



Crimes (Internationally Protected Persons) Act 1976

Act No. 8 of 1977 as amended

This compilation was prepared on 12 October 2012
taking into account amendments up to Act No. 136 of 2012

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act relating to the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents

1 Short title [see Note 1]

This Act may be cited as the *Crimes (Internationally Protected Persons) Act 1976*.

2 Commencement [see Note 1]

- (1) Subject to subsection (2), this Act shall come into operation on the day on which it receives the Royal Assent.
- (2) Section 11 shall come into operation on a date to be fixed by Proclamation, being a date not earlier than the date on which the Convention enters into force for Australia.

3 Interpretation

- (1) In this Act, unless the contrary intention appears:

Australia includes:

- (a) all the Territories; and
- (b) the Australian coastal sea.

Australian aircraft means:

- (a) an aircraft registered or required to be registered under regulations made under the *Civil Aviation Act 1988*;
- (b) an aircraft that is owned by, or is in the possession or control of, the Commonwealth or an authority of the Commonwealth; or
- (c) an aircraft of any part of the Defence Force, including an aircraft that is being commanded or piloted by a member of that Force in the course of the member's duties as such a member.

Australian coastal sea means any sea or waters the sovereignty in respect of which is declared by the *Seas and Submerged Lands Act 1973* to be vested in the Crown in right of the Commonwealth, and

includes the airspace over, and the seabed and subsoil beneath, any such sea or waters.

Australian ship means:

- (a) a ship registered in Australia; or
- (b) a ship that belongs to an arm of the Defence Force.

Convention means the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, that was opened for signature at New York on 14 December 1973, a copy of the English text of which is set out in the Schedule.

Foreign Affairs Minister means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

- (3) Except so far as the contrary intention appears, an expression that is used in this Act and in the Convention has, in this Act, the same meaning as in the Convention, whether or not a particular meaning is expressly assigned to it by the Convention and whether or not the Convention has entered into force in pursuance of paragraph 1 of article 17 of the Convention.

3A Extended meaning of *internationally protected person*

- (1) For the purposes of this Act, the definition of ***internationally protected person*** in paragraph 1 of article 1 of the Convention has effect as if the reference in that definition to a Head of State included, in relation to Australia, the Governor-General.
- (2) For the purposes of this Act, the definition of ***internationally protected person*** in paragraph 1 of article 1 of the Convention has effect as if that definition included, in prescribed circumstances, the following persons:
 - (a) a prescribed representative or official of Australia;
 - (b) a prescribed representative or official of a prescribed state other than Australia;
 - (c) a prescribed official or agent of a prescribed international organisation, where the organisation is of an intergovernmental character;
 - (d) a prescribed official of a prescribed designated overseas mission;

- (e) a member of the family of a person covered by paragraph (a), (b), (c) or (d), where the family member is part of the person's household.

Note 1: A person may be prescribed by name, by reference to the holding of a specified office or position or by reference to membership of a specified class.

Note 2: A thing may be prescribed by name or by reference to membership of a specified class.

- (3) The Governor-General may make regulations for the purposes of this section.

- (4) In this section:

designated overseas mission has the same meaning as in the *Overseas Missions (Privileges and Immunities) Act 1995*.

official in relation to a designated overseas mission, means:

- (a) the head of the mission; or
- (b) a member of the staff of the mission.

4 Extension of Act to Territories

This Act extends to every Territory.

5 Extraterritorial operation of Act

This Act extends, except so far as the contrary intention appears:

- (a) to acts, matters and things outside Australia, whether or not in or over a foreign country; and
- (b) to all persons, irrespective of their nationality or citizenship.

6 Effect of this Act on other laws

- (1) Except as provided by this section, this Act is not intended to exclude or limit the operation of any other law of the Commonwealth or any law of a State or Territory.
- (2) Where any conduct by a person is both an offence against this Act and an offence against any other law referred to in subsection (1) and that person is convicted of either of those offences, that person is not liable to be convicted of the other of those offences.

