

House of Assembly—No 145

As laid on the table and read a first time, 9 June 2021

South Australia

**Criminal Law Consolidation (Interference With
Electronic Monitoring Device) Amendment
Bill 2021**

A BILL FOR

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

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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 (Interference With Electronic Monitoring Device) Amendment Act 2021*.

2—Commencement

This Act will come into operation 3 months after it receives the assent of the Governor.

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 5A

After section 255 insert:

- 15 **Division 5A—Interference with electronic monitoring device**

255A—Interference with electronic monitoring device

- 20 (1) A person subject to a condition under a prescribed law that the person be monitored by use of an electronic device is guilty of an offence if the person removes, damages or otherwise tampers or interferes with the device.

Maximum penalty: Imprisonment for 7 years.

(2) In this section—

electronic device means—

- (a) an electronic device approved under section 4 of the *Correctional Services Act 1982*;
- (b) any other electronic device of a class or kind prescribed by the regulations;

prescribed law—each of the following laws is a prescribed law:

- (a) section 11 of the *Bail Act 1985*;
- (b) sections 27, 37A and 68 of the *Correctional Services Act 1982*;
- (c) sections 10 and 11 of the *Criminal Law (High Risk Offenders) Act 2015*;
- (d) sections 59, 72 and 82 of the *Sentencing Act 2017*;
- (e) any other law prescribed by the regulations.