

CRIMES (DOGS) AMENDMENT ACT 1993 No. 23

NEW SOUTH WALES



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CRIMES (DOGS) AMENDMENT ACT 1993 No. 23

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Act No. 23, 1993

An Act to amend the Crimes Act 1900 to create offences concerned with attacks by dogs on persons and for related purposes. [Assented to 8 June 1993]

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

1. This Act may be cited as the Crimes (Dogs) Amendment Act 1993.

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 Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

- (1) Section 35A:

After section 35, insert:

Maliciously cause dog to inflict grievous bodily harm or actual bodily harm

35A. (1) Maliciously cause dog to inflict grievous bodily harm. A person who, having control of a dog, maliciously does any act which causes the dog to inflict grievous bodily harm on another person is liable to penal servitude for 7 years.

(2) Maliciously cause dog to inflict actual bodily harm. A person who, having control of a dog, maliciously does any act which causes the dog to inflict actual bodily harm on another person is liable to penal servitude for 5 years.

(3) Alternative finding. If, on the trial of a person for an offence under subsection (1), it appears that grievous bodily harm was not inflicted on the other person but that actual bodily harm was inflicted, the person may be found not guilty of the offence charged but guilty of an offence under subsection (2) and be liable to punishment accordingly.

(4) Doing an act includes omitting to do the act. In this section, a reference to the doing of an act includes a reference to omitting to do the act.

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SCHEDULE 1—AMENDMENTS—*continued*

(2) Section 476 (**Indictable offences punishable summarily with consent of accused**):

In section 476 (6) (d), after “35 (a),”, insert “354

(3) Section 495 (**Indictable offences punishable summarily without consent of accused: assaults etc.**)

(a) In section 495 (1), before “56”, insert “35A (2),”.

(b) In section 495 (3), before “58”, insert “35A (2),”.

*[Minister's second reading speech made in—
Legislative Assembly on 21 April 1993
Legislative Council on 19 May 1993]*