- (3) Where a person has been convicted of an offence under the law of a country outside Australia in respect of any conduct, that person is not liable to be convicted of an offence against this Act in respect of that conduct.

6A Application of the *Criminal Code*

Chapter 2 of the *Criminal Code* applies to all offences against this Act.

Note: Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

7 Ratification of Convention

Approval is given to the ratification by Australia of the Convention.

8 Offences

- (1) A person who murders or kidnaps an internationally protected person is guilty of an offence against this Act and is punishable on conviction by imprisonment for life.
- (2) A person who commits any other attack upon the person or liberty of an internationally protected person is guilty of an offence against this Act and is punishable on conviction:
 - (a) where the attack causes death—by imprisonment for life;
 - (b) where the attack causes grievous bodily harm—by imprisonment for a period not exceeding 20 years; or
 - (c) in any other case—by imprisonment for a period not exceeding 10 years.
- (3) A person who intentionally destroys or damages (otherwise than by means of fire or explosive):
 - (a) any official premises, private accommodation or means of transport, of an internationally protected person; or
 - (b) any other premises or property in or upon which an internationally protected person is present, or is likely to be present;is guilty of an offence against this Act and is punishable upon conviction by imprisonment for a period not exceeding 10 years.

- (3A) A person who intentionally destroys or damages (otherwise than by means of fire or explosive):
- (a) any official premises, private accommodation or means of transport, of an internationally protected person; or
 - (b) any other premises or property in or upon which an internationally protected person is present, or is likely to be present;
- with intent to endanger the life of that internationally protected person by that destruction or damage is guilty of an offence against this Act and is punishable upon conviction by imprisonment for a period not exceeding 20 years.
- (3B) A person who intentionally destroys or damages by means of fire or explosive:
- (a) any official premises, private accommodation or means of transport, of an internationally protected person; or
 - (b) any other premises or property in or upon which an internationally protected person is present, or is likely to be present;
- is guilty of an offence against this Act and is punishable upon conviction by imprisonment for a period not exceeding 15 years.
- (3C) A person who intentionally destroys or damages by means of fire or explosive:
- (a) any official premises, private accommodation or means of transport, of an internationally protected person; or
 - (b) any other premises or property in or upon which an internationally protected person is present, or is likely to be present;
- with intent to endanger the life of that internationally protected person by that destruction or damage is guilty of an offence against this Act and is punishable upon conviction by imprisonment for a period not exceeding 25 years.
- (4) A person who threatens to do anything that would constitute an offence against subsection (1), (2), (3), (3A), (3B) or (3C) is guilty of an offence against this Act and is punishable on conviction by imprisonment for a period not exceeding 7 years.
- (4A) For the purposes of an offence against subsection (1), (2), (3), (3A), (3B), (3C) or (4), absolute liability applies to such of the

following physical elements of circumstance as are relevant to the offence:

- (a) that the person who is murdered or kidnapped, or whose person or liberty is otherwise attacked, is an internationally protected person;
- (b) that the premises or property are official premises, private accommodation or means of transport of an internationally protected person;
- (c) that the premises or property are premises or property in or upon which an internationally protected person is present, or is likely to be present;
- (d) that the person whose life is intended to be endangered by destruction or damage is an internationally protected person.

Note: For *absolute liability*, see section 6.2 of the *Criminal Code*.

