

135.2 Obtaining financial advantage

- (1) A person is guilty of an offence if:
 - (a) the person engages in conduct; and
 - (aa) as a result of that conduct, the person obtains a financial advantage for himself or herself from another person; and
 - (ab) the person knows or believes that he or she is not eligible to receive that financial advantage; and
 - (b) the other person is a Commonwealth entity.

Penalty: Imprisonment for 12 months.

(1A) Absolute liability applies to the paragraph (1)(b) element of the offence.

- (2) A person is guilty of an offence if:
 - (a) the person engages in conduct; and
 - (aa) as a result of that conduct, the person obtains a financial advantage for another person from a third person; and
 - (ab) the person knows or believes that the other person is not eligible to receive that financial advantage; and
 - (b) the third person is a Commonwealth entity.

Penalty: Imprisonment for 12 months.

(2A) Absolute liability applies to the paragraph (2)(b) element of the offence.

- (3) For the purposes of subsection (2), a person is taken to have obtained a financial advantage for another person from a Commonwealth entity if the first-mentioned person induces the Commonwealth entity to do something that results in the other person obtaining the financial advantage.
- (4) The definition of *obtaining* in section 130.1 does not apply to this section.