

South Australia

**Criminal Law Consolidation (Bushfires)  
Amendment Bill 2021**

A BILL FOR

An Act to amend the *Criminal Law Consolidation Act 1935*.

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

### Part 2—Amendment of *Criminal Law Consolidation Act 1935*

- 3 Amendment of section 85B—Special provision for causing a bushfire
- 

**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Criminal Law Consolidation (Bushfires) Amendment Act 2021*.

### 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## Part 2—Amendment of *Criminal Law Consolidation Act 1935*

### 3—Amendment of section 85B—Special provision for causing a bushfire

- (1) Section 85B(1), penalty provision—delete the penalty provision and substitute:  
Maximum penalty: Imprisonment for life.
- (2) Section 85B—after subsection (3) insert:
  - (4) A court that finds a defendant guilty of an offence against this section must make an order under section 124 of the *Sentencing Act 2017* requiring the defendant to pay compensation for injury, loss or damage resulting from the offence unless—
    - (a) the defendant is aged under 16 years of age; or
    - (b) the court is satisfied that the defendant has no means of paying compensation; or
    - (c) the court is otherwise satisfied that special circumstances exist.