



# NORTHERN TERRITORY OF AUSTRALIA

---

No. 11 of 1994

---

## AN ACT

to amend the Criminal Code

[Assented to 28 March 1994]

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 *Criminal Code Amendment Act 1994*.

### 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 Criminal Code is amended by inserting after section 188 the following:

#### "189. UNLAWFUL STALKING

"(1) A person stalks another person if, on at least 2 separate occasions -

(a) the person -

(i) follows the other person;

(ii) loiters outside or enters the place of residence or employment of the other person or some other place frequented by the other person;

---

*Criminal Code Amendment*

- (iii) interferes with property (whether or not the person has an interest in the property) in the possession of the other person;
  - (iv) keeps the other person under surveillance; or
  - (v) acts covertly in a way that could reasonably be expected to arouse the other person's apprehension or fear; and
- (b) the person intends to cause -
- (i) physical or mental harm to the other person or a third person; or
  - (ii) apprehension or fear.

"(2) A person who stalks another person is guilty of an offence and is liable -

- (a) to imprisonment for 2 years; or
  - (b) where -
    - (i) the person's conduct contravened a condition of bail or an injunction or order imposed by a court (either under a law of the Commonwealth, the Territory, a State or another Territory of the Commonwealth); or
    - (ii) the person was, on any occasion to which the charge relates, in the possession of an offensive weapon,
- to imprisonment for 5 years."
-