



New South Wales

Crimes Legislation Amendment (Property Identification) Act 2003 No 5

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Act No 5, 2003

An Act to amend the *Crimes Act 1900* and other Acts with respect to damage to property that consists of removing, obliterating, defacing or altering the unique identifier of the property. [Assented to 28 May 2003]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Crimes Legislation Amendment (Property Identification) Act 2003*.

2 Commencement

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

3 Amendment of Acts

- (1) The *Crimes Act 1900* is amended as set out in Schedule 1.
- (2) The *Criminal Procedure Act 1986* is amended as set out in Schedule 2.
- (3) The *Pawnbrokers and Second-hand Dealers Act 1996* is amended as set out in Schedule 3.

Schedule 1 Amendment of Crimes Act 1900 No 40

(Section 3 (1))

Section 194 Interpretation

Insert after section 194 (3):

- (4) For the purposes of this Division, damaging property includes removing, obliterating, defacing or altering the unique identifier of the property. The unique identifier is any numbers, letters or symbols that are marked on or attached to the property as a permanent record so as to enable the property to be distinguished from similar property.

Schedule 2 Amendment of Criminal Procedure Act 1986 No 209

(Section 3 (2))

Schedule 1 Indictable offences triable summarily

Insert before the heading to Table 1:

Table 1A General provisions

1A Interpretation: value of property

For the purposes of this Schedule, a reference to the amount of damage to property in connection with a charge for an offence against section 195 or 197 of the *Crimes Act 1900* is a reference to the total value of the property where the damage consists of removing, obliterating, defacing or altering the unique identifier of the property.

Schedule 3 Amendment of Pawnbrokers and Second-hand Dealers Act 1996 No 13

(Section 3 (3))

Section 19 Duty to report suspicious goods

Insert at the end of section 19:

- (2) If the licensee or employee is aware that the unique identifier of the goods has been removed, obliterated, defaced or altered, the licensee or employee is presumed (for the purposes of this section) to suspect that the goods may have been stolen.
- (3) In this section, *unique identifier* of goods means any numbers, letters or symbols that are marked on or attached to the goods as a permanent record so as to enable the goods to be distinguished from similar goods.

[Second reading speech made in—

Legislative Assembly on 30 April 2003

Legislative Council on 7 May 2003]

BY AUTHORITY