

## Penalty Summary: Criminal Law Consolidation Act 1935 (SA)

Where an offence is asterisked\*, this means that there is a presumption against bail in relation to the offence under section 10A of the Bail Act 1985 (SA).

### Part 2 – Treason

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
7	Treason (lessor offences)	Life or not less than 6 months	-
10A	Treason	Life	-

### Part 3 – Offences Against the Person

#### Division 1 - Homicide

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
11*	Murder	Life	-
12	Conspiring or soliciting to commit murder	Life	-
12A	Causing death by an intentional act of violence	Life	-
13*	Manslaughter *S 10A Bail Act Applies (presumption against bail), if MV used in police pursuit and manslaughter caused by use of MV- mandatory license disqualification 10 years	Life	Fine can also be imposed
13A(3)	Killing someone as part of a suicide pact (manslaughter)	Life	Fine can also be imposed
13A(5)(6)	Aid, abet or counsel a person to commit suicide: - where suicide committed - where suicide attempted If offence was part of suicide pact - where suicide committed - where suicide attempted Noting death by voluntary assisted dying medication is not suicide	14 years 8 years 5 years 2 years	- - - -
13A(7)	Fraud, duress or undue influence leading to suicide	Life	-

#### Division 1A – Criminal neglect

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
14	Criminal neglect from unlawful act: - Victim dies - In any other case	Life 15 years	- -
14A	Failing to Provide food in certain circumstances	3 years	-

#### Division 2 – Defences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
14B	Abolition of certain common law defences (provocation, necessity, duress, marital coercion)		
15	Self Defence		
15A	Defence of Property etc (Note: it is partial defence for murder, reducing offence to manslaughter)		
15B	Reasonableness etc were offence committed in circumstances of family violence		
15C	Requirement of reasonable proportionality not to apply in case of an innocent defence against home invasion		
15D	Duress (except for prescribed offences)		
15E	Sudden or extraordinary emergency (except for prescribed offences)		

#### Division 3 – Miscellaneous

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
16	Petit treason (deemed to be murder)	Life	-

#### Divisions 4 and 5 – Unlawful threats and stalking

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
19(1)	Unlawful threats to kill or endanger - Basic offence - Aggravated offence	10 years 12 years	- -
19(2)	Unlawful threats to cause harm to another - Basic Offence - Aggravated Offence - Aggravated Offence under s5AA(1)(c),(ca) or (ka) circumstances	5 years 7 years 8 years	- - -
19AA	Unlawful stalking – at least 2 occasions - Basic Offence - Aggravated Offence	3 years 5 years	- -

Division 6 – Serious vehicle and vessel offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
19A(1)*	<p>Causing death by dangerous use – vehicle or vessel</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offence that is a basic offence Motor vehicle involved = licence disqualification 10 yr (min)</li> <li>- 1<sup>st</sup> offence that is an aggravated offence or for any subsequent offence Motor vehicle involved = licence disqualification 10 yr (min)</li> <li>- No motor vehicle or vessel involved</li> </ul> <p>* S 10A Bail Act Applies (presumption against bail) if MV used in police pursuit and commits offence</p>	<p>15 years</p> <p>Life</p> <p>7 years</p>	-
19A(3)*	<p>Causing serious harm by dangerous use – vehicle or vessel</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offence that is a basic offence Motor vehicle involved = licence disqualification 10 yr (min)</li> <li>- 1<sup>st</sup> offence that is an aggravated offence or for any subsequent offence Motor vehicle involved = licence disqualification 10 yr (min)</li> </ul> <p>Vehicle or vessel used in commission of offence but serious harm not caused</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offence that is a basic offence Motor vehicle involved = licence disqualification 1 yr (min)</li> <li>- 1<sup>st</sup> offence that is an aggravated offence of</li> </ul>	<p>15 years</p> <p>Life</p> <p>5 years</p> <p>7 years</p>	-