- (5) For the purposes of this Act, an offence created by section 11.1, 11.2 or 11.2A of the *Criminal Code* shall, to the extent that it relates to an offence against subsection (1), (2), (3), (3A), (3B), (3C) or (4), be deemed to be an offence against this Act.
- (6) Where, on the trial of a person for an offence against subsection (1), or for an offence against section 11.1 of the *Criminal Code* that is related to such an offence, the evidence does not establish the commission by the person of such an offence but establishes the commission by the person of an offence against subsection (2), the person may be found guilty of the last-mentioned offence.
- (7) For the purposes of this section:
 - (a) kidnapping a person consists of leading, taking or enticing the person away, or detaining the person, with intent to hold the person for ransom or as a hostage or otherwise for the purpose of inducing compliance with any demand or obtaining any advantage;
 - (b) murdering a person consists of causing the death of that person in circumstances in which the person causing the death would be guilty of murder according to the law in force in the Australian Capital Territory at the time of the conduct causing the death, whether or not the conduct took place in that Territory;

- (c) a reference to an attack upon the person of an internationally protected person shall be read as including a reference to assaulting an internationally protected person or to administering or applying to an internationally protected person, or causing an internationally protected person to take, a poison, drug or other destructive or noxious substance or thing;
- (d) a person who destroys or damages any official premises, private accommodation or means of transport or any other premises or property shall be taken to have done so intentionally if the person acted:
 - (i) with intent to destroy or damage those premises or that property; or
 - (ii) in the knowledge or belief that the actions were likely to result in the destruction of, or damage to, those premises or that property; and
- (e) a person who destroys or damages any official premises, private accommodation or means of transport or any other premises or property shall be taken to have intended to endanger the life of another person by that destruction or damage if the first-mentioned person acted:
 - (i) with intent to endanger the life of that other person; or
 - (ii) in the knowledge or belief that the actions were likely to endanger the life of that other person.

10 Liability to prosecution

A person is not liable to be charged for an offence against this Act unless:

- (a) the offence is committed in Australia or on an Australian ship or Australian aircraft; or
- (b) the offence is committed after the Convention enters into force for Australia and the person is found in Australia or Australia is required by article 3 of the Convention to establish its jurisdiction over the offence.

11 Taking offenders into custody

- (1) In this section, *constable* means a member or special member of the Australian Federal Police or a member of a police force of a State or Territory.

- (2) Where a constable has reasonable grounds to suspect that a person who is in Australia has committed, outside Australia, an offence against this Act, the constable:
- (a) may take the person into custody for the purpose of being dealt with in accordance with this section; and
 - (b) shall cause the person so taken into custody:
 - (i) to be brought before a Magistrate as soon as practicable to be dealt with in accordance with this section; and
 - (ii) to be held in custody until the person can be so brought before a Magistrate.
- (3) Where:
- (a) a person is brought or appears before a Magistrate in accordance with subsection (2) or on the expiration of a period of remand fixed under subsection (4) or in pursuance of a warrant issued under subsection (6); and
 - (b) there is produced to the Magistrate a warrant for the apprehension of the person for the purposes of criminal or extradition proceedings in connexion with an offence against this Act or any other offence;
- the Magistrate shall make such order as is appropriate to facilitate the execution of the warrant.
- (4) Where, in the circumstances referred to in paragraph (3)(a), a warrant referred to in paragraph (3)(b) is not produced to the Magistrate, the Magistrate shall:
- (a) if the Magistrate is satisfied that further time is reasonably required for determining whether criminal or extradition proceedings should be instituted against the person—remand, or further remand, the person, either in custody or on bail, for a period not exceeding 7 days; or
 - (b) if the Magistrate is not so satisfied—order that the person be released from custody.
- (5) Where a Magistrate remands, or further remands, a person in custody under subsection (4), the person shall, at the expiration of the period of remand or further remand, be brought before that Magistrate or another Magistrate.
- (6) If a person who has been remanded on bail under subsection (4) does not appear before a Magistrate at the time and place mentioned in the recognizance entered into by the person on being

granted bail, a Magistrate may issue a warrant for the apprehension of the person and for bringing the person before a Magistrate.

- (7) A person, other than an Australian citizen, who is taken into custody under subsection (2) is entitled to the rights conferred by paragraph 2 of article 6 of the Convention.
- (8) The laws in force in a State or Territory with respect to:
- (a) the conditions under which persons charged with offences against the law of that State or Territory are held in custody on remand;
 - (b) the treatment of such persons while so held in custody; and
 - (c) the transfer of such persons from one prison or other place of confinement to another;
- apply, so far as they are capable of application, in relation to persons who are held in custody on remand, in accordance with an order under this section, in the prisons or other places of confinement of the State or Territory.
- (9) Nothing in this section prevents the arrest of a person for an offence against this Act in accordance with any other law.

