



NORTHERN TERRITORY OF AUSTRALIA

No. 64 of 1995

AN ACT

to amend the *Summary Offences Act*

[Assented to 29 December 1995]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. Short Title

This Act may be cited as the *Summary Offences Amendment Act (No. 3) 1995*.

2. Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. New section

The *Summary Offences Act* is amended by inserting after section 47AB the following:

"47AC. Loitering by sexual offender

"(1) In this section, 'sexual offence' means -

- (a) an offence against Division 2 of Part V of the Criminal Code;
- (b) an offence against sections 188(2)(k), 192 or 201 of the Criminal Code;

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- (c) an offence of -
 - (i) counselling or procuring;
 - (ii) aiding or abetting the commission of;
 - (iii) conspiring to commit;
 - (iv) attempting to commit; or
 - (v) being an accessory after the fact to,
such an offence.

"(2) A person who -

- (a) has been found guilty of -
 - (i) a sexual offence;
 - (ii) murder where there are reasonable grounds to believe that a sexual offence was also committed on the victim; or
 - (iii) an offence against section 50; and
- (b) is found, without reasonable excuse, idling or lingering about in or near -
 - (i) a school, kindergarten or child care centre; or
 - (ii) a public place regularly frequented by children and in which children are present at the time of the loitering,

is guilty of an offence.

Penalty: \$5,000 or imprisonment for 12 months.

"(3) If a person has at any time been convicted of an offence against a law of a State or another Territory of the Commonwealth which creates an offence substantially similar to a sexual offence, the conviction for the offence against that law shall be taken for the purposes of this section to be a conviction of a sexual offence."
