

Legislative Council—No 89A

As reported with amendments and an amended title, report adopted, Standing Orders suspended and passed remaining stages, 25 August 2021

South Australia

Sentencing (Hate Crimes) Amendment Bill 2021

A BILL FOR

An Act to amend the *Sentencing Act 2017*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Sentencing (Hate Crimes) Amendment Act 2021*.

5 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Sentencing Act 2017*

3—Amendment of section 11—Individual sentencing factors

10 Section 11(1)—after paragraph (c) insert:

- (ca) whether the offence was wholly or partly motivated by hatred for, or prejudice against, a group of people to which the defendant believed the victim belonged (including, without limiting this paragraph, people of a particular race, religion, sex, sexual orientation, gender identity or age, or people having an intersex variation or a particular disability);

Schedule 1—Transitional provisions

1—Transitional provision—*Sentencing Act 2017*

20 Section 11(1)(ca) of the *Sentencing Act 2017* (as enacted by this Act) will be taken not to apply in relation to sentencing for an offence that occurred before the commencement of this clause.