



New South Wales

Crimes Amendment (Obstructing a Railway) 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 *Crimes Act 1900* to amend the maximum penalty for the offence of obstructing a railway to provide for a monetary penalty.

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 Crimes Act 1900 No 40

Schedule 1 provides that the maximum penalty for the offence of obstructing a railway is—

- (a) 200 penalty units or imprisonment for 2 years, or both, if the offence is dealt with summarily, regardless of the *Criminal Procedure Act 1986*, section 267, and
- (b) 2 years imprisonment, if the offence is dealt with on indictment.



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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

Crimes Amendment (Obstructing a Railway) Bill 2024

No. _____, 2024

A Bill for

An Act to amend the *Crimes Act 1900* to provide for a monetary penalty for obstructing a railway.

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

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Crimes Amendment (Obstructing a Railway) Act 2024*.

3

2 Commencement

4

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

5

| | | |
|--------------------|---|----------------|
| Schedule 1 | Amendment of Crimes Act 1900 No 40 | 1 |
| Section 213 | Obstructing a railway | 2 |
| | Omit “is liable to imprisonment for 2 years.”. Insert instead— | 3 |
| | commits an offence. | 4 |
| | Maximum penalty— | 5 |
| | (a) for an offence dealt with summarily—200 penalty units or imprisonment for 2 years, or both, or | 6 7 |
| | (b) for an offence dealt with on indictment—imprisonment for 2 years. | 8 |
| | Note— See also the <i>Crimes (Sentencing Procedure) Act 1999</i> , section 15 which continues to apply. | 9 10 |
| (2) | The maximum penalty specified in subsection (1) for an offence dealt with summarily applies regardless of the <i>Criminal Procedure Act 1986</i> , section 267. | 11 12 13 |