

# **CRIMES (INJURIES) AMENDMENT ACT 1990 No. 101**

NEW SOUTH WALES



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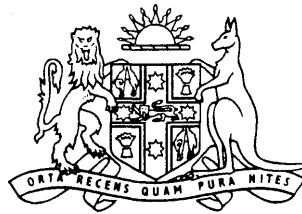
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# CRIMES (INJURIES) AMENDMENT ACT 1990 No. 101

NEW SOUTH WALES



## Act No. 101, 1990

An Act to amend the Crimes Act 1900 to abolish the year-and-a-day rule with respect to death following the infliction of an injury; and to create the crime of maliciously and intentionally causing (or attempting to cause) a person to contract a grievous bodily disease. [Assented to 13 December 1990]

*Crimes (Injuries) Amendment 1990*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Crimes (Injuries) Amendment Act 1990.

**Commencement**

2. This Act commences on a day or days to be appointed by proclamation.

**Amendment of Crimes Act 1900 No. 40**

3. The Crimes Act 1900 is amended as set out in Schedules 1 and 2.

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**SCHEDULE 1—AMENDMENT RELATING TO THE YEAR-  
AND-A-DAY RULE**

(Sec. 3)

(1) Section 1 (**Short title and contents of Act**):

In the matter relating to Part 3, omit "(1) *Homicide-ss. 18–25*", insert instead "*Homicide – ss. 17A-25*".

(2) Section 17A:

Before section 18, insert:

**Date of death**

17A. (1) The rule of law that it is conclusively presumed that an injury was not the cause of death of a person if the person died after the expiration of the period of a year and a day after the date on which the person received the injury is abrogated.

(2) This section does not apply in respect of an injury received before the commencement of this section.

**SCHEDULE 2—AMENDMENT RELATING TO GRIEVOUS  
BODILY DISEASE**

(Sec. 3)

Section 36:

After section 35, insert:

**Causing a grievous bodily disease**

36. A person:

- (a) who maliciously by any means causes another person to contract a grievous bodily disease; or  
who attempts maliciously by any means to cause another person to contract a grievous bodily disease,  
with the intent in any such case of causing the other person to contract a grievous bodily disease, is liable to penal servitude for 25 years.

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*[Minister's second reading speech made in —  
Legislative Assembly on 22 November 1990  
Legislative Council on 4 December 1990]*