

TASMANIA

**POLICE OFFENCES AMENDMENT BILL
2003**

CONTENTS

1. Short title
2. Commencement
3. Principal Act
4. Section 3 amended (Interpretation)
5. Section 34B amended (Resistance to, and obstruction of, public officers prohibited)
6. Section 35 amended (Common assault and aggravated assault on females and children)
7. Section 43 amended (Finding property)
8. Section 55 amended (Arrest)
9. *Police Offences Amendment (Public Drunkenness) Act 2000* repealed

POLICE OFFENCES AMENDMENT BILL 2003

*(Brought in by the Minister for Police and Public Safety,
the Honourable David Edward Llewellyn)*

A BILL FOR

An Act to amend the *Police Offences Act 1935*

Be it enacted by His Excellency the Governor of Tasmania,
by and with the advice and consent of the Legislative
Council and House of Assembly, in Parliament assembled,
as follows:

Short title

1. This Act may be cited as the *Police Offences
Amendment Act 2003*.

Commencement

2. This Act commences on the day on which this Act
receives the Royal Assent.

Principal Act

3. In this Act, the *Police Offences Act 1935** is referred to
as the Principal Act.

*No. 44 of 1935

Section 3 amended (Interpretation)

4. Section 3(1) of the Principal Act is amended by omitting “, the Postmaster-General,” from the definition of “public authority”.

Section 34B amended (Resistance to, and obstruction of, public officers prohibited)

5. Section 34B of the Principal Act is amended as follows:

- (a) by omitting from subsection (1A) “10” and substituting “50”;
- (b) by omitting from subsection (1A) “12 months” and substituting “2 years”;
- (c) by omitting from subsection (2A) “5” and substituting “25”;
- (d) by omitting from subsection (2A) “6” and substituting “12”.

Section 35 amended (Common assault and aggravated assault on females and children)

6. Section 35 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1A) “5” and substituting “20”;
- (b) by omitting from subsection (1A) “6” and substituting “12”;
- (c) by omitting from subsection (2) “10” and substituting “50”;

- (d) by inserting in subsection (2) “for a term not exceeding 2 years” after “imprisonment”;
- (e) by omitting from subsection (3) “20” and substituting “50”;
- (f) by inserting in subsection (3) “for a term not exceeding 2 years” after “imprisonment”.

Section 43 amended (Finding property)

7. Section 43 of the Principal Act is amended as follows:

- (a) by inserting in subsection (4) “or a police officer of or above the rank of inspector” after “a justice”;
- (b) by inserting in subsection (6) “or a police officer of or above the rank of inspector” after “satisfies a justice”.

Section 55 amended (Arrest)

8. Section 55 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2B) “land without the consent of its owner or occupier or the person in charge of it” and substituting “any land, building, structure, premises, aircraft, vehicle or vessel without the consent of the owner, occupier or person in charge of the land, building, structure, premises, aircraft, vehicle or vessel”;
- (b) by inserting in subsection (2C)(a) “, building, structure, premises, aircraft, vehicle or vessel” after “land”;

- (c) by inserting in subsection (2C)(b) “, building, structure, premises, aircraft, vehicle or vessel” after “land”.

***Police Offences Amendment (Public Drunkenness) Act 2000* repealed**

9. The *Police Offences Amendment (Public Drunkenness) Act 2000* is repealed.