



CRIMINAL CODE AMENDMENT (ROBBERY) ACT 1988

No. 29 of 1988

TABLE OF PROVISIONS

- 1. Short title.
- 2. Commencement.
- 3. Principal Act.
- 4. Substitution of section 240 of the Code.
240—Robbery, &c.
- 5. Substitution of section 339A of the Code.
339A—Robbery, &c.

AN ACT to amend the Criminal Code.

[Royal Assent 29 September 1988]

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* Short title. *(Robbery) Act 1988.*

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

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

* 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, No. 3 of 1984, No. 17 of 1985, Nos. 77, 86, and 93 of 1986, Nos. 26, 71, 81, and 83 of 1987, and No. 14 of 1988.

Substitution of
section 240 of
the Code.

4—Section 240 of the Code is repealed and the following section is substituted:—

Robbery, &c.

240—(1) A person who steals anything and, immediately before, at, or immediately after the time of stealing that thing, uses or threatens to use violence to any person or property in order to obtain that thing or to prevent or overcome resistance to the stealing of that thing is guilty of a crime which is called robbery.

Charge: Robbery.

(2) A person who commits robbery and—

(a) is in company with any other person or persons at the time of committing that robbery; or

(b) causes bodily harm to any person immediately before, at, or immediately after the time of committing that robbery,

is guilty of a crime which is called aggravated robbery.

Charge: Aggravated robbery.

(3) A person who commits robbery and is armed with a firearm or other dangerous or offensive weapon or instrument at the time of committing that robbery is guilty of a crime which is called armed robbery.

Charge: Armed robbery.

(4) A person who commits aggravated robbery and is armed with a firearm or other dangerous or offensive weapon or instrument at the time of committing that robbery is guilty of a crime which is called aggravated armed robbery.

Charge: Aggravated armed robbery.

Substitution of
section 339A of
the Code.

5—Section 339A of the Code is repealed and the following section is substituted:—

Robbery, &c.

339A—Upon an indictment for—

(a) robbery;

(b) aggravated robbery;

(c) armed robbery; or

(d) aggravated armed robbery,

the accused person may be convicted of—

(e) any of those crimes; or

(f) any of the following crimes:—

(i) stealing;

(ii) receiving stolen property;

(iii) assault with intent to rob;

(iv) assault.

