HC BILL 28-8

Discrimination Act of 2026

BILL · 28TH TOTEMIAN PARLIAMENT

Introduced October 22nd, 2026

Nuxart (Member of the House of Commons, The Birthday Party)

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Date: October 22nd, 2026

Be it enacted by the Emperor's most Excellent Imperial Majesty, by and with the advice and consent of the Lords and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Long title

An Act to amend the Civil Code of the Totemian Empire to make provision for discrimination and equal treatment; dignity in healthcare and education; professional conduct in state organs; freedom of expression and the press; hate crimes and incitement; domestic violence, coercive control, and abuse of persons with disabilities; protection orders; and defensive force, remedies, and penalties.

Chapter 1 - Equality and Protection Against Discrimination

Section 1: General Discrimination Protections

Title 1 of the Civil Code of the Totemian Empire is amended by inserting Chapter 7 immediately after Chapter 6, Imperial Honours and Orders of Chivalry, and before Title 2, to read:

Chapter 7 - Equality and Protection Against Discrimination

Article 1: Purpose and Application

Section 1: Equal Protection

Every person is entitled to the protections of this Chapter against discrimination on a ground listed in Article 2.

This Chapter addresses historical persecution and exclusion affecting racial, ethnic, and religious minorities, persons with disabilities, and lesbian, gay, bisexual, transgender, and intersex people. It secures equal participation and effective remedies for every person.

Section 2: Persons Bound

This Chapter binds national, subnational, and local public authorities, persons exercising public functions, and private persons and organizations carrying out an activity covered by Section 3.

Section 3: Covered Activities

The protections apply to:

(a) recruitment, employment, pay, working conditions, training, promotion, dismissal, self-employment, and access to a profession;

(b) education, admission, assessment, and access to educational facilities;

(c) the offering, letting, sale, occupation, and management of housing and other premises offered to the public;

(d) goods, services, facilities, transport, healthcare, financial services, and social benefits offered to the public, including through digital systems; and

(e) public administration and access to professional, commercial, and civic organizations, subject to Article 6.

Ordinary private choices of personal friends or intimate partners are outside this Chapter.

Article 2: Protected Grounds and Their Meaning

Section 1: Protected Grounds

The protected grounds are:

(a) age;

(b) race or colour;

(c) ethnic or national origin;

(d) religion, religious belief, or absence of religion or religious belief;

(e) disability;

(f) sex, including pregnancy, childbirth, breastfeeding, and intersex variations;

(g) sexual orientation; and

(h) gender identity or expression.

Section 2: Actual and Perceived Characteristics and Association

Protection applies to an actual or perceived characteristic, whether present or past. It also applies where a person is treated adversely because of their relationship with, support for, or association with a person having a protected characteristic.

A protected ground need not be the sole or dominant reason for direct discrimination, but shall be a material reason for the treatment. A claim may concern more than 1 protected ground.

Section 3: Meaning of Disability

Disability includes a physical, sensory, intellectual, cognitive, mental, or neurodevelopmental impairment which, alone or in interaction with barriers, materially limits equal participation. An impairment may be visible or nonvisible, continuous or episodic. A previous or perceived disability is protected under Section 2.

Section 4: Sexual Orientation and Gender Identity

Sexual orientation includes attraction to persons of the same sex, a different sex or gender, or more than 1 sex or gender, and asexuality.

Protection for gender identity or expression includes transgender and nonbinary people, whether or not they propose, begin, or complete a social or medical transition. Medical treatment or legal recognition is not required.

Article 3: Direct and Indirect Discrimination

Section 1: Direct Discrimination

A person shall not directly or indirectly discriminate against another person in a covered activity. Direct discrimination occurs where a person is treated less favourably than another person is, has been, or would be treated in comparable circumstances because of a protected ground. An actual comparator is not required.

Section 2: Indirect Discrimination

Indirect discrimination occurs where an apparently neutral rule, condition, or practice places persons sharing a protected ground, including the affected person, at a particular disadvantage compared with others.

