



## MESSAGE No. 33

Mr Speaker

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Criminal Code Amendment Bill 2008* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

A handwritten signature in blue ink, appearing to be "B. House", is written over the text.

Hon Barry House  
President of the Legislative Council

Legislative Council Chamber  
Perth, 10 September 2009

*Schedule indicating the amendments made by the Legislative Council in the Criminal Code Amendment Bill 2008*

**No. 1**

Page 2, lines 13 to 16 — To delete “by a young person (as defined in the *Young Offenders Act 1994* section 3) in prescribed circumstances, then, notwithstanding that Act” and insert —

in prescribed circumstances by a person who has reached 16 but not 18 years of age, then, notwithstanding the *Young Offenders Act 1994*

**No. 2**

Page 3, line 6 — To delete “and subsection (5) does not apply” and insert —

by a person who has reached 18 years of age

**No. 3**

Page 4, lines 4 to 7 — To delete “a young person (as defined in the *Young Offenders Act 1994* section 3) is convicted of an offence against this section committed in prescribed circumstances, then, notwithstanding that Act” and insert —

a person is convicted of an offence against this section committed in prescribed circumstances at a time when the person had reached 16 but not 18 years of age, then, notwithstanding the *Young Offenders Act 1994*

**No. 4**

Page 4, lines 25 and 26 — To delete “and subsection (2) does not apply” and insert —

at a time when the person had reached 18 years of age

**No. 5**

Page 5, lines 23 to 30 — To delete the clause.

**No. 6**

Page 5, after line 30 — To insert —

**6. Section 740A inserted**

After section 739 insert:

**740A. Review of certain amendments to s. 297 and 318**

- (1) The Minister shall carry out a review of the operation and effectiveness of the amendments made to this Code by the *Criminal Code Amendment Act 2008* as soon as practicable after the third anniversary of the day on which those amendments came into operation.
- (2) The Minister shall prepare a report based on the review made under subsection (1), and shall, as soon as is practicable after that preparation, cause the report to be laid before each House of Parliament.



Clerk of the Legislative Council