



New South Wales

Crimes (Domestic and Personal Violence) Amendment Act 2018 No 84

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Crimes (Domestic and Personal Violence) Amendment Act 2018 No 84

Act No 84, 2018

An Act to amend the *Crimes (Domestic and Personal Violence) Act 2007* to update the definitions of *intimidation* and *stalking* for the purposes of that Act. [Assented to 28 November 2018]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Crimes (Domestic and Personal Violence) Amendment Act 2018*.

2 Commencement

This Act commences on 1 December 2018, or on the date of assent to this Act, whichever occurs later.

Schedule 1 Amendment of Crimes (Domestic and Personal Violence) Act 2007 No 80

[1] Section 7 Meaning of “intimidation”

Insert “(including cyberbullying)” after “conduct” in section 7 (1) (a).

[2] Section 7 (1) (a), note

Insert after section 7 (1) (a):

Note. An example of cyberbullying may be the bullying of a person by publication or transmission of offensive material over social media or via email.

[3] Section 8 Meaning of “stalking”

Omit section 8 (1). Insert instead:

- (1) In this Act, **stalking** includes the following:
 - (a) the following of a person about,
 - (b) the watching or frequenting of the vicinity of, or an approach to, a person’s place of residence, business or work or any place that a person frequents for the purposes of any social or leisure activity,
 - (c) contacting or otherwise approaching a person using the internet or any other technologically assisted means.

[4] Schedule 1 Savings, transitional and other provisions

Insert at the end of the Schedule, with appropriate Part and clause numbering:

Part Provisions consequent on enactment of Crimes (Domestic and Personal Violence) Amendment Act 2018

Operation of amendments to definitions of “intimidation” and “stalking”

- (1) An application for an apprehended violence order made but not finally determined before the amendment of sections 7 and 8 by the amending Act is to be dealt with as if those sections had not been amended.
- (2) Sections 7 and 8, as amended by the amending Act, extend to the consideration by a court of an application, made after those amendments commence, for the variation or revocation of a final apprehended violence order or interim court order that was in force immediately before the commencement of those amendments.
- (3) In this Part:
amending Act means the *Crimes (Domestic and Personal Violence) Amendment Act 2018*.

[Second reading speech made in—
Legislative Assembly on 17 October 2018
Legislative Council on 21 November 2018]