

Crimes (Domestic and Personal Violence) Amendment Act 2018 No 84

[2018-84]



New South Wales

Status Information

Currency of version

Repealed version for 28 November 2018 to 1 December 2018 (accessed 22 November 2024 at 10:35)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

This Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.12.2018.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 2 December 2018

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Crimes (Domestic and Personal Violence) Amendment Act 2018 No 84



New South Wales

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.

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](#).