



New South Wales

Crimes Amendment (Display of Nazi and Terrorist Symbols) Bill 2025

Explanatory note

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

The *Summary Offences Amendment (Public Assemblies) Bill 2025* is cognate with this Bill.

Overview of Bill

This Bill creates an offence for knowingly displaying terrorist organisation symbols by public act and without reasonable excuse.

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 substitutes the *Crimes Act 1900*, Part 3A, Division 9—

- (a) to make it an offence to knowingly display a terrorist organisation symbol, and
- (b) to increase the penalties for the offence of knowingly displaying a Nazi symbol, and
- (c) to make it an offence to display certain symbols that resemble Nazi and terrorist organisation symbols,
- (d) to provide that the offences must be dealt with on indictment.

Schedule 2 amends the *Crimes (Sentencing Procedure) Act 1999* to provide for a standard non-parole period for the new and substituted offences in the *Crimes Act 1900*, Part 3A, Division 9 of 1.5 years.



New South Wales

Crimes Amendment (Display of Nazi and Terrorist Symbols) Bill 2025

Contents

		Page
	1 Name of Act	2
	2 Commencement	2
Schedule 1	Amendment of Crimes Act 1900 No 40	3
Schedule 2	Amendment of Crimes (Sentencing Procedure) Act 1999 No 92	4

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

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Crimes Amendment (Display of Nazi and Terrorist Symbols) Bill 2025

No. _____, 2025

A Bill for

An Act to amend the *Crimes Act 1900* to create an offence of knowingly displaying terrorist organisation symbols; to increase the penalties for the offence of knowingly displaying Nazi symbols; and for related purposes.

See also the *Summary Offences Amendment (Public Assemblies) Bill 2025*.

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

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Crimes Amendment (Display of Nazi and Terrorist Symbols) Act 2025*.

3

4

2 Commencement

5

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

6

Schedule 1	Amendment of Crimes Act 1900 No 40	1
Part 3A, Division 9		2
	Omit the division. Insert instead—	3
Division 9	Display of Nazi and terrorist organisation symbols	4
93ZA	Offence of displaying Nazi and terrorist organisation symbols	5
(1)	A person who knowingly displays, by public act and without reasonable excuse, the following commits an offence—	6
(a)	a Nazi symbol,	7
(b)	a terrorist organisation symbol,	8
(c)	a symbol that—	9
(i)	resembles a Nazi symbol or terrorist organisation symbol, and	10
(ii)	a reasonable person is likely to believe is displayed to show support for Nazi ideology or the terrorist organisation, respectively.	11
	Maximum penalty—	12
(a)	for an individual—200 penalty units or imprisonment for 5 years, or both, or	13
(b)	otherwise—500 penalty units.	14
(2)	For subsection (1)(a) and (c), the display of a swastika, or a symbol that resembles a swastika, in connection with Buddhism, Hinduism or Jainism does not constitute the display of a Nazi symbol or a symbol that resembles a Nazi symbol.	15
(3)	Also, without limiting subsection (1), a reasonable excuse includes the display of a symbol done reasonably and in good faith—	16
(a)	for an academic, artistic or educational purpose, or	17
(b)	for another purpose in the public interest.	18
(4)	Proceedings for an offence against this section must be dealt with on indictment.	19
(5)	In this section—	20
	Commonwealth Criminal Code means the Criminal Code set out in the Schedule to the <i>Criminal Code Act 1995</i> of the Commonwealth.	21
	terrorist organisation has the same meaning as in the Commonwealth Criminal Code, section 102.1.	22
	public act has the same meaning as in section 93Z.	23

**Schedule 2 Amendment of Crimes (Sentencing Procedure)
 Act 1999 No 92**

1

2

Part 4, Division 1A, Table

3

Insert after item 10P—

4

10Q Section 93ZA(1) of the *Crimes Act 1900* (displaying Nazi 1.5 years
 and terrorist organisation symbols)