

Serial 69  
Criminal Code Amendment Bill 2018  
Ms Fyles

A Bill for an Act to amend the Criminal Code



**NORTHERN TERRITORY OF AUSTRALIA**

**CRIMINAL CODE AMENDMENT ACT 2018**

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**Act No. [ ] of 2018**

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2018

An Act to amend the Criminal Code

[Assented to [ ] 2018]  
[Introduced [ ] 2018]

The Legislative Assembly of the Northern Territory enacts as follows:

## 1 Short title

This Act may be cited as the *Criminal Code Amendment Act 2018*.

## 2 Commencement

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

## 3 Act amended

This Act amends the Criminal Code.

## 4 Section 1 amended (Definitions)

Section 1

*insert (in alphabetical order)*

**emergency worker**, for Part VI, Division 5, see section 187(2).

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**5 Section 187 amended (Definition)**

- (1) Section 187, heading

*omit*

**Definition**

*insert*

**Definitions**

- (2) Section 187, before "In"

*insert*

(1)

- (3) After section 187(1)

*insert*

- (2) In this Division:

***emergency worker*** means any of the following:

- (a) a member of the Northern Territory Fire and Rescue Service established under section 5(1) of the *Fire and Emergency Act*;
- (b) a member of the Northern Territory Emergency Service as defined in section 8 of the *Emergency Management Act*;
- (c) an ambulance officer or paramedic employed or engaged in providing ambulance services;
- (d) a medical practitioner or a health practitioner, as defined in the Health Practitioner Regulation National Law:
  - (i) accompanying or assisting a person mentioned in paragraph (c); or
  - (ii) attending a situation in the absence or unavailability of a person mentioned in paragraph (c).

*Note for definition **emergency worker**, paragraph (c)*

*Ambulance services are not limited to road services, and may (for example) include helicopter or fixed-wing aero-medical services.*

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**6 Section 188A amended (Assaults on workers)**

Section 188A(4)

*omit, insert*

(4) However, the following are not workers for this section:

(a) a police officer;

(b) an emergency worker.

*Note for subsection (4)*

*Section 189A applies in relation to assaults on police officers and emergency workers.*

**7 Section 189A amended (Assaults on police)**

(1) Section 189A, heading, at the end

*insert*

**or emergency workers**

(2) Section 189A(1)

*omit*

in the execution of the officer's

*insert*

or emergency worker in the execution of the officer's or worker's

(3) Section 189A(2), after "officer"

*insert*

or emergency worker

**8 Section 316 amended (Indictment containing count of murder or manslaughter)**

Section 316(2), after "section"

*insert*

161A,

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**9 Part XI, Division 13 inserted**

After section 457

*insert*

**Division 13 Criminal Code Amendment Act 2018**

**458 Definitions**

In this Division:

***amending Act*** means the *Criminal Code Amendment Act 2018*.

***commencement*** means the commencement of the amending Act.

**459 Application of section 189A**

- (1) Section 189A, as amended by the amending Act, applies only in relation to offences committed after 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.

**460 Application of section 316**

- (1) Section 316, as amended by the amending Act, applies only in relation to offences committed after the commencement.
- (2) Section 316, 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.



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**10 Repeal of Act**

This Act is repealed on the day after it commences.