

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 4 May 1989

(*Mr Cobb*)

**A BILL**

FOR

**An Act to amend the *Crimes Act 1914* to provide for the protection of certain Australian Flags**

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title etc.**

5       **1.** (1) This Act may be cited as the *Crimes (Protection of Australian Flags) Act 1989*.

**(2)** In this Act, "Principal Act" means the *Crimes Act 1914*<sup>1</sup>.

**Commencement**

**2.** This Act commences on the day on which it receives the Royal Assent.

10       **3.** After section 28 of the Principal Act the following section is inserted:

**Desecrating etc. the Australian National Flag and Australian Ensigns**

      "28A. (1) A person who:

      (a) desecrates or otherwise dishonours the Australian National Flag or an Australian Ensign; or

- (b) without lawful authority, burns, mutilates or otherwise destroys the Australian National Flag or an Australian Ensign;

shall be guilty of an offence.

Penalty: \$5,000 or imprisonment for 2 years, or both.

“(2) In subsection (1):

‘Australian Ensign’ means:

- (a) the Australian White Ensign;
- (b) the Australian Red Ensign; or
- (c) the Royal Australian Air Force Ensign.”.

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**NOTE**

1. No. 12, 1914, as amended. For previous amendments, see No. 6, 1915; No. 54, 1920; No. 9, 1926; No. 13, 1928; No. 30, 1932; No. 5, 1937; No. 6, 1941; No. 77, 1946; No. 80, 1950; No. 10, 1955; No. 11, 1959; No. 84, 1960; No. 53, 1966; No. 33, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 56, 1975; Nos. 19 and 155, 1979; No. 70, 1980; No. 122, 1981; Nos. 67, 80 and 153, 1982; Nos. 51, 114 and 136, 1983; Nos. 10, 63 and 165, 1984; No. 153, 1985; Nos. 76, 102 and 168, 1986; Nos. 73 and 120, 1987; and No. 141, 1987.