12 Prosecutions

- (1) Subject to subsection (2), a prosecution for an offence against this Act shall be on indictment.
- (2) Where the law of a State or Territory makes provision for a person who pleads guilty to a charge in proceedings for the person's commitment for trial on indictment to be committed to a higher court and dealt with otherwise than on indictment, a person charged in that State or Territory with an offence against this Act may be dealt with in accordance with that law.
- (3) Proceedings for the commitment of a person for trial on indictment for an offence against this Act shall not be instituted except with the consent in writing of the Attorney-General or a person authorized by the Attorney-General, by instrument in writing, to give such consents.
- (4) Notwithstanding that a consent has not been given in relation to the offence in accordance with subsection (3):
- (a) a person may be charged with an offence against this Act;

- (b) a person may be arrested for an offence against this Act, and a warrant for such an arrest may be issued and executed; and
 - (c) a person so charged may be remanded in custody or on bail; but no further step in proceedings referred to in subsection (3) shall be taken in relation to the offence until such a consent has been given.
- (5) Nothing in subsection (4) prevents the discharge of the accused if proceedings are not continued within a reasonable time.

13 Evidence of matters relating to Convention

- (1) The Foreign Affairs Minister may give a written certificate stating:
- (a) that the Convention entered into force for a particular country on a particular day; or
 - (b) that a particular country has not denounced the Convention; or
 - (c) that a particular country has denounced the Convention and the denunciation took effect on a particular day.
- (2) Australia may be named in a certificate under subsection (1).
- (3) A certificate given under subsection (1) is admissible in any proceedings as *prima facie* evidence of the matters stated in the certificate.

14 Certificates by Foreign Affairs Minister

- (1) The Foreign Affairs Minister may give a written certificate stating any matter relevant to the question whether a person is, or was at any time or in respect of any period, an internationally protected person.
- (2) A certificate given under subsection (1) is admissible in any proceedings as *prima facie* evidence of the matters stated in the certificate.

15 Jurisdiction of courts

- (1) A provision of the *Judiciary Act 1903-1973* by which a court of a State is invested with jurisdiction with respect to offences against the laws of the Commonwealth has effect, in relation to offences against this Act, as if that jurisdiction were so invested without

limitation as to locality other than the limitation imposed by section 80 of the Constitution.

- (2) Subject to section 80 of the Constitution, where a person has committed an offence against this Act outside a Territory and is found in, or brought into, the Territory, a court of the Territory has the same jurisdiction in respect of the offence as it would have if the offence had been committed in the Territory.
- (3) The trial of an offence against this Act not committed within a State may be held by a court of competent jurisdiction at any place where the court may sit.

16 Section 38 of Judiciary Act

A matter arising under this Act, including a question of interpretation of the Convention for the purposes of this Act, shall, for the purposes of section 38 of the *Judiciary Act 1903-1973*, be deemed not to be a matter arising directly under a treaty.

Schedule—Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents

Section 3

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and the promotion of friendly relations and co-operation among States,

Considering that crimes against diplomatic agents and other internationally protected persons jeopardising the safety of these persons create a serious threat to the maintenance of normal international relations which are necessary for co-operation among States,

Believing that the commission of such crimes is a matter of grave concern to the international community,

Convinced that there is an urgent need to adopt appropriate and effective measures for the prevention and punishment of such crimes,

Have agreed as follows:

Article 1

For the purposes of this Convention:

1. “internationally protected person” means:
 - (a) a Head of State, including any member of a collegial body performing the functions of a Head of State under the constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign State, as well as members of his family who accompany him;
 - (b) any representative or official of a State or any official or other agent of an international organization of an intergovernmental character who, at the time when and in the place where a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection

from any attack on his person, freedom or dignity, as well as members
of his family forming part of his household;

2. “alleged offender” means a person as to whom there is sufficient
evidence to determine *prima facie* that he has committed or participated in one
or more of the crimes set forth in article 2.

