

Act No. 12, 1905.

An Act to amend the Crimes Act, 1900.

[6th September, 1905.]

CRIMES  
(AMENDMENT).

**B**E it enacted by the King'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. This Act may be cited as the “ Crimes (Amendment) Act, Short title. 1905.”

2. Whosoever having collected or received any money or valuable security under any authority upon terms requiring him to deliver, or account for, or pay to any person the whole or any part of—

- (a) such money or valuable security, or the proceeds thereof; or
- (b) any balance of such money, valuable security, or proceeds thereof, after any authorised deductions or payments have been made thereout,

fraudulently misappropriates to his own use or the use of any other person, or fraudulently omits to account for or pay the whole or any part of such money, valuable security, or proceeds, or the whole or any part of such balance, in violation of the terms on which he collected or received such money or valuable security, shall be liable to penal servitude for seven years.

For the purposes of this section, any such money, valuable security, or proceeds thereof, or any balance thereout shall be deemed to be the property of the person under whose authority the money or valuable security was collected or received, notwithstanding that the accused may have been authorised to make any deduction thereout on his own behalf, or any payment thereout to another person, or to mix such money, valuable security, or proceeds thereof, or such balance with his own moneys.