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	<p>for any subsequent offence Motor vehicle involved = licence disqualification 3 yr (min)</p> <ul style="list-style-type: none"> <li>- No motor vehicle or vessel involved</li> </ul> <p>*S 10A Bail Act Applies (presumption against bail) if MV used in police pursuit and commits offence</p>	5 years	-
19AB(1)	<p>Leaving accident scene after causing death, vehicle/vessel</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offence Motor vehicle involved = licence disqualification 10yr (min)</li> <li>- Subsequent offence Motor vehicle involved = licence disqualification 10yr (min)</li> <li>- No MV or vessel involved</li> </ul>	<p>15 years</p> <p>Life</p> <p>7 years</p>	<p>-</p> <p>-</p> <p>-</p>
19AB(2)	<p>Leaving accident scene after causing harm, vehicle/vessel Serious Harm</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offence Motor vehicle involved = licence disqualification 10yr (min)</li> <li>- Subsequent offence Motor vehicle involved = licence disqualification 10yr (min)</li> </ul> <p>Leaving accident scene after causing harm, vehicle/vessel Not Serious Harm</p> <ul style="list-style-type: none"> <li>- 1<sup>st</sup> offence Motor vehicle involved = licence disqualification 1yr (min)</li> <li>- Subsequent offence Motor vehicle involved = licence</li> </ul>	<p>15 years</p> <p>Life</p> <p>5 years</p> <p>7 years</p>	<p>-</p> <p>-</p> <p>-</p> <p>-</p>

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	disqualification 3yr (min) - No motor vehicle of vessel involved	5 years	
19AC	Dangerous driving to escape police pursuit - Basic offence – 2yr lic disq (min) - Aggravated Offence – 2yr lic disq (min)	3 years 5 years	- -
19AD	Street Racing - 1 <sup>st</sup> offence that is a basic offence Licence disqualification 1 yr (min) - 1 <sup>st</sup> offence that is an aggravated offence or for any subsequent offence Licence disqualification 3 yr (min)	3 years 5 years	- -
19ADA	Extreme Speed - basic offence - aggravated offence  License disqualification -1 <sup>st</sup> offence: basic offence 2 yrs (min) Aggravated offence 5 yrs (min) -Subsequent offence 5 yrs (min)	3 years 5 years	

#### Divisions 7 – Assault

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
20(3)	Assault - Basic Offence - Aggravated Offence - Use of or a threat to use an offensive weapon - Aggravated Offence under s5AA(1)(c),(ca) or (ka) circumstances	2 years 3 years 4 years 5 years	- - - -
20(4)	Assault Causing Harm - Basic Offence - Aggravated Offence	3 years 4 years	- - -

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	<ul style="list-style-type: none"> <li>- Use of or a threat to use an offensive weapon</li> <li>- Aggravated Offence under s5AA(1)(c),(ca) or (ka) circumstances</li> </ul>	<p>5 years</p> <p>7 years</p>	-
20AA	<p>Causing harm to, or assaulting, certain emergency workers etc,</p> <ul style="list-style-type: none"> <li>- Intending to cause harm</li> <li>- Reckless as to causing harm</li> <li>- Assault</li> <li>- Hinders/Resists police in course of official duties causing harm to officer</li> </ul>	<p>15 years</p> <p>10 years</p> <p>5 years</p> <p>10 years</p>	- - - -
20AB	<p>Offence involving use of human biological material</p> <ul style="list-style-type: none"> <li>- Causing harm</li> <li>- In any other case</li> </ul>	<p>3 years</p> <p>2 years</p>	- -
20AC	Alternative verdicts		

#### Division 7AA – Choking etc in a domestic setting

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
20A*	<p>Choking, suffocation or strangulation in a domestic setting without consent</p> <p>*S 10A Bail Act Applies (presumption against bail),</p>	7 years	-
20A(4)	<p>The jury may return a verdict that the defendant is not guilty of the offence charged but is guilty of assault;</p> <p>Assault</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> <li>- Use of or a threat to use an offensive weapon</li> </ul> <p>Assault Causing Harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> <li>- Use of or a threat to use an offensive weapon</li> </ul>	<p>2 years</p> <p>3 years</p> <p>4 years</p> <p>3 years</p> <p>4 years</p> <p>5 years</p>	- - - - - -

