

Crimes Legislation Amendment (Possession of Knives in Public) Act 2009 No 80

[2009-80]



New South Wales

Status Information

Currency of version

Repealed version for 3 November 2009 to 3 November 2009 (accessed 25 November 2024 at 19:03)

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**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 4.11.2009.

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](#).

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New South Wales

An Act to amend the *Summary Offences Act 1988* and the *Law Enforcement (Powers and Responsibilities) Act 2002* to increase the maximum penalty for certain offences relating to the possession of knives and other dangerous implements in public places and schools.

1 Name of Act

This Act is the *Crimes Legislation Amendment (Possession of Knives in Public) Act 2009*.

2 Commencement

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

Schedule 1 Amendment of *Summary Offences Act 1988 No 25*

[1] Section 11C Custody of knife in public place or school

Omit the maximum penalty from section 11C (1). Insert instead:

Maximum penalty: 20 penalty units or imprisonment for 2 years, or both.

[2] Section 11C (4) and (5)

Omit the subsections.

[3] Section 29A Penalty notices: custody of knives in public place or school

Omit “as referred to in section 11C (4) and (5)” from section 29A (6).

[4] Section 29A (7) and (8)

Insert after section 29A (6):

(7) For the purposes of subsection (6), a person is taken to have been dealt with previously for a knife-related offence if the person:

(a) has been issued with a notice under this section in respect of the offence and

the person has paid the amount specified in the notice or the amount specified in any process issued subsequent to such a notice, or

(b) has been convicted of the offence, or

(c) has been charged with the offence and the court hearing the charge has made an order in relation to the offence under section 10 of the *Crimes (Sentencing Procedure) Act 1999*.

(8) In this section, ***knife-related offence*** means:

(a) an offence under section 11B, 11C or 11E, or

(b) any other offence that is punishable on conviction by imprisonment for 2 years or more if a knife was used in the commission of the offence, or

(c) an offence under a law of the Commonwealth or of another State or of a Territory that is punishable on conviction by imprisonment for 2 years or more if a knife was used in the commission of the offence.

Schedule 2 Amendment of Law Enforcement (Powers and Responsibilities) Act 2002 No 103

Section 27 Failure to comply with requests relating to search and dangerous implements

Omit “5 penalty units”. Insert instead “50 penalty units”.