Article 2

1. The intentional commission of:

- (a) a murder, kidnapping or other attack upon the person or liberty of an
internationally protected person;
 - (b) a violent attack upon the official premises, the private accommodation
or the means of transport of an internationally protected person likely to
endanger his person or liberty;
 - (c) a threat to commit any such attack;
 - (d) an attempt to commit any such attack; and
 - (e) an act constituting participation as an accomplice in any such attack
- shall be made by each State Party a crime under its internal law.

2. Each State Party shall make these crimes punishable by appropriate
penalties which take into account their grave nature.

3. Paragraphs 1 and 2 of this article in no way derogate from the obligations
of States Parties under international law to take all appropriate measures to
prevent other attacks on the person, freedom or dignity of an internationally
protected person.

Article 3

1. Each State Party shall take such measures as may be necessary to
establish its jurisdiction over the crimes set forth in article 2 in the following
cases:

- (a) when the crime is committed in the territory of that State or on board a
ship or aircraft registered in that State;
- (b) when the alleged offender is a national of that State;
- (c) when the crime is committed against an internationally protected person
as defined in article 1 who enjoys his status as such by virtue of
functions which he exercises on behalf of that State.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over these crimes in cases where the alleged offender is present in its territory and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 4

States Parties shall co-operate in the prevention of the crimes set forth in article 2, particularly by:

- (a) taking all practicable measures to prevent preparations in their respective territories for the commission of those crimes within or outside their territories;
- (b) exchanging information and co-ordinating the taking of administrative and other measures as appropriate to prevent the commission of those crimes.

Article 5

1. The State Party in which any of the crimes set forth in article 2 has been committed shall, if it has reason to believe that an alleged offender has fled from its territory, communicate to all other States concerned, directly or through the Secretary-General of the United Nations, all the pertinent facts regarding the crime committed and all available information regarding the identity of the alleged offender.

2. Whenever any of the crimes set forth in article 2 has been committed against an internationally protected person, any State Party which has information concerning the victim and the circumstances of the crime shall endeavour to transmit it, under the conditions provided for in its internal law, fully and promptly to the State Party on whose behalf he was exercising his functions.

Article 6

1. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the alleged offender is present shall take the appropriate measures under its internal law so as to ensure his presence for the purpose of

prosecution or extradition. Such measures shall be notified without delay directly or through the Secretary-General of the United Nations to:

- (a) the State where the crime was committed;
- (b) the State or States of which the alleged offender is a national or, if he is a stateless person, in whose territory he permanently resides;
- (c) the State or States of which the internationally protected person concerned is a national or on whose behalf he was exercising his functions;
- (d) all other States concerned; and
- (e) the international organization of which the internationally protected person concerned is an official or an agent.

2. Any person regarding whom the measures referred to in paragraph 1 of this article are being taken shall be entitled:

- (a) to communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to protect his rights or, if he is a stateless person, which he requests and which is willing to protect his rights; and
- (b) to be visited by a representative of that State.

Article 7

The State Party in whose territory the alleged offender is present shall, if it does not extradite him, submit, without exception whatsoever and without undue delay, the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State.

Article 8

1. To the extent that the crimes set forth in article 2 are not listed as extraditable offences in any extradition treaty existing between States Parties, they shall be deemed to be included as such therein. States Parties undertake to include those crimes as extraditable offences in every future extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may, if it decides to extradite, consider this Convention as the legal basis for extradition in respect of those crimes.

Extradition shall be subject to the procedural provisions and the other conditions of the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize those crimes as extraditable offences between themselves subject to the procedural provisions and the other conditions of the law of the requested State.

