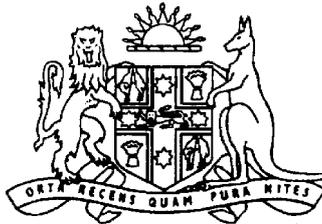


Passed by both Houses



New South Wales

Crimes Amendment (Child Neglect) Bill 2004

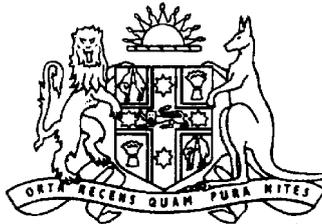
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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council
2004

Clerk of the Parliaments



New South Wales

Crimes Amendment (Child Neglect) Bill 2004

Act No , 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*.

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) Bill 2004

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.