

Passed by both Houses



New South Wales

Crimes Legislation Amendment (Property Identification) Bill 2003

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2003*



New South Wales

Crimes Legislation Amendment (Property Identification) Bill 2003

Act No , 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.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

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.