

Summary Offences (Amendment) Bill

EXPLANATORY MEMORANDUM

- Clause 1 sets out the purpose of the Act.
- Clause 2 provides for commencement of the Act on the day on which it receives the Royal Assent.
- Clause 3 specifies that the **Summary Offences Act 1966** is the Principal Act for the purposes of the Act.
- Clause 4 repeals section 15 of the Principal Act.
- Clause 5 amends section 53 of the Principal Act. Section 53 makes it an offence to knowingly and voluntarily make a false report to police. Clause 5 amends section 53 in the following ways—
- it raises the maximum penalty for the offence from 15 penalty units or imprisonment for three months to 120 penalty units or imprisonment for 1 year;
 - it allows the court to order reimbursement of expenses incurred by the State whenever a person is found guilty of the offence, irrespective of whether or not a conviction is recorded;
 - it provides that expenses incurred by the State which the court may order the offender to pay may include remuneration of members of the police force. Sub-section (6AC) refers to the matters to which the court may have regard in ordering an offender to pay such expenses, the directions which the court may make regarding the payment by instalments, and the evidence to which the court may have regard in making an order.
- Clause 6 provides that the amendments to section 53 apply only to offences committed after the commencement of clause 5.

