



NORTHERN TERRITORY OF AUSTRALIA

No. 44 of 1989

AN ACT

to amend the *Criminal Code*

[Assented to 20 September 1989]

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 1989*.

2. COMMENCEMENT

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

3. AIDING ESCAPE FROM LAWFUL CUSTODY

Section 111 of the *Criminal Code* is amended -

(a) by omitting paragraph (a) and substituting the following:

"(a) aids a person in escaping or attempting to escape from lawful custody, confinement or detention; or"; and

(b) by omitting from paragraph (b) "prison" and substituting "prison or police prison within the meaning of the *Prisons (Correctional Services) Act*".

Criminal Code Amendment

4. ESCAPE FROM LAWFUL CUSTODY

Section 112 of the Criminal Code is amended -

- (a) by omitting subsection (1) and substituting the following:

"(1) Any person who -

- (a) being a prisoner in lawful custody following his arrest or conviction for an offence; or

- (b) is lawfully confined or detained otherwise than as referred to in paragraph (a) and who,

escapes from such custody, confinement or detention, is guilty of an offence."; and

- (b) by omitting from subsection (2) "he" (first occurring) and substituting "a person referred to in subsection (1)(a)"; and

- (c) by inserting after subsection (2) the following:

"(2A) A person who commits an offence against subsection (1)(b) is liable to imprisonment for 12 months.".

5. CIRCUMSTANCES WHERE MORE THAN ONE OFFENCE MAY BE CHARGED AS ONE OFFENCE

Section 310 of the Criminal Code is amended by omitting subsections (2), (3), and (4) and substituting the following:

"(2) In an indictment against a person for stealing property where the property was stolen over a period of time the accused person may be charged and proceeded against for stealing the property over the period of time, notwithstanding that different acts of stealing took place at different times and it is not possible to identify in all instances each particular act of stealing.".
