



New South Wales

Crimes (General) Amendment (Short Descriptions of Offences) Regulation 1998

under the
Crimes Act 1900

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes Act 1900*.

J W Shaw
Attorney General

Explanatory note

The object of this Regulation is to specify short descriptions for certain offences under the *Crimes Act 1900* to facilitate the issue of summonses, warrants and other legal processes.

This Regulation is made under the *Crimes Act 1900*, including section 582 (the general regulation-making power) and in accordance with section 145B of the *Justices Act 1902*.

Crimes (General) Amendment (Short Descriptions of Offences) Regulation 1998

1 Name of Regulation

This Regulation is the *Crimes (General) Amendment (Short Descriptions of Offences) Regulation 1998*.

2 Amendment of Crimes (General) Regulation 1995

The *Crimes (General) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 5B

Insert after clause 5A:

5B Short descriptions of various offences

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision of the Act specified in Column 1 of Schedule 2 is:
 - (a) the expression specified in Column 2 of that Schedule, or
 - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision of the Act specified in Column 1 of Schedule 2, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if that expression had not been amended or repealed.
- (4) Subclause (3) applies to any information, complaint, summons warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

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Schedule 1 Amendments

[2] Schedule 2

Insert after Schedule 1:

Schedule 2 Short descriptions of various offences

(Clause 5B)

Column 1	Column 2
Offence	Prescribed expression
Section 58—assault person with intent to commit felony	assault with intent to commit felony
Section 58—assault, resist or wilfully obstruct any officer while in execution of duty	assault/resist/wilfully obstruct officer
Section 58—assault, resist or wilfully obstruct any person acting in the aid of an officer in execution of duty	assault/resist/wilfully obstruct person aiding officer
Section 58—assault person with intent to resist or prevent the lawful apprehension or detainer of any person for any offence	assault to resist/prevent arrest/detention
Section 59—assault person occasioning actual bodily harm	assault occasioning actual bodily harm
Section 61—assault person not occasioning actual bodily harm	common assault
Section 117—commit larceny	larceny
Section 125—fraudulently take property or part of property held as bailee to own use	bailee fraudulently take property to own use
Section 125—fraudulently take property or part of property held as bailee to the use of person other than owner or bailee	bailee fraudulently take property to other's use
Section 125—fraudulently take property or part of property for which property held as bailee has been converted or exchanged to own use	bailee fraudulently take converted/exchanged property to own use

Column 1	Column 2
Offence	Prescribed expression
Section 125—fraudulently take property or part of property for which property held as bailee has been converted or exchanged to use of person other than owner or bailee	bailee fraudulently take converted exchanged property to other's use
Section 125—fraudulently convert property or part of property held as bailee to own use	bailee fraudulently convert property to own use
Section 125—fraudulently convert property or part of property held as bailee to use of person other than owner or bailee	bailee fraudulently convert property to other's use
Section 125—fraudulently convert property or part of property for which property held as bailee has been converted or exchanged to own use	bailee fraudulently take converted exchanged property to own use
Section 135—fraudulently convert property or part of property for which property held as bailee has been converted or exchanged to use of person other than owner or bailee	bailee fraudulently take converted exchanged property to other's use
Section 126—steal any cattle	steal cattle
Section 126—wilfully kill any cattle with intent to steal the carcass. or skin. or other part. of the cattle so killed	kill cattle with intent to steal carcass/skin/part of cattle
Section 134—steal the whole or any part of any valuable security	steal whole/part valuable security
Section 134—embezzle the whole or any part of any valuable security	embezzle whole/part valuable security
Section 134—destroy the whole or any part of any valuable security for any fraudulent purpose	destroy whole/part valuable security

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Schedule 1 Amendments

Column 1 Offence	Column 2 Prescribed expression
Section 134—cancel the whole or any part of any valuable security for any fraudulent purpose	cancel whole/part valuable security
Section 134—obliterate the whole or any part of any valuable security for any fraudulent purpose	obliterate whole/part valuable security
Section 134—conceal the whole or any part of any valuable security for any fraudulent purpose	conceal whole/part valuable security
Section 148—steal any property in a dwelling house	steal in dwelling house
Section 154A (1) (a)—take and drive a conveyance without the consent of the owner or person in lawful possession of the conveyance	take and drive conveyance
Section 154A (1) (a)—take a conveyance without the consent of the owner or person in lawful possession of the conveyance for the purpose of driving the conveyance	take conveyance for purposes of driving
Section 154A (1) (a)—take a conveyance without the consent of the owner or person in lawful possession of the conveyance for the purpose of secreting it	take conveyance for purpose of secreting it
Section 154A (1) (a)—take a conveyance without the consent of the owner or person in lawful possession of the conveyance for the purpose of obtaining a reward for its restoration or pretended restoration	take conveyance for reward for actual/pretended restoration

