

Serial 122  
Criminal Code  
Amendment  
(No. 3)  
Mr Stone

NORTHERN TERRITORY OF AUSTRALIA  
CRIMINAL CODE AMENDMENT BILL (NO. 3) 1998

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## NORTHERN TERRITORY OF AUSTRALIA

### A BILL for AN ACT

to amend the Criminal Code

**B**E 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 (No. 3) 1998*.

2. COMMENCEMENT

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. NEW DIVISION

The Criminal Code is amended by inserting after Division 3 of Part V the following:

*"Division 4 - Contamination of Goods*

"148A. DEFINITIONS

"(1) In this Division -

'contaminate', in relation to goods, includes -

(a) to interfere with the goods; and

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- (b) to make it appear that the goods have been contaminated or interfered with;

'goods' includes any substance -

- (a) whether or not for human consumption;
- (b) whether natural or manufactured; and
- (c) whether or not incorporated or mixed with other goods.

"(2) In this Division, a reference to economic loss caused through public awareness of the contamination of goods includes a reference to economic loss caused through -

- (a) members of the public not purchasing or using those goods or similar goods; or
- (b) steps taken to avoid public alarm or anxiety or to avoid harm to members of the public.

"148B. CONTAMINATING GOODS WITH INTENT TO CAUSE PUBLIC ALARM OR ECONOMIC LOSS

"A person who contaminates goods with the intention of -

- (a) causing public alarm or anxiety; or
- (b) causing economic loss through public awareness of the contamination,

is guilty of a crime and liable to imprisonment for 10 years.

"148C. THREATENING TO CONTAMINATE GOODS WITH INTENT TO CAUSE PUBLIC ALARM OR ECONOMIC LOSS

"(1) A person who makes a threat that goods will be contaminated with the intention of -

- (a) causing public alarm or anxiety; or
- (b) causing economic loss through public awareness of the contamination,

is guilty of a crime and liable to imprisonment for 10 years.

"(2) For the purposes of this section, a threat may be made by any conduct, and may be explicit and conditional or unconditional.

148D. MAKING FALSE STATEMENTS CONCERNING CONTAMINATION OF GOODS WITH INTENT TO CAUSE PUBLIC ALARM OF ECONOMIC LOSS

"(1) A person who makes a statement that the person believes to be false -

- (a) with the intention of inducing the person to whom the statement is made or others to believe that goods have been contaminated; and
- (b) with the intention of thereby -
  - (i) causing public alarm or anxiety; or
  - (ii) causing economic loss through public awareness of the contamination.

is guilty of a crime and liable to imprisonment for 10 years.

"(2) For the purposes of this section, making a statement includes conveying information by any means.

"148E. TERRITORIAL NEXUS FOR OFFENCES

"It is immaterial that the conduct of a person constituting an offence under this Division occurred outside the Territory, so long as the person intended by the conduct -

- (a) to cause public alarm or anxiety in the Territory; or
  - (b) to cause economic loss in the Territory through public awareness of the contamination."
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