



TASMANIA

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

No. 14 of 2026

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

No. 14 of 2026

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

[Royal Assent 11 September 2026]

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*.

*Police Offences Amendment (Increased Penalties for Damage to
Tasmanian War Memorials) Act 2026
Act No. 14 of 2026*

s. 2

Part 1 – Preliminary

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This Act is repealed on the first anniversary of the day on which it commenced.

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Tasmanian War Memorials) Act 2026*
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Part 2 – Police Offences Act 1935 Amended

s. 4

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 3 years.

*No. 44 of 1935

*Police Offences Amendment (Increased Penalties for Damage to
Tasmanian War Memorials) Act 2026
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s. 5

Part 2 – Police Offences Act 1935 Amended

(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.

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Tasmanian War Memorials) Act 2026*
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Part 3 – Sentencing Act 1997 Amended

s. 6

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*”.

*No. 59 of 1997

*Police Offences Amendment (Increased Penalties for Damage to
Tasmanian War Memorials) Act 2026
Act No. 14 of 2026*

*[Second reading presentation speech made in:–
House of Assembly on 18 March 2026
Legislative Council on 12 August 2026]*