

NORTHERN TERRITORY OF AUSTRALIA

CRIMINAL CODE AMENDMENT (ASSAULTS ON WORKERS) ACT 2013

Act No. 3 of 2013

Table of provisions

Part 1	Preliminary matters	
1	Short title	1
2	Commencement	1
Part 2	Amendment of Criminal Code	
3	Criminal Code amended	1
4	Section 188 amended	2
5	Section 188A inserted	2
	188A Assaults on workers	
Part 3	Other laws amended	
6	Other laws amended	3
Schedule	Other laws amended	



NORTHERN TERRITORY OF AUSTRALIA

Act No. 3 of 2013

An Act to amend the Criminal Code and make related and consequential amendments to other Acts

[Assented to 14 March 2013]
[Second reading 4 December 2012]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Criminal Code Amendment (Assaults on Workers) Act 2013*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

Part 2 Amendment of Criminal Code

3 Criminal Code amended

This Part amends the Criminal Code.

4 Section 188 amended

Section 188(2)(f) and (fa)

omit, insert

- (f) is assisting a public sector employee in carrying out the public sector employee's duties;
- (fa) is assisting a justice of the peace in carrying out the justice's functions;

5 Section 188A inserted

After section 188

insert

188A Assaults on workers

- (1) A person who unlawfully assaults a worker who is working in the performance of his or her duties is guilty of a crime.
- (2) The maximum penalty for the offence is as follows:
 - (a) if the victim suffers harm:
 - (i) if the person is found guilty on indictment – imprisonment for 7 years; or
 - (ii) if the person is found guilty summarily – imprisonment for 3 years;
 - (b) if the victim does not suffer harm:
 - (i) if the person is found guilty on indictment – imprisonment for 5 years; or
 - (ii) if the person is found guilty summarily – imprisonment for 2 years.
- (3) A person is a **worker** for this section if he or she carries out employment related activities (**work**) in any lawful capacity, including work as any of the following:
 - (a) an employee;
 - (b) a contractor or subcontractor;
 - (c) an apprentice or trainee;

- (d) a student gaining work experience;
 - (e) a volunteer;
 - (f) a self-employed person;
 - (g) a person appointed under a law in force in the Territory to carry out functions or to hold an office.
- (4) However, a police officer is not a worker for this section.

Note for subsection (4)

Section 189A applies to assaults on police officers.

Part 3 Other laws amended

6 Other laws amended

The Schedule amends the laws mentioned in it.

Schedule Other laws amended

section 6

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Bail Act</i>		
section 8(1)(aa)(ii), after "188"		, 188A, 189A
<i>Justices Act</i>		
section 131A(1), after "188(2)"		, 188A