4. Each of the crimes shall be treated, for the purpose of extradition between States Parties, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with paragraph 1 of article 3.

Article 9

Any person regarding whom proceedings are being carried out in connexion with any of the crimes set forth in article 2 shall be guaranteed fair treatment at all stages of the proceedings.

Article 10

1. States Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of the crimes set forth in article 2, including the supply of all evidence at their disposal necessary for the proceedings.

2. The provisions of paragraph 1 of this article shall not affect obligations concerning mutual judicial assistance embodied in any other treaty.

Article 11

The State Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

Article 12

The provisions of this Convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this Convention, as between the States which are parties to those Treaties; but a State Party to this Convention may not invoke those Treaties with respect to another State Party to this Convention which is not a party to those Treaties.

Article 13

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 14

This Convention shall be open for signature by all States, until 31 December 1974 at United Nations Headquarters in New York.

Article 15

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 16

This Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 17

1. This Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

Schedule Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 18

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect six months following the date on which notification is received by the Secretary-General of the United Nations.

Article 19

The Secretary-General of the United Nations shall inform all States, *inter alia*:

- (a) of signatures to this Convention, of the deposit of instruments of ratification or accession in accordance with articles 14, 15 and 16 and of notifications made under article 18.
- (b) of the date on which this Convention will enter into force in accordance with article 17.

Article 20

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 14 December 1973.

Table of Acts**Notes to the *Crimes (Internationally Protected Persons) Act 1976*****Note 1**

The *Crimes (Internationally Protected Persons) Act 1976* as shown in this compilation comprises Act No. 8, 1977 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Crimes (Internationally Protected Persons) Act 1976</i>	8, 1977	28 Feb 1977	S. 11: 20 July 1977 (<i>see Gazette</i> 1977, No. S145) Remainder: Royal Assent	
<i>Australian Federal Police (Consequential Amendments) Act 1979</i>	155, 1979	28 Nov 1979	19 Oct 1979 (<i>see s. 2 and Gazette</i> 1979, No. S206)	—
<i>Australian Federal Police (Consequential Amendments) Act 1980</i>	70, 1980	28 May 1980	28 May 1980	—

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Crimes Legislation Amendment Act 1987</i>	120, 1987	16 Dec 1987	Ss. 11, 14, 74 and 75: 1 Mar 1989 (see <i>Gazette</i> 1989, No. S54) Ss. 16–18, 69(b) and 70–73: 19 Dec 1988 (see <i>Gazette</i> 1988, No. S384) Parts II (ss. 3–9), VI and VII (ss 30–33), Ss. 34–46, 48–55 and 59: Royal Assent S. 47: 1 Jan 1990 (see <i>Gazette</i> 1989, No. S359) Ss. 56–58: 16 Dec 1987 (see s. 2(4)) Ss. 60–67: 1 Sept 1988 (see s. 2(5)) Remainder: 13 Jan 1988	—
<i>Civil Aviation Act 1988</i>	63, 1988	15 June 1988	Part III (ss. 17–32), s. 98, Parts IX and X (ss. 99–103): 1 July 1988 (see <i>Gazette</i> 1988, No. S189) Remainder: Royal Assent	—
<i>Law and Justice Legislation Amendment Act 1989</i>	11, 1990	17 Jan 1990	Part I (ss. 1, 2), Part 3 (ss. 6, 7) and ss. 12, 13 and 51(1)(b), (2): Royal Assent Ss. 8–10: 17 July 1990 Remainder: 14 Feb 1990	—
<i>Qantas Sale Act 1992</i>	196, 1992	21 Dec 1992	Schedule (Part 2): 10 Mar 1993 (see <i>Gazette</i> 1993, No. GN17) (a)	—
<i>Crimes and Other Legislation Amendment Act 1994</i>	182, 1994	19 Dec 1994	S. 31: 16 Jan 1995 (b)	—
<i>Overseas Missions (Privileges and Immunities) (Consequential Amendments) Act 1995</i>	58, 1995	28 June 1995	Schedule 2: 28 June 1995	—

