

LEGISLATIVE COUNCIL

CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY
WORKERS AND OTHERS) BILL 2017

(Amendments to be proposed in Committee by Mr O'DONOHUE)

1. Clause 3, page 5, lines 18 to 20, omit "if an emergency worker on duty or a custodial officer on duty is injured".
2. Clause 3, page 7, line 5, omit "3 imprisonment (20" and insert "2 imprisonment (25".
3. Clause 3, page 7, lines 7 to 12, omit all words and expressions on these lines.
4. Clause 3, page 7, line 13, omit "2" and insert "1".
5. Clause 3, page 7, lines 17 and 18, omit "if an emergency worker on duty or a custodial officer on duty is injured,".
6. Clause 3, page 7, line 20, omit "3" and insert "2".
7. Clause 3, page 7, line 24, omit "4" and insert "3".
8. Clause 3, page 9, line 1, omit "**Note**" and insert—

"Notes

- 1 Section 10AE(1) of the **Sentencing Act 1991** requires that a term of imprisonment be imposed for an offence against this section and that a non-parole period of not less than 2 years be fixed under section 11 of that Act, unless the court finds under section 10A of that Act that a special reason exists.
 - 2 If a court makes a finding under section 10A of the **Sentencing Act 1991** that a special reason exists, the requirements of section 10AE(1) do not apply and the court has full sentencing discretion."
9. Clause 3, page 9, line 2, omit "Section" and insert "3 Section".
 10. Clause 3, page 10, line 10, omit "5 imprisonment (10" and insert "4 imprisonment (15".
 11. Clause 3, page 10, lines 12 to 17, omit all words and expressions on these lines and insert—
 - "1 Section 10AE(1) of the **Sentencing Act 1991** requires that a term of imprisonment be imposed for an offence against this section and that a non-parole period of not less than 2 years be fixed under section 11 of that Act, unless the court finds under section 10A of that Act that a special reason exists.
 - 2 If a court makes a finding under section 10A of the **Sentencing Act 1991** that a special reason exists, the requirements of section 10AE(1) do not apply and the court has full sentencing discretion."
 12. Clause 3, page 10, line 18, omit "2" and insert "3".
 13. Clause 3, page 11, line 29, omit "**Note**" and insert—

"Notes

- 1 Section 10AE(1) of the **Sentencing Act 1991** requires that a term of imprisonment be imposed for an offence against this section and that a non-parole period of not less than 2 years be fixed under section 11 of that Act, unless the court finds under section 10A of that Act that a special reason exists.
 - 2 If a court makes a finding under section 10A of the **Sentencing Act 1991** that a special reason exists, the requirements of section 10AE(1) do not apply and the court has full sentencing discretion."
14. Clause 3, page 11, line 30, omit "Section" and insert "3 Section".
 15. Clause 7, lines 16 to 19, omit all words and expressions on these lines.
 16. Clause 9, lines 32 to 35, omit all words and expressions on these lines.
 17. Subdivision heading preceding clause 15, omit this heading.
 18. Clause 15, omit this clause.
 19. Clause 16, line 27, omit "**and 317AD in certain circumstances**" and insert "**, 317AD, 317AE, 317AF and 317AG**".
 20. Clause 16, line 31, omit "or 317AD" and insert ", 317AD, 317AE, 317AF or 317AG".
 21. Clause 16, page 16, lines 2 to 4, omit "if, in of the commission of the offence, an emergency worker on duty or custodial officer on duty is injured".
 22. Subdivision heading preceding clause 19, omit this heading.
 23. Clause 19, omit this clause.