Division 7A – Causing Physical or Mental Harm

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
23	<p>Causing serious harm Intending to cause serious harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul> <p>Recklessly cause serious harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul> <p>s 23(2) - court may impose penalty exceeding prescribed maximum on appointment of DPP</p>	<p>20 years</p> <p>25 years</p> <p>15 years</p> <p>19 years</p>	<p>-</p> <p>-</p> <p>-</p> <p>-</p>
24	<p>Causing harm Intending to cause the harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul> <p>Recklessly cause harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> <li>- Aggravated Offence under s5AA(1)(c),(ca) or (ka) circumstances</li> </ul>	<p>10 years</p> <p>13 years</p> <p>5 years</p> <p>7 years</p> <p>8 years</p>	<p>-</p> <p>-</p> <p>-</p> <p>-</p> <p>-</p>
25	Alternative verdicts		
29	Acts or omissions endangering life or creating risk of serious harm		
29(1)	<p>Act or omission likely to endanger the life of another</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul>	<p>15 years</p> <p>18 years</p>	<p>-</p> <p>-</p>
29(2)	<p>Act or omission likely to cause serious harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul>	<p>10 years</p> <p>12 years</p>	<p>-</p> <p>-</p>
29(3)	<p>Act or omission likely to cause harm</p> <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> <li>- Aggravated Offence under s5AA(1)(c),(ca) or (ka) circumstances</li> </ul> <p>*Use of a motor vehicle - court must impose licence disqualification for 5yrs or more.</p>	<p>5 years</p> <p>7 years</p> <p>8 years</p>	<p>-</p> <p>-</p> <p>-</p>
29(4)*	*S 10A Bail Act Applies (presumption against bail) if		

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	MV used in police pursuit and commits offence		
29A	Shooting at police officers <ul style="list-style-type: none"> <li>- Victim suffers Serious Harm</li> <li>- Otherwise</li> </ul> (Court may impose penalty exceeding prescribed maximum)	25 years 10 years	- -
29A(5)	Jury may return a verdict that the defendant is not guilty of the offence charged but is guilty of the lesser offence.		
31(1)	Possession of object with intent to kill or cause serious harm	20 years	-
31(2)	Possession of object with intent to cause harm	10 years	-

#### Division 7AB – Special firearm offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
32	Possession of firearm (or imitation) with intent to commit offence punishable by 2yrs gaol or more	10 years	-
32AA	Discharge of firearms <ul style="list-style-type: none"> <li>- Intending to injure, annoy or frighten any person</li> <li>- Intending to damage any property</li> <li>- Reckless as to whether that act may injure, annoy or frighten</li> <li>- Reckless as to whether that act may damage any property</li> </ul>	8 years 5 years 5 years 3 years	- - - -

#### Division 7B – Throwing objects at vehicles

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
32A	Throwing objects at vehicles	5 years	-

#### Division 7C – Food and Beverage spiking

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
32C(1)	Spiking of food or beverages	3 years	-



Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
32C(2)	Remaining on premises while in possession of prescription or controlled drug between 9pm and 5am the following day	30 months	-

#### Division 8 – Female genital mutilation

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
33A	Female genital mutilation	7 years	-
33B	Removal of child from state for female genital mutilation	7 years	-

#### Division 8A – Child marriage

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
34A	Bringing child into state for marriage		
	- Basic offence	15 years	-
	- Aggravated offence	19 years	-
34B	Removing child from state for marriage		
	- Basic offence	15 years	-
	- Aggravated offence	19 years	-
34C	Consent no defence		

#### Division 9 – Kidnapping and unlawful child removal

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
39	Kidnapping		
	- Basic Offence	20 years	-
	- Aggravated Offence	25 years	-
40	Unlawful removal of child from jurisdiction		
	- Basic Offence	15 years	-
	- Aggravated Offence	19 years	-

#### Division 11 – Rape and other sexual offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
48	Rape	Life	-
48A	Compelled Sexual Manipulation		
	- Basic Offence	10 years	-
	- Aggravated Offence	15 years	-
49	Unlawful sexual intercourse;		
49(1)	with person under the age of 14 yrs	Life	-
49(3)	with person under the age of 17 yrs	15 years	-

