



CRIMINAL CODE AMENDMENT ACT 1985

No. 17 of 1985

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AN ACT to amend the Criminal Code.

[Royal Assent 1 May 1985]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Criminal Code Amendment Act* Short title. 1985.

Commence-
ment.

2—This Act shall commence on the day on which it receives the royal assent.

References to
Criminal Code.

3—In this Act, the *Criminal Code** is referred to as the Code.

Amendment of
section 268 of
the Code
(Arson).

4—Section 268 of the Code is amended by inserting “ or heap ” after “ stack ”.

Insertion
of new
section 268A
in the Code.

5—After section 268 of the Code, the following section is inserted:—

Unlawfully
setting fire
to crops, forest,
moorland,
peat, &c.

268A—(1) Any person who unlawfully sets fire to any vegetation, whether live or dead, is guilty of a crime.

Charge: Unlawfully setting fire to vegetation.

(2) Without limiting the generality of subsection (1), a reference to vegetation in that subsection includes a reference to—

(a) any cultivated vegetable produce, whether standing or cut;

(b) any crop of hay or grass, whether the natural or indigenous product of the soil or not, whether under cultivation or not, and whether standing or cut;

(c) any forest, standing tree, sapling, or shrub, whether indigenous or cultivated;

(d) any moorland, heath, scrub, fern, tussocks, sags, gorse or other weeds; or

(e) any peat, humus, litter, bark, stump, or log.

Amendment of
section 269 of
the Code
(Unlawfully
setting fire
to property).

6—Section 269 of the Code is amended by inserting “ or 268A ” after “ 268 ”.

Amendment of
Appendix B
to the Code
(Crimes
referred to
in sections
27 (5) and
30 (3)).

7—Appendix B to the Code is amended by inserting after “ Rape.” the following:—

“ Unlawfully setting fire to vegetation, in any case in which serious danger shall have been caused to the life of any person.”.

* Schedule 1 to 14 Geo. V No. 69. For the *Criminal Code Act* 1924 and the *Criminal Code*, as amended to 1st March 1980. see the continuing Reprint of Statutes. Subsequently amended by No. 19 of 1980, No. 52 of 1981, Nos. 33 and 99 of 1982, No. 77 of 1983 and No. 3 of 1984.