

**Legislative Council—No 140**

As received from the House of Assembly and read a first time, 14 November 2019

South Australia

**Criminal Law Consolidation (False or Misleading Information) Amendment Bill 2019**

A BILL FOR

An Act to amend the *Criminal Law Consolidation Act 1935*.

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

### Part 2—Amendment of *Criminal Law Consolidation Act 1935*

- 4 Insertion of Part 7 Division 2A  
Division 2A—Offences relating to providing false or misleading information to a court  
241A False or misleading information entered into electronic court management system
- 

## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

5 This Act may be cited as the *Criminal Law Consolidation (False or Misleading Information) Amendment Act 2019*.

#### 2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

#### 3—Amendment provisions

10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### Part 2—Amendment of *Criminal Law Consolidation Act 1935*

#### 4—Insertion of Part 7 Division 2A

Part 7—after Division 2 insert:

#### 15 **Division 2A—Offences relating to providing false or misleading information to a court**

#### **241A—False or misleading information entered into electronic court management system**

- 20 (1) A person who enters information into an ECMS knowing that the information is false or misleading is guilty of an offence.  
Maximum penalty: \$10 000.
- (2) A person who provides information to another person knowing that the information—
  - (a) is false or misleading; and

(b) will be, or is likely to be, provided to a court (whether by use of an ECMS or otherwise),

is guilty of an offence.

Maximum penalty: \$10 000.

5

(3) In this section—

*court* includes a body prescribed by the regulations;

*ECMS* means an electronic court management system prescribed by the regulations;

*enters information into an ECMS* includes—

10

(a) uploads information or documents; or

(b) takes any other action prescribed by the regulations;

*information* means information, or information of a kind, prescribed by the regulations.