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
49(5)	where offender is in a position of authority in relation to a person aged under the age of 18 years	10 years	-
49(6)	where victim has intellectual disability and unable to understand nature/consequences	10 years	-
50	Persistent sexual exploitation of a child More than 1 act committed over more than 3 days of a child under the prescribed age Prescribed age: Person in a position of authority in relation to the child - 18 yrs, in any other case - 17 yrs	Life	-
51	Sexual exploitation of a person with cognitive impairment;		
51(1)	by undue influence	10 years	-
51(2)	indecent manner and without consent - First offence - Subsequent offence	3 years 5 years	- -
56	Indecent assault - Basic offence - Aggravated offence - Victim under the age of 17 yrs - Victim under the age of 14 yrs	8 years 10 years 10 years 15 years	- - - -
58	Acts of gross indecency with or in presence of person under the age of 16 yrs (includes procurement of child for indecent act)	15 years	-
59	Abduction with intent to marry or have sexual intercourse - Basic Offence - Aggravated offence	14 years 18 years	- -
60	Procuring sexual intercourse - Basic Offence - Aggravated Offence	7 years 10 years	- -
61	Householder etc permits unlawful sexual intercourse of person under the age of 17 years on premises	7 years	-

Division 11A – Child exploitation material and related offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
63	Production or dissemination of child pornography	15 years	-
63AA	Produce or disseminate childlike sex dolls	15 years	-
63AAB	Possession of child-like sex dolls	15 years	-
63AB	Host/Administer/Encourage Use/Provide information to avoid apprehension of an offence- child exploitation material website	10 years	-
63A	Possession of child pornography	12 years	-
63B (1)	Procuring child to commit an indecent act <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul> <i>(child means person under 17 years, or under 18 years if accused is in position of authority)</i>	12 years 15 years	- -
63B (3)	Communicating with child to procure indecent act <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul>	12 years 15 years	- -

Division 12 – Commercial sexual services and related offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
66	Sexual servitude and related offences		
66 (1)	Compelling to provide commercial sexual services <ul style="list-style-type: none"> <li>- a child under 14 years of age</li> <li>- a child under 18 years of age</li> <li>- any other case</li> </ul>	Life 19 years 15 years	- - -
66 (2)	Unduly influencing to provide commercial sexual services <ul style="list-style-type: none"> <li>- a child under 14 years of age</li> <li>- a child under 18 years of age</li> <li>- any other case</li> </ul>	Life 12 years 7 years	- - -
67	Deceptive recruiting for commercial sexual services <ul style="list-style-type: none"> <li>- if the victim is a child</li> <li>- any other case</li> </ul> *note s76 corroborative evidence required for conviction	12 years 7 years	- -

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
68 (1)	Employ, engage, cause or permit a child to provide, or to continue to provide commercial sexual services <ul style="list-style-type: none"> <li>- if child is under 14 years of age</li> <li>- any other case</li> </ul>	Life 15 years	- -
68 (2)	Asking child to provide commercial sexual services <ul style="list-style-type: none"> <li>- if under 14 years of age</li> <li>- any other case</li> </ul>	15 years 12 years	- -
68 (3)	Arranging commercial sexual services from children <ul style="list-style-type: none"> <li>- if under 14 years of age</li> <li>- any other case</li> </ul> <p>*note s76 corroborative evidence required for conviction</p>	10 years 4 years	- -

#### Division 13 – Miscellaneous sexual offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
69	Bestiality	10 years	-
72	Incest	10 years	-
72A	Former time limit abolished- no immunity from prosecution due to former s 76A		
75	Alternative verdict on charge of rape etc		

#### Division 15 – Bigamy

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
78	Bigamy <ul style="list-style-type: none"> <li>- first offence</li> <li>- any subsequent offence</li> </ul>	4 years 10 years	- -
79	Defences <ul style="list-style-type: none"> <li>- spouse continually absent for 7 years, not known to be living by other spouse</li> <li>- Marriage dissolved or declared void by Court</li> </ul>		

