

**OFFENCES IN PUBLIC PLACES (AMENDMENT) BILL
1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Inclosed Lands Protection (Amendment) Bill 1987 is cognate with this Bill.

The object of this Bill is to amend the Offences in Public Places Act 1979 so as to increase—

- (a) the maximum penalties for offences under that Act; and
- (b) the maximum sum that a court may order to be paid as compensation for the cost of repairing damage caused by a person convicted under certain provisions of that Act.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

Clause 4 provides that the amendment proposed to be made by Schedule 1 (7) to section 11 of the Principal Act (increasing the maximum sum that a court may order to be paid as compensation for the cost of repairing damage caused by a person) does not apply to offences committed before the commencement of the proposed Act.

Offences in Public Places (Amendment) 1987

Schedule 1 (1) amends section 5 of the Principal Act by increasing the maximum penalty, for the offence of offensive conduct in, near or within view or hearing from a public place or school, from \$200 to \$500.

Schedule 1 (2) amends section 6 of the Principal Act by increasing the maximum penalty, for the offence of obscene exposure in or within view from a public place or a school, from \$400 to \$1,000.

Schedule 1 (3) amends section 7 of the Principal Act by increasing the maximum penalty, for the offence of preventing the free passage of a person, vehicle or vessel in a public place, from \$100 to \$300.

Schedule 1 (4) amends section 8 of the Principal Act by increasing the maximum penalty, for the offence of damaging a fountain erected in a public place, from \$100 to \$300.

Schedule 1 (5) amends section 9 of the Principal Act by increasing the maximum penalty, for the offence of damaging a shrine, monument or statue erected in a public place, from \$100 to \$300.

Schedule 1 (6) amends section 10 of the Principal Act by increasing the maximum penalty, for the offence of defacing walls within view from a public place, from \$100 to \$300.

Schedule 1 (7) amends section 11 of the Principal Act by increasing the maximum sum that a court may order to be paid, as the cost of or contribution to the repair or restoration of any damage caused by a person convicted of an offence under section 8, 9 or 10 of the Principal Act, from \$1,000 to \$2,000.
