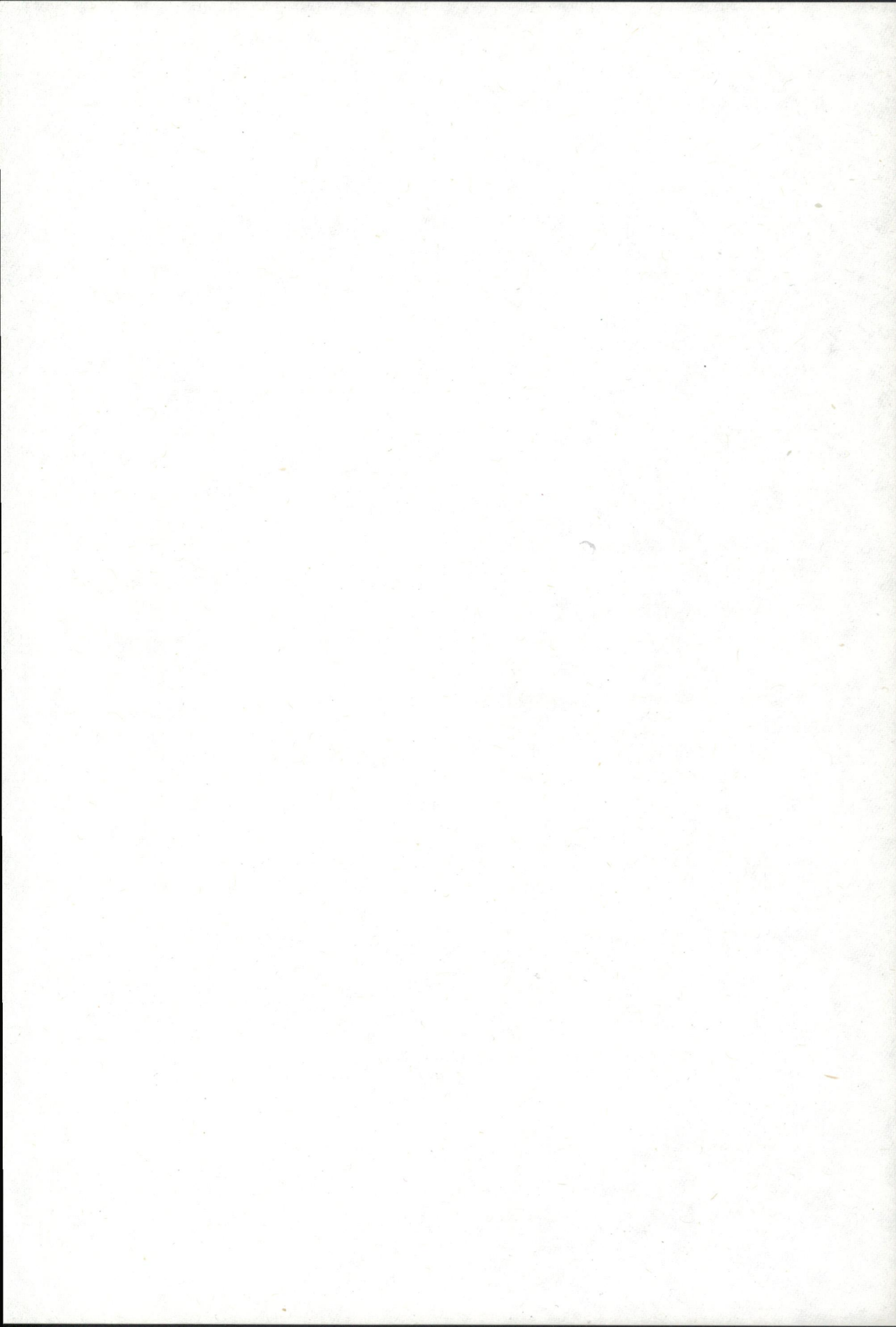
Penalty: \$1,000 or imprisonment for 6 months.

(2) If a person is convicted of an offence under this section, the court
25 may, in addition to any penalty it may impose, make an order that the offensive implement be forfeited to the Crown, and the implement is forfeited accordingly.

(3) In this section—

"offensive implement" means—

- (a) anything made or adapted for use for causing injury to a
30 person; or
- (b) anything intended, by the person having custody of the thing, to be used to injure or menace a person or damage property.





**OFFENCES IN PUBLIC PLACES (FURTHER
AMENDMENT) ACT 1987 No. 131**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Act No. 63, 1979
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**OFFENCES IN PUBLIC PLACES (FURTHER AMENDMENT) ACT
1987 No. 131**

NEW SOUTH WALES



Act No. 131, 1987

An Act to amend the Offences in Public Places Act 1979 in relation to the offence of having custody of an offensive implement in a public place.
[Assented to 16 June 1987]

Offences in Public Places (Further Amendment) 1987

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 "Offences in Public Places (Further Amendment) Act 1987".

Commencement

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

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

Amendment of Act No. 63, 1979

3. The Offences in Public Places Act 1979 is amended by inserting after section 11 the following section:

Custody of offensive implement in public place

11A. (1) A person shall not, without reasonable excuse (proof of which lies on the person), have in his or her custody an offensive implement in a public place.

Penalty: \$1,000 or imprisonment for 6 months.

(2) If a person is convicted of an offence under this section, the court may, in addition to any penalty it may impose, make an order that the offensive implement be forfeited to the Crown, and the implement is forfeited accordingly.

Offences in Public Places (Further Amendment) 1987

(3) In this section—

“offensive implement” means—

- (a) anything made or adapted for use for causing injury to a person; or
- (b) anything intended, by the person having custody of the thing, to be used to injure or menace a person or damage property.