#### Division 16 – Abduction of children

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
80	Abduction of child under 16 years of age from parent, guardian or other having lawful care of child		
80 (1)	With intent, through force or fraud	7 years	-
80 (1a)	Otherwise	2 years	-

#### Division 18 – Concealment of birth

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
83	Concealment of dead body of child at or after birth	3 years	-

#### Part 3A – Offences relating to public order

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
83B	Riot <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul>	7 years 10 years	- -
83C	Affray <ul style="list-style-type: none"> <li>- Basic Offence</li> <li>- Aggravated Offence</li> </ul>	3 years 5 years	- -
83CA	Information for terrorist acts <ul style="list-style-type: none"> <li>- collects or makes a record of information likely to be of practical use for committing or preparing terrorist act</li> <li>- includes possession of a document or record containing such information</li> </ul>	7 years	-
83CA(2)*	Court may order forfeiture of seized material/equipment  *s10A Bail Act applies- presumption against bail- see reg 3A Bail Regulations 2015 (SA)		

#### Part 3B - Offences relating to criminal organisation

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
83E(1)	Participation in a criminal organisation knowing that, or being reckless as to whether,	15 years	-

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	it is a criminal organisation and participation contributes to occurrence of any criminal activity		
83E(2)	Assaults another person knowing that, or being reckless as to whether, they are by that act participating in a criminal activity of a criminal organisation	20 years	-
83E(3)	Destroy/damage property or threaten to, belonging to another person knowing that, or being reckless as to whether, they are by that act participating in a criminal activity of a criminal organisation	20 years	-
83E(4)	Assaults a public officer on duty knowing that, or being reckless as to whether, they are by that act participating in a criminal activity	25 years	-
83F	Alternative verdicts for 83E(2),(3) or (4)		
83GC	Participant in criminal organisation being knowingly present in public place (with 2 of more participants in a criminal organisation)	3 years	-
83GD(1)	Participant in a criminal organisation who enters or attempts to enter a prescribed place	3 years	-
83GD(2)	Participant in a criminal organisation who enters or attempts to enter a prescribed event	3 years	-
83GE	Participant in a criminal organisation* and recruits, or attempts to recruit, anyone to become a participant in a criminal organisation *does not apply to a declared organisation under the Serious and Organised Crime (Control) Act 2008 (SA)	3 years	-
83GF	Sentence of imprisonment (not suspended) must be imposed for offences against Part 3B-Division 2, unless exceptional circumstances exist		

Part 3C – Protection for working animals

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
83I(1)	Intentionally cause death/serious harm to a working animal	5 years	-
83I(3)	Defence to ss1 if defendant can prove did not know, or could not have reasonably known animal was a working animal- see also ss 4		
83J	Court may order compensation and other costs		
83K	Enforcement of order for compensation-pecuniary sum		

Part 3D – Explosives offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
83N(1)	Use explosive device without lawful excuse	20 years	
83N(2)	Possession of an explosive device in a public place without lawful excuse	10 years	
83N(3)	Possession, supply, or manufacture explosive device without lawful excuse *includes step in process of manufacture	7 years	
83O	Suspicious circumstances (without lawful excuse) uses/possesses/supplies an explosive substance, equipment, or instructions	7 years	
83P(1)	Place article or substance, or send article or substance with intention of false belief of bomb	5 years	
83P(2)	Make false statement (in/outside SA) with intention to create false belief of bomb in SA	5 years	

Part 4 – Offences with respect to property

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
85(1)	Arson i.e. damage building or motor vehicle by fire or explosives	Life	-
85(2)	Damage building or motor vehicle (other than by fire or explosives)	10 years	-

