

## CLAUSE NOTES

### *Police Offences Amendment (Repeal of Begging) Bill 2019*

#### Background:

The Bill amends the *Police Offences Act 1935* by repealing the offence of begging and expanding the grounds for the dispersal of persons in a public place.

#### Clause 1: Short title

Specifies the name of the proposed Act as the *Police Offences Amendment (Repeal of Begging) Act 2019*.

#### Clause 2: Commencement

Specifies that the proposed Act commences on the day on which it receives the Royal Assent.

#### Clause 3: Principal Act

Identifies the Act to be amended (the Principal Act) is the *Police Offences Act 1935*.

#### Clause 4: Section 8 amended (obscene and wilful exposure, &c.)

Repeals the offence of begging from section 8(1) of the *Police Offences Act 1935*, along with the penalty for that offence in section 8(1AA).

#### Clause 5: Section 15B amended (Dispersal of persons)

Expands the grounds that empower police to direct a person to leave a public place by inserting a new paragraph (ca) into section 15B(1) of the *Police Offences Act 1935*.

The added grounds provide that a police officer may direct a person to leave a public place, and not return for a specified period of not less than four hours, if the police officer believes on reasonable grounds the person is begging in that public place and has:

- intimidated or harassed a person;
- prevented or deterred persons from patronising a business, or the conduct of the business; or
- prevented or deterred persons from using a public facility.

The clause also provides a non-exhaustive list of facilities that are public facilities for the purposes of the provision. This includes: a toilet or shower facility; a barbeque facility; playground equipment; a structure for the provision of shelter; a parenting room; and a water fountain.

**Clause 6: Repeal of Act**

Repeals this amendment Act 365 days after it commences.