



**CRIMINAL CODE AMENDMENT (YEAR AND A DAY  
RULE REPEAL) ACT 1993**

---

**No. 9 of 1993**

---

**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Principal Act
4. Section 155 repealed
5. Repeal to be absolute
6. Transitional

**AN ACT to amend the *Criminal Code***

**[Royal Assent 20 April 1993]**

**B**E 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:—

**Short title**

**1**—This Act may be cited as the *Criminal Code Amendment (Year and a Day Rule Repeal) Act 1993*.

### **Commencement**

2—This Act commences on the day on which it receives the Royal Assent.

### **Principal Act**

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

### **Section 155 repealed**

4—Section 155 of the Code is repealed.

### **Repeal to be absolute**

5—(1) In this section, “**common law defence**” means a rule or principle of the common law that renders any circumstances a justification or excuse for any act or omission or a defence to a charge upon indictment.

(2) For the avoidance of doubt, the repeal effected by section 4 of this Act is not to be taken as reviving any common law defence that might, but for this section, be revived by the repeal.

### **Transitional**

6—(1) The repeal effected by section 4 of this Act does not apply to criminal proceedings that began before the commencement of this Act.

---

\* Schedule 1 to 14 Geo. V No. 69. For the *Criminal Code*, as amended to 1 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, No. 3 of 1984, No. 17 of 1985, Nos. 77, 86 and 93 of 1986, Nos. 26, 71, 81 and 83 of 1987, Nos. 14 and 29 of 1988, Nos. 7, 9 and 33 of 1989, No. 13 of 1990, Nos. 3, 43 and 46 of 1991 and No. 21 of 1992.

1993

*Criminal Code Amendment (Year and a  
Day Rule Repeal)*

No. 9

s. 6

(2) For the purposes of subsection (1), criminal proceedings are taken to have begun if the defendant has been called upon to plead.

---

*[Second reading presentation speech made in:—  
House of Assembly on 24 March 1993  
Legislative Council on 31 March 1993]*