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
85(3)	Damage property other than building or motor vehicle	10 years	-
85(4)	Threatens to damage property <ul style="list-style-type: none"> <li>- basic offence</li> <li>- aggravated offence</li> <li>- aggravated offence by threat to commit arson</li> </ul>	5 years 7 years 15 years	- - -
85A	Recklessly endangering property	6 years	-
85B*	Causing a bushfire *S 10A Bail Act Applies (presumption against bail),	Life	-
86	Possession of object with intent to damage property	2 Years	-
86A	Using or interfering with motor vehicle without consent <ul style="list-style-type: none"> <li>- for first offence (licence disqualification 1 year min)</li> <li>- subsequent offence (licence disqualification 1 year min)</li> </ul> <p>NB: 86A(3) – where offender a child, court must order that child be disqualified from holding/obtaining a licence for 12 months (starting at age when child eligible for licence)</p> <p>86A(5) – court may also order defendant to pay compensation to owner of vehicle</p>	2 years  4 years (3-month min)	-  -

#### Part 4A – Computer Offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
86E	Unauthorised use of computer with intention to commit, or facilitate the commission of, an offence. *see 86E(2(b) offence may be committed even if impossible to commit principal offence *see also ss 3 and 4	Penalty for attempt to commit principal offence	-



Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
86F	Use of computer to commit, or facilitate the commission of, an offence outside the State *see also ss (2)-(4) inc no conviction for attempting to commit offence	Penalty for an attempt to commit principal offence	-
86G	Unauthorised modification of computer data	10 years	-
86H	Unauthorised impairment of electronic communication	10 years	-
86I	Possession of computer viruses etc with intent to commit serious computer offence *see also ss (2)-(5)	3 years	-

Part 5 – Offences of dishonesty  
Preliminary

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
131	Dishonesty defined		
132	Consent of owner		

Theft

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
134(1)	Theft (and receiving) - Basic Offence - Aggravated Offence	10 years 15 years	- -

Robbery

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
137(1)	Robbery - Basic Offence - Aggravated Offence	15 years Life	- -

Money laundering and dealing in instruments of crime

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
138	Money laundering: - if tainted nature of property known: natural person body corporate - if ought reasonably to have known of	20 years -	- \$600,000

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	tainted nature of property: - natural person - body corporate	4 years -	- \$120,000
138A	Dealing in instruments of crime:		
138A(1)	knows property is an instrument of crime, dealing may facilitate commission of a crime or assist in avoiding consequences of the crime - natural person - corporate body	20 years -	- \$600,000
138A(2)	if ought reasonably to have known it is an instrument of crime, reckless about whether the dealing may facilitate commission of a crime or assist in avoiding consequences of the crime - natural person - body corporate	4 years -	- \$120,000

#### Deception

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
139	Deception - Basic Offence - Aggravated Offence	10 years 15 years	- -
139A	Dishonest communication with child (under 17 years) - with intent to commit an offence	5 years 10 years	- -

#### Dishonest dealings with documents

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
140(4)	Dishonest dealings with documents to obtain benefit/cause detriment - Basic Offence - Aggravated Offence	10 years 15 years	- -

#### Dishonest manipulation of machines

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
141(1)	Dishonest manipulation of machine to obtain benefit/cause detriment	10 years	-
141(2)	Dishonestly takes advantage of machine malfunction to	10 years	-

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
	obtain benefit/cause detriment		

#### Dishonest exploitation of advantage

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
142	Dishonest exploitation of position of advantage	10 years	-

#### Miscellaneous offences of dishonesty

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
143	Dishonest interference with merchandise	2 years	-
144	Making off without payment	2 years	-

#### Part 5A – Identity theft

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
144B	Assumption of false identity or making false pretences to commit serious crime	Penalty appropriate for serious criminal offence	
144C	Make use of another person's identity to commit serious crime	Penalty appropriate for serious criminal offence	
144D	Production or possession of prohibited material intending to use for criminal purpose	3 years	-

#### Part 5B – Cheating at gambling

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
144H	Engaging in conduct that corrupts betting outcome of event	10 years	-
144 I	Facilitating conduct that corrupts betting outcome of event	10 years	-
144 J	Concealing conduct or agreement <ul style="list-style-type: none"> <li>- Conduct</li> <li>- agreement</li> </ul>	10 years 10 years	- -
144K	Use of corrupt conduct information or inside information for betting purposes <ul style="list-style-type: none"> <li>- Possessing corrupt conduct information</li> <li>- Possessing inside information</li> </ul>	10 years 2 years	- -

