

Passed by both Houses



New South Wales

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

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*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.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

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

2 Commencement

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

Schedule 1 Amendment of Crimes Act 1900 No 40

[1] Part 3A Offences relating to public order

Insert after section 93Z—

Division 9 Display of Nazi symbols

93ZA Offence of displaying Nazi symbols

- (1) A person who knowingly displays, by public act and without reasonable excuse, a Nazi symbol commits an offence.
Maximum penalty—
 - (a) for an individual—100 penalty units or imprisonment for 12 months, or both, or
 - (b) for a corporation—500 penalty units.
- (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.
- (3) Also, without limiting subsection (1), a reasonable excuse includes the display of a Nazi symbol done reasonably and in good faith—
 - (a) for an academic, artistic or educational purpose, or
 - (b) for another purpose in the public interest.
- (4) In this section—
public act has the same meaning as in section 93Z.

[2] Section 584

Insert after section 583—

584 Review of Part 3A, Division 9

- (1) The Minister must, from time to time, review Part 3A, Division 9 to determine whether—
 - (a) the policy objectives of the Division remain valid, and
 - (b) the terms of the Division remain appropriate for securing the objectives.
- (2) A review under subsection (1) must be commenced—
 - (a) for the first review—within 3 years and 6 months after the commencement of the *Crimes Amendment (Prohibition on Display of Nazi Symbols) Act 2022*, and
 - (b) for subsequent reviews—at intervals of not more than 5 years.
- (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.