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Law and Justice Legislation Amendment (Application of Criminal Code) Act 2001</i>	24, 2001	6 Apr 2001	S. 4(1), (2) and Schedule 16: (c)	S. 4(1), (2)
<i>Crimes Legislation Amendment (Serious and Organised Crime) Act (No. 2) 2010</i>	4, 2010	19 Feb 2010	Schedule 10 (item 10): 20 Feb 2010	—
<i>Statute Law Revision Act 2011</i>	5, 2011	22 Mar 2011	Schedule 5 (items 69, 70): 19 Apr 2011	—
<i>Statute Law Revision Act 2012</i>	136, 2012	22 Sept 2012	Schedule 3 (item 2): Royal Assent	—

Act Notes

- (a) The *Crimes (Internationally Protected Persons) Act 1976* was amended by the Schedule (Part 2) only of the *Qantas Sale Act 1992*, subsection 2(3)(a) of which provides as follows:
- (3) A Proclamation may fix a day that is earlier than the day on which the Proclamation is published in the *Gazette* but only if:
- (a) in the case of sections 30, 31, 35, 37, 39, 43 and 50 and Parts 1 and 2 of the Schedule—the day is not earlier than the substantial minority sale day; and
- (b) The *Crimes (Internationally Protected Persons) Act 1976* was amended by section 31 only of the *Crimes and Other Legislation Amendment Act 1994*, subsection 2(4) of which provides as follows:
- (4) The amendments made by this Act to the *Australian Federal Police Act 1979*, the *Crimes (Aviation) Act 1991* (other than the amendment made to Schedule 5 to that Act), the *Crimes (Hostages) Act 1989*, the *Crimes (Internationally Protected Persons) Act 1976*, the *Crimes (Overseas) Act 1964*, the *Crimes (Superannuation Benefits) Act 1989*, the *Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990*, the *Customs Act 1901*, the *Director of Public Prosecutions Act 1983*, the *Extradition Act 1988*, the *Financial Transaction Reports Act 1988* and to sections 23 and 59 of the *Proceeds of Crime Act 1987* commence on the 28th day after the day on which this Act receives the Royal Assent.
- (c) The *Crimes (Internationally Protected Persons) Act 1976* was amended by Schedule 16 only of the *Law and Justice Legislation Amendment (Application of Criminal Code) Act 2001*, subsection 2(1)(a) of which provides as follows:
- (1) Subject to this section, this Act commences at the later of the following times:
- (a) immediately after the commencement of item 15 of Schedule 1 to the *Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000*;
- Item 15 commenced on 24 May 2001.

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
S. 3	am. No. 120, 1987; No. 63, 1988; No. 196, 1992; No. 58, 1995; No. 5, 2011; No. 136, 2012
S. 3A	ad. No. 58, 1995
S. 6	am. No. 120, 1987
S. 6A	ad. No. 24, 2001
S. 8	am. No. 120, 1987; No. 11, 1990; No. 24, 2001; No. 4, 2010
S. 9	rep. No. 120, 1987
S. 11	am. No. 155, 1979; No. 70, 1980; No. 120, 1987
S. 12	am. No. 120, 1987
S. 13	rs. No. 182, 1994 am. No. 5, 2011
Heading to s. 14	am. No. 5, 2011
S. 14	rs. No. 182, 1994 am. No. 5, 2011
S. 17	am. No. 120, 1987 rep. No. 58, 1995

Table A

Table A

Application, saving or transitional provisions

Law and Justice Legislation Amendment (Application of Criminal Code) Act 2001 (No. 24, 2001)

4 Application of amendments

- (1) Subject to subsection (3), each amendment made by this Act applies to acts and omissions that take place after the amendment commences.
- (2) For the purposes of this section, if an act or omission is alleged to have taken place between 2 dates, one before and one on or after the day on which a particular amendment commences, the act or omission is alleged to have taken place before the amendment commences.