

135.1 General dishonesty

Obtaining a gain

- (1) A person is guilty of an offence if:
- (a) the person does anything with the intention of dishonestly obtaining a gain from another person; and
 - (b) the other person is a Commonwealth entity.

Penalty: Imprisonment for 5 years.

- (2) In a prosecution for an offence against subsection (1), it is not necessary to prove that the defendant knew that the other person was a Commonwealth entity.

Causing a loss

- (3) A person is guilty of an offence if:
- (a) the person does anything with the intention of dishonestly causing a loss to another person; and
 - (b) the other person is a Commonwealth entity.

Penalty: Imprisonment for 5 years.

- (4) In a prosecution for an offence against subsection (3), it is not necessary to prove that the defendant knew that the other person was a Commonwealth entity.

- (5) A person is guilty of an offence if:
- (a) the person dishonestly causes a loss, or dishonestly causes a risk of loss, to another person; and
 - (b) the first-mentioned person knows or believes that the loss will occur or that there is a substantial risk of the loss occurring; and
 - (c) the other person is a Commonwealth entity.

Penalty: Imprisonment for 5 years.

- (6) Absolute liability applies to the paragraph (5)(c) element of the offence.

Influencing a Commonwealth public official

- (7) A person is guilty of an offence if:
- (a) the person does anything with the intention of dishonestly influencing a public official in the exercise of the official's duties as a public official; and
 - (b) the public official is a Commonwealth public official; and
 - (c) the duties are duties as a Commonwealth public official.

Penalty: Imprisonment for 5 years.

- (8) In a prosecution for an offence against subsection (7), it is not necessary to prove that the defendant knew:
- (a) that the official was a Commonwealth public official; or
 - (b) that the duties were duties as a Commonwealth public official.