

Western Australia

## **Criminal Code (Rock Throwing and Laser Pointing) Amendment Bill 2009**

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Western Australia

LEGISLATIVE ASSEMBLY

*(Introduced by Mr Quigley, MLA)*

**Criminal Code (Rock Throwing and Laser  
Pointing) Amendment Bill 2009**

**A Bill for**

**An Act to amend the *The Criminal Code* to render it unlawful to endanger the safety of a person or the safe use of a vehicle by throwing an object or by a similar activity.**

The Parliament of Western Australia enacts as follows:

**s. 1**

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1   **1.     Short title**

2           This Act is the *Criminal Code (Rock Throwing and Laser*  
3           *Pointing) Amendment Act 2009*.

4   **2.     Commencement**

5           This Act comes into operation as follows —

- 6           (a)   sections 1 and 2 — on the day on which this Act  
7                receives the Royal Assent;  
8           (b)   the rest of the Act — on the day after that day.

9   **3.     Act amended**

10          This Act amends *The Criminal Code*.

11   **4.     Section 304A inserted**

12          Insert after Section 304:

13       **304A.   Endangering the safe use of a vehicle by throwing**  
14       **an object or by a similar activity**

15       (1)   In this section —

16           *at* includes towards;

17           *beam of light*, from a laser, means the beam of  
18           radiation produced by a laser device;

19           *laser* means a laser pointer, laser scope or other laser  
20           device;

21           *path* includes pathway, course and channel;

22           *place* includes insert and submerge;

23           *throw* includes propel, project and kick.

24       (2)   A person who —

- 25           (a)   throws an object at a vehicle, vessel or aircraft  
26                that is in the course of travelling; or

- 1 (b) places an object in or near to the path a vehicle,  
2 vessel or aircraft is using or may use in the  
3 course of travelling; or
- 4 (c) directs a beam of light from a laser at or near a  
5 vehicle, vessel or aircraft that is in the course of  
6 travelling,
- 7 in a way that endangers or is likely to endanger the safe  
8 use of the vehicle, vessel or aircraft is guilty of a crime  
9 and is liable to imprisonment for a maximum of  
10 2 years.
- 11 (3) A person who engages in the actions described in  
12 subsection (2)(a), (2)(b) or (2)(c) and as a result  
13 endangers or is likely to endanger the life, health or  
14 safety of any person is guilty of a crime and is liable to  
15 imprisonment for a maximum of 5 years.
- 16 (4) For paragraph (2)(a), throwing an object at a vehicle,  
17 vessel or aircraft includes throwing or dropping an  
18 object onto or near the vehicle, vessel or aircraft or into  
19 or near to the path of the vehicle, vessel or aircraft.
- 20 (5) The following do not matter —
- 21 (a) the intention with which an object is thrown,  
22 dropped or placed or a beam of light from a  
23 laser is directed (in any case, the initial act);
- 24 (b) whether contact is made with a vehicle, vessel  
25 or aircraft;
- 26 (c) without limiting paragraph (a), whether a  
27 particular vehicle, vessel or aircraft is involved;
- 28 (d) in relation to a requirement that a vehicle,  
29 vessel or aircraft be in the course of  
30 travelling—whether the vehicle, vessel or  
31 aircraft is moving or stationary;

**s. 4**

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- 1 (e) whether a vehicle, vessel or aircraft is in the  
2 sight of the offender or present when the initial  
3 act is done.

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