

NORTHERN TERRITORY OF AUSTRALIA  
CRIMINAL CODE AMENDMENT ACT 1999

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No. 8 of 1999

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# NORTHERN TERRITORY OF AUSTRALIA

No. 8 of 1999

## AN ACT

to amend the *Criminal Code*

[Assented to 9 March 1999]

[Second reading 25 November 1998]

The Legislative Assembly of the Northern Territory enacts as follows:

**1. Short title**

This Act may be cited as the *Criminal Code Amendment Act 1999*.

**2. Commencement**

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

**3. New Division**

The Criminal Code is amended by inserting after Division 3 of Part V the following:

***"Division 4 – Contamination of goods***

**"148A. Definitions**

"(1) In this Division –

'contaminate', in relation to goods, includes –

- (a) to interfere with the goods; and

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- (b) to make it appear that the goods have been contaminated or interfered with;

'goods' includes any substance—

- (a) whether or not for human consumption;
- (b) whether natural or manufactured; and
- (c) whether or not incorporated or mixed with other goods.

"(2) In this Division, a reference to economic loss caused through public awareness of the contamination of goods includes a reference to economic loss caused through—

- (a) members of the public not purchasing or using those goods or similar goods; or
- (b) steps taken to avoid public alarm or anxiety or to avoid harm to members of the public.

**"148B. Contaminating goods with intent to cause public alarm or economic loss**

"A person who contaminates goods with the intention of—

- (a) causing public alarm or anxiety; or
- (b) causing economic loss through public awareness of the contamination,

is guilty of a crime and liable to imprisonment for 10 years.

**"148C. Threatening to contaminate goods with intent to cause public alarm or economic loss**

"(1) A person who makes a threat that goods will be contaminated with the intention of—

- (a) causing public alarm or anxiety; or
- (b) causing economic loss through public awareness of the contamination,

is guilty of a crime and liable to imprisonment for 10 years.

"(2) For the purposes of this section, a threat may be made by any conduct, and may be explicit or implicit and conditional or unconditional.

**"148D. Making false statements concerning contamination of goods with intent to cause public alarm or economic loss**

- "(1) A person who makes a statement that the person believes to be false –
- (a) with the intention of inducing the person to whom the statement is made or others to believe that goods have been contaminated; and
  - (b) with the intention of thereby –
    - (i) causing public alarm or anxiety; or
    - (ii) causing economic loss through public awareness of the contamination,

is guilty of a crime and liable to imprisonment for 10 years.

"(2) For the purposes of this section, making a statement includes conveying information by any means.

**"148E. Territorial nexus for offences**

"It is immaterial that the conduct of a person constituting an offence under this Division occurred outside the Territory, so long as the person intended by the conduct –

- (a) to cause public alarm or anxiety in the Territory; or
  - (b) to cause economic loss in the Territory through public awareness of the contamination."
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