



New South Wales

Crimes Amendment (Obstructing a Railway) Act 2024 No 93

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Crimes Amendment (Obstructing a Railway) Act 2024 No 93

Act No 93, 2024

An Act to amend the *Crimes Act 1900* to provide for a monetary penalty for obstructing a railway.
[Assented to 2 December 2024]

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Crimes Amendment (Obstructing a Railway) Act 2024*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

Section 213 Obstructing a railway

Omit “is liable to imprisonment for 2 years.”. Insert instead—

commits an offence.

Maximum penalty—

- (a) for an offence dealt with summarily—200 penalty units or imprisonment for 2 years, or both, or
- (b) for an offence dealt with on indictment—imprisonment for 2 years.

Note— See also the *Crimes (Sentencing Procedure) Act 1999*, section 15 which continues to apply.

- (2) The maximum penalty specified in subsection (1) for an offence dealt with summarily applies regardless of the *Criminal Procedure Act 1986*, section 267.
- (3) A person does not commit an offence under this section if the conduct forms part of the following—
 - (a) industrial action,
 - (b) an industrial dispute,
 - (c) an industrial campaign.

[Second reading speech made in—

Legislative Assembly on 12 November 2024

Legislative Council on 21 November 2024]