

NORTHERN TERRITORY OF AUSTRALIA

CRIMINAL JUSTICE LEGISLATION AMENDMENT ACT 2022

Act No. 20 of 2022

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 20 of 2022

An Act to amend the Criminal Code and the *Sentencing Act 1995*

[Assented to 12 September 2022]

[Introduced 28 July 2022]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary

1 Short title

This Act may be cited as the *Criminal Justice Legislation Amendment Act 2022*.

2 Commencement

- (1) Subject to subsection (2), this Act commences on the day fixed by the Administrator by *Gazette* notice.
- (2) If a provision of this Act does not commence before 29 July 2024, it commences on that day.

Part 2 Amendment of Criminal Code

3 Act amended

This Part amends the Criminal Code.

4 Section 189A amended (Assaults on police or emergency workers)

After section 189A(2)(a)

insert

(ab) suffers harm and the assault includes spitting by the offender, the offender is liable to imprisonment for 10 years; or

5 Part XI, Division 16 inserted

After section 462

insert

Division 16 Criminal Justice Legislation Amendment Act 2022**463 Application of section 189A**

- (1) Section 189A, as amended by the *Criminal Justice Legislation Amendment Act 2022*, applies only in relation to offences committed after the commencement of section 4 of that Act (the **commencement**).
- (2) Section 189A, as in force before the commencement, continues to apply in relation to offences committed before the commencement.
- (3) For this section:
 - (a) an offence is taken to have been committed after the commencement only if all of the conduct constituting the offence occurred after the commencement; and
 - (b) any other offence is taken to have been committed before the commencement.

Part 3 Amendment of Sentencing Act 1995**6 Act amended**

This Part amends the *Sentencing Act 1995*.

7 Section 6A amended (Aggravating factors)

- (1) Section 6A, before "Without limiting"

insert

- (1)

(2) After section 6A(g)

insert

(ga) a victim of the offence was a police officer or emergency worker in the execution of the officer's or worker's duty at the time the offence was committed;

(gb) the offence included spitting by the offender;

(3) Section 6A, at the end

insert

(2) In this section:

emergency worker, see section 187(2) of the Criminal Code.

Part 4 Repeal of Act

8 Repeal of Act

This Act is repealed on the day after it commences.