

TASMANIA

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**POLICE OFFENCES AMENDMENT (INCREASED  
PENALTIES FOR DAMAGE TO TASMANIAN  
WAR MEMORIALS) BILL 2026**

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**POLICE OFFENCES AMENDMENT (INCREASED  
PENALTIES FOR DAMAGE TO TASMANIAN  
WAR MEMORIALS) BILL 2026**

*(Brought in by Michael Darrel Joseph Ferguson, MP)*

**A BILL FOR**

**An Act to amend the *Police Offences Act 1935* and to  
consequentially amend the *Sentencing Act 1997***

Be it enacted by Her Excellency the Governor of Tasmania, by  
and with the advice and consent of the Legislative Council and  
House of Assembly, in Parliament assembled, as follows:

**PART 1 – PRELIMINARY**

**1. Short title**

This Act may be cited as the *Police Offences  
Amendment (Increased Penalties for Damage to  
Tasmanian War Memorials) Act 2026*.

**2. Commencement**

This Act commences on the day on which this  
Act receives the Royal Assent.

**3. Repeal of Act**

This Act is repealed on the first anniversary of  
the day on which it commenced.

*Police Offences Amendment (Increased Penalties for Damage to  
Tasmanian War Memorials) Act 2026*  
*Act No. of 2026*

s. 4

Part 2 – Police Offences Act 1935 Amended

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**PART 2 – POLICE OFFENCES ACT 1935 AMENDED**

**4. Principal Act**

In this Part, the *Police Offences Act 1935\** is referred to as the Principal Act.

**5. Section 37AAA amended (Interference with war memorials)**

Section 37AAA of the Principal Act is amended as follows:

- (a) by omitting the penalty from subsection (1);
- (b) by inserting the following subsections after subsection (1):

(1A) A person who contravenes subsection (1) is guilty of an offence and is liable on summary conviction to –

- (a) a penalty not less than 25 penalty units and not more than 500 penalty units; or
- (b) imprisonment for a term not exceeding 7 years.

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\*No. 44 of 1935

*Police Offences Amendment (Increased Penalties for Damage to  
Tasmanian War Memorials) Act 2026*  
*Act No. of 2026*

Part 2 – Police Offences Act 1935 Amended

s. 5

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(1B) In addition to any other penalty that may be imposed in respect of an offence against subsection (1), the court –

(a) if it considers it reasonable in the circumstances, is to make a community correction order, under the *Sentencing Act 1997*, that requires the person convicted of the offence to perform a period of community service in the community where the offence occurred; and

(b) may also impose such other sanctions, and make such other orders, as the court considers appropriate in the circumstances.

*Police Offences Amendment (Increased Penalties for Damage to  
Tasmanian War Memorials) Act 2026*  
*Act No. of 2026*

s. 6

Part 3 – Sentencing Act 1997 Amended

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**PART 3 – SENTENCING ACT 1997 AMENDED**

**6. Principal Act**

In this Part, the *Sentencing Act 1997*\* is referred to as the Principal Act.

**7. Section 67 amended (Interpretation of Division)**

Section 67 of the Principal Act is amended by omitting “section 37 of the *Police Offences Act 1935*” from the definition of *unlawfully injuring property* and substituting “section 37 or 37AAA of the *Police Offences Act 1935*”.

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\*No. 59 of 1997