Column 1 Offence	Column Prescribed expression
Section 154A (1) (a)—take a conveyance without the consent of the owner or person in lawful possession of the conveyance for a fraudulent purpose (other than the purpose of driving, secreting or of obtaining a reward for the conveyance's restoration or pretended restoration)	take conveyance for fraudulent purpose
Section 154A (1) (b)—drive a conveyance knowing that it has been taken without the consent of the owner or person in lawful possession of the conveyance	knowingly drive stolen conveyance
Section 154A (1) (b)—allow oneself to be carried in or on a conveyance knowing that it has been taken without the consent of the owner or person in lawful possession of the conveyance	knowingly be carried in/on stolen conveyance
Section 156—being a clerk or servant, steal any property belonging to master or employer	steal property of master/employer
Section 156—being a clerk or servant, steal any property in the possession of master or employer	steal property in possession of master/employer
Section 156—being a clerk or servant, steal any property in the power of master or employer	steal property in power of master/employer
Section 156—being a clerk or servant, steal any property into which property belonging to master or servant has been converted or exchanged	steal property out of converted/exchanged property of master/employer
Section 156—being a clerk or servant, steal any property into which property in possession of master or employer has been converted or exchanged	steal property out of converted/exchanged property master/employer possessed

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Schedule 1 Amendments

Column 1 Offence	Column 2 Prescribed expression
Section 156—being a clerk or servant, steal any property into which property in power of master or employer has been converted or exchanged	steal property out of converted/exchanged property in power of master/employer
Section 157—being a clerk or servant, fraudulently embezzle whole or part of property delivered to, or received or taken into possession by, clerk or servant for, in the name or on account of master or employer	embezzlement by clerk/servant
Section 158—being a clerk or servant, destroy, alter or mutilate any book, paper, writing, valuable security or account of employer with intent to defraud	destroy/alter/mutilate book/paper/writing/valuable security/account
Section 158—being a clerk or servant, falsify any book, paper, writing, valuable security or account of employer with intent to defraud	falsify book/paper/writing/valuable security/account
Section 158—being a clerk or servant, make or concur in making a false entry in any book, writing or account of employer with intent to defraud	make/concur in making false entry in book/writing/account
Section 158—being a clerk or servant, omit or alter, or concur in omitting or altering, material particular of book, writing or account of employer with intent <i>to</i> defraud	omit/alter/concur in omitting/altering material particular of book/writing/account
Section 178A—fraudulently misappropriate for own use money or valuable security collected or received and required to be delivered to, or accounted for or paid to other person	fraudulently misappropriate money/valuable security

Column 1	Column 2
Offence	Prescribed expression
Section 178A—fraudulently omit to account for money or valuable security collected or received and required to be delivered to, or accounted for or paid to other person	fraudulently omit to account for money/valuable security
Section 178B—obtain chattel, money or valuable security by passing any cheque that is not paid on presentation	obtain chattel/money/valuable security by passing valueless cheque
Section 178BA—dishonestly obtain any money, valuable thing or financial advantage by deception	obtain money/valuable thing/financial advantage by deception
Section 178BB—make or publish, or concur in making or publishing, false or misleading statement with intent to obtain any money, valuable thing or financial advantage	obtain money/valuable security/financial advantage by false/misleading statement
Section 178C—obtain credit by false pretence or false promise when incurring debt or liability	obtain credit by false pretence/false promise
Section 178C—obtain credit by fraud when incurring debt or liability	obtain credit by fraud
Section 179—obtain property by false promise with intent to defraud	obtain property by false promise
Section 179—obtain property by false pretence with intent to defraud	obtain property by false pretence
Section 188—knowing that property is stolen, receive, dispose of or attempt to dispose of property where the stealing amounts to a felony	receive/dispose of stolen property
Section 189A—knowing that property is stolen, without lawful excuse receive, dispose of, or attempt to dispose of, or have possession of, property stolen outside NSW	receive/dispose of/attempt to dispose of/possess property stolen outside NSW

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Schedule 1 Amendments

Column 1 Offence	Column 2 Prescribed expression
Section 195 (a)—maliciously destroy or damage property belonging to another person otherwise than by means of fire or explosives	maliciously destroy/damage property
Section 195 (a)—maliciously destroy or damage property belonging to the person and another person otherwise than by means of fire or explosives	maliciously destroy/damage partly owned property
Section 353B—carrying razor, razor blade or other cutting weapon when apprehended for any crime or offence or immediately before being apprehended	carry cutting weapon
Section 527A—obtain or attempt to obtain money, valuable thing or benefit by wilful false representation	obtain money/valuable thing/benefit by wilful false representation
Section 527C (1) (a)—have any thing in custody which may be reasonably suspected of being unlawfully obtained	unlawfully obtained goods (personal custody)
Section 527C (1) (b)—have any thing in the custody of another person which may be reasonably suspected of being unlawfully obtained	unlawfully obtained goods (in another's custody)
Section 527C (1) (c)—have any thing, in or on premises, which may be reasonably suspected of being unlawfully obtained	unlawfully obtained goods (it/on premises)
Section 527C (1) (d)—give custody of any thing which may be reasonably suspected of being unlawfully obtained to person not entitled	give unlawfully obtained goods to person not entitled
Section 546C—resist or hinder, or incite another to assault, resist or hinder, a member of the police force in execution of duty	resist police/hinder police/incite another to assault/resist/hinder police

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Amendments

Schedule 1

Column 1	Column 2
Offence	Prescribed expression
Section 547B—knowingly falsely represent to police that an act has been, or will be, done or an event has occurred or will occur, king an act or event that calls for police investigation	falsely represent to police act/event calling for investigation
Section 547C—being in or near a building without reasonable cause with intent to peep or pry on another person	peep/pry