



# **Summary Offences (Protection of the Australian Flag) Amendment Bill 2026**





Queensland

# Summary Offences (Protection of the Australian Flag) Amendment Bill 2026

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**2026**

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**A Bill**

for

**An Act to amend the *Summary Offences Act 2005* for particular purposes**

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[s 1]

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<b>The Parliament of Queensland enacts—</b>	1		
<b>Clause 1</b>	<b>Short title</b>	2	
	This Act may be cited as the <i>Summary Offences (Protection of the Australian Flag) Amendment Act 2026</i> .	3 4	
<b>Clause 2</b>	<b>Act amended</b>	5	
	This Act amends the <i>Summary Offences Act 2005</i> .	6	
<b>Clause 3</b>	<b>Insertion of new pt 2 div 1C</b>	7	
	Part 2—	8	
	<i>insert—</i>	9	
	<b>Division 1C</b>	<b>Offence of burning Australian flag</b>	10 11
	<b>10F Definitions for division</b>	12	
	In this division—	13	
	<i>Australian flag—</i>	14	
	(a) means the Australian National flag; and	15	
	(b) includes a flag that incorporates the Union Jack, Commonwealth Star and Southern Cross in a layout similar to that of the Australian National flag, regardless of any variation of colours, sizes or styles used in the Australian National flag.	16 17 18 19 20 21	
	<i>Australian National flag</i> means the Australian National Flag under the <i>Flags Act 1953</i> (Cwlth).	22 23	
	<i>Commonwealth Star</i> means Commonwealth Star as described in the <i>Flags Act 1953</i> (Cwlth), schedule 1, table A.	24 25 26	

*Southern Cross* means the Stars of the Southern Cross as described in the *Flags Act 1953* (Cwlth), schedule 1, table B. 1  
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**10G Objects of division** 4

The objects of this division are— 5

- (a) to protect the Australian National flag as a national symbol of shared civic significance; 6  
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and 8
- (b) to stop agitators burning an Australian flag to provoke public disorder, intimidate persons or cause significant offence to the community. 9  
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**10H Burning Australian flag** 13

- (1) A person must not, in a public place, burn an Australian flag in a way that a reasonable person would consider likely to provoke public disorder, intimidate any person or cause significant offence to members of the community. 14  
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Maximum penalty—40 penalty units or 6 months imprisonment. 19  
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- (2) Without limiting subsection (1), in considering whether a person burns an Australian flag in a way mentioned in that subsection, regard may be had to the person doing any of the following— 21  
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  - (a) unlawfully taking the flag from a person or place; 25  
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  - (b) defacing the flag; 27
  - (c) filming the burning of the flag; 28
  - (d) publishing images or video of the burning flag to a social media platform or online social network; 29  
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[s 3]

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| (e) cooperating with another person who does | 1 |
| anything mentioned in paragraphs (a) to (d). | 2 |