



New South Wales

Crimes Amendment (Prohibition on Display of Nazi Symbols) Bill 2022

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This public bill which originated in the Legislative Assembly, has passed and is now ready for presentation to the Legislative Council for its concurrence.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2022



New South Wales

Crimes Amendment (Prohibition on Display of Nazi Symbols) Bill 2022

Act No _____, 2022

An Act to amend the *Crimes Act 1900* to create an offence for knowingly displaying Nazi symbols by public act and without reasonable excuse.

EXAMINED

Speaker

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Crimes Amendment (Prohibition on Display of Nazi Symbols) Act 2022*.

3

4

2 Commencement

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This Act commences on the date of assent to this Act.

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Schedule 1	Amendment of Crimes Act 1900 No 40	1
[1] Part 3A Offences relating to public order		2
Insert after section 93Z—		3
Division 9	Display of Nazi symbols	4
93ZA	Offence of displaying Nazi symbols	5
(1)	A person who knowingly displays, by public act and without reasonable excuse, a Nazi symbol commits an offence.	6
	Maximum penalty—	7
	(a) for an individual—100 penalty units or imprisonment for 12 months, or both, or	8
	(b) for a corporation—500 penalty units.	9
(2)	For subsection (1), the display of a swastika in connection with Buddhism, Hinduism or Jainism does not constitute the display of a Nazi symbol.	10
(3)	Also, without limiting subsection (1), a reasonable excuse includes the display of a Nazi symbol done reasonably and in good faith—	11
	(a) for an academic, artistic or educational purpose, or	12
	(b) for another purpose in the public interest.	13
(4)	In this section—	14
	<i>public act</i> has the same meaning as in section 93Z.	15
[2] Section 584		16
Insert after section 583—		17
584	Review of Part 3A, Division 9	18
(1)	The Minister must, from time to time, review Part 3A, Division 9 to determine whether—	19
	(a) the policy objectives of the Division remain valid, and	20
	(b) the terms of the Division remain appropriate for securing the objectives.	21
(2)	A review under subsection (1) must be commenced—	22
	(a) for the first review—within 3 years and 6 months after the commencement of the <i>Crimes Amendment (Prohibition on Display of Nazi Symbols) Act 2022</i> , and	23
	(b) for subsequent reviews—at intervals of not more than 5 years.	24
(3)	A report on the outcome of each review is to be tabled in each House of Parliament within 12 months after the last day by which the review must be commenced.	25