

c2025-186A
OPP--Opposition

LEGISLATIVE COUNCIL

Crimes Legislation Amendment (War Memorial Offences) Bill 2025

First print

Proposed amendment

No. 1 **Damaging or desecrating protected places**

Page 4, Schedule 2, lines 3–11. Omit all words on the lines. Insert instead—

[1] Section 8 Damaging or desecrating protected places

Omit section 8(1), definition of *war memorial*, paragraph (b). Insert instead—

- (b) subject to subsection (4), a war shrine, monument, statue or other similar structure or place, and includes a thing or area in the vicinity of, and that forms part of the site of, the war shrine, monument, statue or other similar structure or place.

Examples— a garden, pool or other integrated design that is in the vicinity of, and forms part of the site of, a war shrine, monument, statue or other similar structure or place

[2] Section 8(2), penalty

Omit “40 penalty units”.

Insert instead “200 penalty units or imprisonment for 2 years, or both”.

[3] Section 8(3), penalty

Omit “20 penalty units”.

Insert instead “200 penalty units”.

[4] Section 8(4) and (5)

Omit section 8(4). Insert instead—

- (4) The regulations may exclude a war shrine, monument, statue or other similar structure or place from subsection (1), definition of *war memorial*, paragraph (b).
- (5) A regulation under subsection (4) may be made by reference to one or both of the following—
- (a) a specified war shrine, monument, statue or other similar structure or place,
- (b) a specified thing or area in its vicinity.

[5] Section 30A Compensation

Omit “20 penalty units” from section 30A(1). Insert instead “200 penalty units”.

[6] Section 30A(1A) and (1B)

Insert after section 30A(1)—

- (1A) An order requiring an amount to be paid under subsection (1) must be made unless the court is satisfied special circumstances exist.
- (1B) The court may not make an order under subsection (1) for the payment of an amount that exceeds the amount for which an order may be made by the court when exercising jurisdiction under the *Civil Procedure Act 2005*.