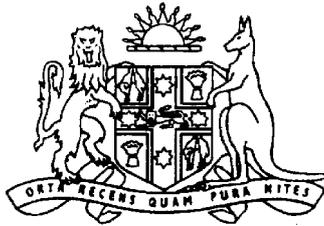


New South Wales

Crimes Amendment (Child Neglect) Act 2004 No 41

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New South Wales

Crimes Amendment (Child Neglect) Act 2004 No 41

Act No 41, 2004

An Act to amend the *Crimes Act 1900* with respect to child neglect offences; and to make a consequential amendment to the *Criminal Procedure Act 1986*.
[Assented to 6 July 2004]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Crimes Amendment (Child Neglect) Act 2004*.

2 Commencement

This Act commences on a day to be appointed by proclamation.

3 Amendment of Crimes Act 1900 No 40

The *Crimes Act 1900* is amended as set out in Schedule 1.

4 Consequential amendment of Criminal Procedure Act 1986 No 209

The *Criminal Procedure Act 1986* is amended as set out in Schedule 2.

Schedule 1 Amendment of Crimes Act 1900

(Section 3)

[1] Section 43

Omit the section. Insert instead:

43 Abandoning or exposing a child under 7 years

A person who, without reasonable excuse, intentionally abandons or exposes a child under 7 years of age is guilty of an offence if it causes a danger of death or of serious injury to the child.

Maximum penalty: Imprisonment for 5 years.

[2] Section 43A

Insert after section 43:

43A Failure of persons with parental responsibility to care for child

(1) In this section:

child means a child under 16 years of age.

parental responsibility means the duties, powers, responsibilities and authority in respect of a child that, by law, parents have in relation to their children.

(2) A person:

- (a) who has parental responsibility for a child, and
- (b) who, without reasonable excuse, intentionally or recklessly fails to provide the child with the necessities of life,

is guilty of an offence if the failure causes a danger of death or of serious injury to the child.

Maximum penalty: Imprisonment for 5 years.

[3] Section 44 Not providing wife, child or servant with food etc

Omit “, child, ward” wherever occurring.

Crimes Amendment (Child Neglect) Act 2004 No 41

Schedule 2 Consequential amendment of Criminal Procedure Act 1986

Schedule 2 Consequential amendment of Criminal Procedure Act 1986

(Section 4)

Schedule 1 Indictable offences triable summarily

Insert “, 43A” after “43” in item 2 of Table 1.

[Second reading speech made in—
Legislative Council on 5 May 2004
Legislative Assembly on 23 June 2004]

BY AUTHORITY