

Queensland



RACIAL AND RELIGIOUS OFFENCES BILL 2001



RACIAL AND RELIGIOUS OFFENCES BILL 2001

TABLE OF PROVISIONS

Section	Page
1 Short title	4
2 Act amended	4
3 Insertion of new pt 9AA	4
PART 9AA—SENTENCES OF OFFENCES WITH CIRCUMSTANCE OF RACIAL OR RELIGIOUS VILIFICATION	
161AA Offence involving racial or religious vilification	4

2001

A BILL

FOR

An Act to amend the Penalties and Sentences Act 1992

The Parliament of Queensland enacts—	1
Clause 1 Short title	2
This Act may be cited as the <i>Racial and Religious Offences Act 2001</i> .	3
Clause 2 Act amended	4
This Act amends the <i>Penalties and Sentences Act 1992</i> .	5
Clause 3 Insertion of new pt 9AA	6
Before part 9A—	7
insert—	8
‘PART 9AA—SENTENCES OF OFFENCES WITH CIRCUMSTANCE OF RACIAL OR RELIGIOUS VILIFICATION	9 10 11
‘161AA Offence involving racial or religious vilification	12
‘(1) If a person commits an offence punishable by imprisonment, it is a circumstance of aggravation if the offence involves the person, by a public act, inciting hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race or religion of the person or members of the group in a way that includes—	13 14 15 16 17
(a) threatening physical harm towards, or towards any property of, the person or group of persons; or	18 19
(b) inciting others to threaten physical harm towards, or towards any property of, the person or group of persons.	20 21
‘(2) If a person is found guilty of the offence, with the circumstance of aggravation mentioned in subsection (1), the imprisonment to which the offender is liable is increased by 3 years.	22 23 24
‘(3) The sentencing court must state the extent to which the sentence that would have been imposed if the circumstance of aggravation did not exist has been increased because of the existence of the circumstance.	25 26 27

Racial and Religious Offences Bill 2001

‘(4) In this section—	1
“public act” includes—	2
(a) any form of communication to the public, including speaking,	3
writing, printing, displaying notices, broadcasting, telecasting,	4
screening and playing of tapes or other recorded material; and	5
(b) any conduct, not being a form of communication mentioned in	6
paragraph (a), observable by the public, including actions and	7
gestures and the wearing or display of clothing, signs, flags,	8
emblems and insignia; and	9
(c) the distribution or dissemination of any matter to the public with	10
knowledge that the matter promotes or expresses hatred towards,	11
serious contempt for, or severe ridicule of, a person or group of	12
persons on the ground of the race or religion of the person or	13
members of the group.’	14
	15