



New South Wales

Crimes Legislation Amendment (War Memorial Offences) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Crimes Act 1900* and the *Summary Offences Act 1988* regarding offences committed in relation to war memorials.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

Schedule 1[1] makes it an offence to intentionally or recklessly destroy or damage property that is a war memorial with a maximum penalty of imprisonment for 7 years. **Schedule 1[2]** makes a consequential amendment.

Schedule 2 Amendment of Summary Offences Act 1988 No 25

Schedule 2 authorises the court to order a person convicted of an offence of damaging or defacing a protected place that is a war memorial to pay compensation to the person who has control or management of the war memorial. The compensation that may be ordered—

- (a) is for the damage or defacement caused by, or a loss incurred as a result of, the offence, and
- (b) cannot be more than \$4,400, and

- (c) is in addition to any fine or other penalty imposed for the offence.



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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Crimes Legislation Amendment (War Memorial Offences) Bill 2025

No , 2025

A Bill for

An Act to amend the *Crimes Act 1900* and the *Summary Offences Act 1988* regarding offences committed in relation to war memorials.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Crimes Legislation Amendment (War Memorial Offences) Act 2025</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5

Schedule 1	Amendment of Crimes Act 1900 No 40	1
[1] Section 195 Destroying or damaging property		2
Insert after section 195(1)—		3
(1AA) A person is guilty of an offence under this subsection if—		4
(a) the person intentionally or recklessly destroys or damages property		5
belonging to another person or to that person and another person, and		6
(b) the property is a war memorial.		7
Maximum penalty—imprisonment for 7 years.		8
[2] Section 195(3)		9
Insert after section 195(2)—		10
(3) In this section—		11
war memorial has the same meaning as in the <i>Summary Offences Act 1988</i> ,		12
section 8.		13

Schedule 2	Amendment of Summary Offences Act 1988 No 25	1
		2
Section 8	Damaging or desecrating protected places	3
	Insert after section 8(3A)—	4
(3B)	If a person is convicted of an offence under this section in relation to a war memorial, the court may order the person to pay to the person who has control or management of the war memorial compensation of not more than \$4,400 for damage or defacement of the war memorial or a loss incurred as a result of the offence.	5 6 7 8 9
(3C)	Compensation payable under subsection (3B) is in addition to any fine or other penalty imposed in relation to the offence.	10 11