Part 6 – Secret Commissions (Unlawful bias in commercial relationships)

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
149	Fiduciary exercising unlawful bias	7 years	-
150(1)	Bribing a fiduciary to exercise unlawful bias	7 years	-
150(3)	Fiduciary accepting a bribe to exercise unlawful bias	7 years	-

Part 6A – Serious criminal trespass

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
167	Sacrilege	Life	-
169(1)	Serious criminal trespass (non-residential building) - Basic Offence - Aggravated Offence	10 years 20 years	- -
170	Serious criminal trespass (places of residence) - Basic Offence - Aggravated Offence	15 years Life	- -
170A	Criminal Trespass (places of residence) - Basic Offence - Aggravated Offence	3 years 5 years	- -

Part 6B - Blackmail

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
172*	Blackmail - Basic Offence - Aggravated Offence *S 10A Bail Act Applies (presumption against bail),	15 years 20 years	- -

Part 6C - Piracy

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
174	Piracy	Life	-

Part 6D – Offences relating to human remains

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
177	Destroy etc human remains to pervert course of justice	15 years	-
178	Defile etc human remains	15 years	-
179(1)	Failure to report found human remains	5 years	-
179(4)	Conceal human remains	5 years	-

Part 7 – Offences of a public nature

Impeding investigation of offences or assisting offenders

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
241(3)	<p>Impeding investigation of offences or assisting offenders</p> <ul style="list-style-type: none"> <li>- Where principal offence has penalty of life</li> <li>- Where principal offence has penalty of 10 years or more but not for life</li> <li>- Where principal offence has penalty of 7 years or more but less than 10 years</li> <li>- In any other case (or maximum penalty for the offence whichever is lesser)</li> </ul>	<p>10 years</p> <p>7 years</p> <p>4 years</p> <p>2 years</p>	-

Offences relating to court/judicial proceedings

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
241A	False or misleading information entered into electronic court management system	-	\$10 000
242(1)	Perjury under oath	7 years	-
242(2)	Counsels, aids or abets another to commit perjury	7 years	-
243	Fabricating, altering or concealing evidence	7 years	-
244	Offences relating to witnesses		
244(1)	- Give, offer or agree to give benefit to another for not attending as a witness, giving evidence, withholding evidence, giving false evidence	10 years	-
244(2)	- Seek, accept or agree to accept a benefit as a reward or inducement for not attending as a witness, giving evidence, withholding evidence, giving false evidence	10 years	-
244(3)	- Prevent, dissuade or attempt to prevent or dissuade another from attending as a witness or giving evidence	10 years	-

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
244(5)	- Does an act with intention of deceiving another in any way in order to affect that person's evidence at judicial proceedings	10 years	-
245	Offences relating to jurors		
245(1)	- Give, offer or agree to give benefit to another as reward or inducement for the other person not attending as a juror or acting or not acting as a juror in a way that might influence the outcome of judicial proceedings	10 years	-
245(2)	- Seek, accept or agree to accept a benefit as a reward or inducement for not attending as a juror or acting or not acting as a juror in a way that might influence the outcome of judicial proceedings	10 years	-
245(3)	- Prevent, dissuade or attempt to prevent or dissuade another from attending as a juror at judicial proceedings	10 years	-
245(5)	- Takes an oath as a member of a jury in proceedings knowing they have not been selected to be a member of the jury, or taking the place of a member of a jury in proceedings knowing they are not a member of the jury <ul style="list-style-type: none"> <li>- Acted with the intention of influencing the outcome of proceedings</li> <li>- In any other case</li> </ul>	10 years  2 years	-  -
246	Confidentiality of jury deliberations & identities <ul style="list-style-type: none"> <li>In the case of a body corporate</li> <li>In any other case</li> </ul>	- 2 years	\$25,000 \$10,000
247	Harassment to obtain information about jury's deliberations <ul style="list-style-type: none"> <li>- In the case of a body corporate</li> <li>- In any other case</li> </ul>	- 2 years	\$25,000 \$10,000

