



New South Wales

# Roads and Crimes Legislation Amendment (Offences Repeal) Bill 2024

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Roads Act 1993* and the *Crimes Act 1900* to abolish certain offences for behaviour that causes damage or disruption to major roads or major public facilities.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

## Schedule 1 Amendment of Roads Act 1993 No 33

**Schedule 1** amends the *Roads Act 1993* to abolish the existing offence for a person to enter, remain on, climb, jump from or otherwise trespass on a major road if the conduct—

- (a) causes damage to the road, or
- (b) seriously disrupts or obstructs vehicles or pedestrians attempting to use the road.

## Schedule 2 Amendment of Roads Regulation 2018

**Schedule 2** makes consequential amendments to the *Roads Regulation 2018*.

### **Schedule 3      Amendment of Crimes Act 1900 No 40**

**Schedule 3** amends the *Crimes Act 1900* to abolish the existing offence for a person to enter, remain on or near, climb, jump from or otherwise trespass on or block entry to any part of a major facility if that conduct—

- (a) causes damage to the major facility, or
- (b) seriously disrupts or obstructs persons attempting to use the major facility, or
- (c) causes the major facility, or part of the major facility, to be closed, or
- (d) causes persons attempting to use the major facility to be redirected.

### **Schedule 4      Amendment of Crimes Regulation 2020**

**Schedule 4** makes a consequential amendment to the *Crimes Regulation 2020*.



New South Wales

# Roads and Crimes Legislation Amendment (Offences Repeal) Bill 2024

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*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Roads and Crimes Legislation Amendment (Offences Repeal) Bill 2024**

No. \_\_\_\_\_, 2024

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### **A Bill for**

An Act to amend the *Roads Act 1993* and the *Crimes Act 1900* to abolish certain offences for behaviour that causes damage or disruption to major roads or major public facilities; and for other purposes.

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*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

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*Clerk of the Parliaments*

**Tabling copy**

**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Roads and Crimes Legislation Amendment (Offences Repeal) Act 2024*.

3

4

**2 Commencement**

5

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

6

<b>Schedule 1</b>	<b>Amendment of Roads Act 1993 No 33</b>	1
[1]	<b>Part 9, Division 7, heading</b>	2
	Omit “, tunnels and roads”. Insert instead “ <b>and tunnels</b> ”.	3
[2]	<b>Section 144G, heading</b>	4
	Omit “, tunnels and roads”. Insert instead “ <b>and tunnels</b> ”.	5
[3]	<b>Section 144G(1)</b>	6
	Omit “major bridge, tunnel or road”. Insert instead “major bridge or tunnel”.	7
[4]	<b>Section 144G(1)(a) and (2)</b>	8
	Omit “, tunnel or road” wherever occurring. Insert instead “or tunnel”.	9
[5]	<b>Section 144G(1)(b)</b>	10
	Omit “, tunnel or road.”. Insert instead “or tunnel, or”.	11
[6]	<b>Section 144G(1)(c)</b>	12
	Insert after section 144G(1)(b)—	13
	(c) is an offence punishable by imprisonment or is an offence under the <i>Summary Offences Act 1988</i> .	14 15
[7]	<b>Section 144G(4A), (4B) and (5A)</b>	16
	Omit the subsections.	17
[8]	<b>Section 144G(6), definition of “major bridge, tunnel or road”</b>	18
	Omit the definition. Insert instead—	19
	<i>major bridge or tunnel</i> means a bridge or tunnel prescribed by the regulations for this section.	20 21
[9]	<b>Section 144H Review of Division</b>	22
	Omit the section.	23

<b>Schedule 2</b>	<b>Amendment of Roads Regulation 2018</b>	1
<b>[1] Clause 48A, heading</b>		2
	Omit “, <b>tunnel or road</b> ”. Insert instead “ <b>or tunnel</b> ”.	3
<b>[2] Clause 48A(1)</b>		4
	Omit “, <i>tunnel or road</i> ”. Insert instead “ <i>or tunnel</i> ”.	5
<b>[3] Clause 48A(1)(a)–(b)</b>		6
	Omit clause 48A(1)(a)–(f). Insert instead—	7
	(a) a bridge or tunnel in—	8
	(i) the Greater Sydney Region, or	9
	(ii) the City of Newcastle, or	10
	(iii) the City of Wollongong,	11
	(b) a bridge or tunnel that joins—	12
	(i) a main road, or	13
	(ii) a highway, or	14
	(iii) a freeway.	15

<b>Schedule 3</b>	<b>Amendment of Crimes Act 1900 No 40</b>	1
	<b>Part 4AF Major facilities</b>	2
	Omit the part.	3



<b>Schedule 4</b>	<b>Amendment of Crimes Regulation 2020</b>	1
<b>Clause 4A Major facilities</b>		2
Omit the clause.		3