

Passed by both Houses



New South Wales

Crimes (Domestic and Personal Violence) Amendment Bill 2018

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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,*

, 2018



New South Wales

Crimes (Domestic and Personal Violence) Amendment Bill 2018

Act No , 2018

An Act to amend the *Crimes (Domestic and Personal Violence) Act 2007* to update the definitions of *intimidation* and *stalking* for the purposes of that Act.

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

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Crimes (Domestic and Personal Violence) Amendment Act 2018*.

2 Commencement

This Act commences on 1 December 2018, or on the date of assent to this Act, whichever occurs later.

Schedule 1 Amendment of Crimes (Domestic and Personal Violence) Act 2007 No 80

[1] Section 7 Meaning of “intimidation”

Insert “(including cyberbullying)” after “conduct” in section 7 (1) (a).

[2] Section 7 (1) (a), note

Insert after section 7 (1) (a):

Note. An example of cyberbullying may be the bullying of a person by publication or transmission of offensive material over social media or via email.

[3] Section 8 Meaning of “stalking”

Omit section 8 (1). Insert instead:

- (1) In this Act, *stalking* includes the following:
 - (a) the following of a person about,
 - (b) the watching or frequenting of the vicinity of, or an approach to, a person’s place of residence, business or work or any place that a person frequents for the purposes of any social or leisure activity,
 - (c) contacting or otherwise approaching a person using the internet or any other technologically assisted means.

[4] Schedule 1 Savings, transitional and other provisions

Insert at the end of the Schedule, with appropriate Part and clause numbering:

Part Provisions consequent on enactment of Crimes (Domestic and Personal Violence) Amendment Act 2018

Operation of amendments to definitions of “intimidation” and “stalking”

- (1) An application for an apprehended violence order made but not finally determined before the amendment of sections 7 and 8 by the amending Act is to be dealt with as if those sections had not been amended.
- (2) Sections 7 and 8, as amended by the amending Act, extend to the consideration by a court of an application, made after those amendments commence, for the variation or revocation of a final apprehended violence order or interim court order that was in force immediately before the commencement of those amendments.
- (3) In this Part:
amending Act means the *Crimes (Domestic and Personal Violence) Amendment Act 2018*.