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
248*	Stalking/threats or reprisals relating to persons involved in criminal investigations or judicial proceedings  *S 10A Bail Act Applies (presumption against bail)	10 years	-

#### Offences relating to public officers

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
249	Bribery or corruption of public officers	10 years	-
250*	Stalking/threats or reprisals against public officers *S 10A Bail Act Applies (presumption against bail),	10 years	-
251	Abuse of public office - Basic Offence - Aggravated Offence	7 years 10 years	- -
252	Demanding or requiring benefit on basis of public office	7 years	-
253	Offences relating to appointment to public office	4 years	-

#### Escape, Rescue and harbouring of persons subject to detention

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
254	Escape or removal from lawful custody	7 years	-
255	Harbour or employ an escapee	4 years	-

#### Attempt to obstruct or pervert course of justice or due administration of law

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
256	Attempt to pervert/obstruct the course of justice or due administration of the law	4 years	-

#### Criminal defamation

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
257	Criminal defamation	3 years	-

#### Offences Limited in Relation to industrial disputes and restraint of trade

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
258	Agreement to do, or procure to be done, an act in furtherance of industrial dispute not punishable as conspiracy unless defined as an indictable act under <i>Industrial Relations Act 1972</i> (SA)		

#### Part 7A - Goods contamination and comparable offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
260	Unlawful acts of goods contamination or other acts prejudicing health or safety of the public	15 years	-
261	Goods contamination unrelated to issues of public health and safety	5 years	-

#### Part 7B - Accessories

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
267	Aiding and Abetting – liable to be prosecuted and punished as a principal offender		

#### Part 7C - Derivative liability for certain offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
267AA	Offence where unlawfully supplied firearm used in subsequent offence  -Imprisonment for a term not exceeding the maximum term that may be imposed for the subsequent offence		

#### Part 8 – Intoxication

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
267A	Definitions		
268	Mental element to be presumed in certain cases		
269	Question of intoxication must be specifically raised (by defendant or prosecutor)		



#### Part 8A – Mental impairment

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
269A	Mental impairment provisions Sections 269A to 269ZB		

#### Part 9 – Miscellaneous & Procedure Punishment for certain common law offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
270(1)	- Keeping a common bawdy house etc	2 years	-
	- Any cheat or fraud punishable at common law	2 years	-
270(2)	- Conspiracy to cheat or defraud	7 years	-
	- Extort money or goods	7 years	-
	- Falsely accuse of any crime	7 years	-
	- Obstruct, prevent, pervert or defeat course of public justice	7 years	-

#### Attempts

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
270A	As for principal offence		
	- Attempting murder or treason	Life	-
	- Where penalty for the principal offence is life	12 years	-
	- In any other case	2/3 of the maximum penalty for principal offence	-
270AB	Attempted manslaughter	12 years	-

#### Assault with intent

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
270B	Assault with intent to commit an offence - 7 years, or - a term not exceeding the maximum term that may be imposed for attempting to commit the principal offence (whichever is greater)	Whichever is the greater maximum penalty	-

### Preparatory Conduct

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
270C	Going equipped for commission of offence of dishonesty or offence against property.		
	<ul style="list-style-type: none"> <li>a) intended offence is life imprisonment or imprisonment for 14 years or more</li> <li>b) in any other case</li> </ul>	<ul style="list-style-type: none"> <li>7 years</li> <li>½ the maximum period for the intended offence</li> </ul>	<ul style="list-style-type: none"> <li>-</li> <li>-</li> </ul>
270D	Going equipped for commission of offence against the person		
	<ul style="list-style-type: none"> <li>- Previously convicted</li> <li>- Any other case</li> </ul>	<ul style="list-style-type: none"> <li>10 years</li> <li>7 years</li> </ul>	<ul style="list-style-type: none"> <li>-</li> <li>-</li> </ul>

### Part 12 – Regulations

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
370	Regulations may impose a penalty for contravention of, or non-compliance with, a regulation.	-	\$2 500