The person responsible may justify that rule, condition, or practice only by proving that it serves a legitimate purpose and is necessary and proportionate to that purpose, taking account of reasonably available alternatives that would cause less disadvantage.

Prejudice or discriminatory preferences of customers, colleagues, or other persons do not constitute a legitimate purpose.

Section 3: Instructions and Assistance

A person shall not direct, induce, or knowingly provide substantial assistance for discrimination prohibited by this Chapter.

Article 4: Harassment and Retaliation

Section 1: Discriminatory Harassment

Discriminatory and sexual harassment in a covered activity are prohibited. Discriminatory harassment is unwanted conduct related to a protected ground which, through its severity or repetition, materially impairs a person's equal participation in a covered activity or creates an intimidating, degrading, or hostile environment in that activity.

The court shall consider the conduct's context, gravity, frequency, effect, and any relationship of authority or dependence. A single sufficiently serious incident may constitute harassment. Mere disagreement, criticism, or expression of a belief is insufficient by itself.

Section 2: Sexual Harassment

Unwanted conduct of a sexual nature is harassment where it meets the test in Section 1. Conditioning a substantial employment, educational, housing, service, or official benefit on submission to sexual conduct is also prohibited.

Section 3: Retaliation

A person shall not threaten, dismiss, disadvantage, or otherwise punish another person for making or supporting a discrimination complaint, requesting accommodation, giving evidence, or seeking a remedy under this Chapter.

Protection does not depend on the complaint succeeding. Knowingly fabricated evidence or allegations are not protected; mistake, insufficient evidence, or an unsuccessful complaint does not by itself establish fabrication.

Article 5: Reasonable Disability Accommodation

Section 1: Duty to Accommodate

A person responsible for a covered activity shall make necessary and reasonable adjustments to remove a disability-related barrier to equal participation where the need is known or reasonably apparent. The affected person shall not be charged for the adjustment.

The responsible person shall consult the affected person and provide an effective adjustment. An equally effective alternative may be provided.

Section 2: Disproportionate Burden

An adjustment may be refused only to the extent that the responsible person proves it would impose a disproportionate burden, having regard to its effectiveness, cost, available resources and assistance, and any substantial safety or operational effect. Assumptions about disability or a preference to avoid inconvenience are insufficient.

Before refusing, the responsible person shall consider effective alternatives and, on request, provide the reasons in an accessible form. An unjustified failure to accommodate is discrimination under this Chapter.

Article 6: Lawful Differences and Religious Autonomy

Section 1: Express Legal Requirements

A specific age limit or other qualification expressly required by law remains applicable. A preference based on a protected ground does not become lawful merely because the person applying it describes it as a qualification.

Section 2: Genuine Occupational Requirements

A distinction concerning employment is permitted only where the person applying it proves that the characteristic is essential to the actual duties, the purpose is legitimate, and the requirement is necessary and proportionate. Reasonable disability accommodation shall be considered before excluding a person.

Section 3: Religious Functions

A religious organization retains authority over its doctrine, worship, rites, religious membership, and the selection and appointment of clergy or other persons performing genuinely religious functions. Religious instruction and clergy training are religious functions.

A faith or doctrinal qualification shall be genuinely connected to the religious function concerned. Describing an ordinary position or activity as religious does not alone establish an exemption; its actual duties and purpose govern.

Section 4: Ordinary Employment and Public Services

Section 3 does not exempt ordinary employment, commercial activity, or goods and services offered to the public, including healthcare, housing, transport, and general education. Those activities remain subject to the discrimination and accommodation duties of this Chapter.

Section 5: Measures Addressing Disadvantage

A necessary and proportionate measure designed to prevent or remedy demonstrated disadvantage connected to a protected ground is permitted. Its purpose, beneficiaries, and continued necessity shall be capable of justification.

Section 6: State Religion

The State Religion is exempt from this Chapter insofar as necessary for doctrine, worship, rites, internal religious government, membership, selection of clergy, religious formation, and religious or ceremonial functions lawfully assigned to it. Its clergy and persons acting in those functions are not required to apply secular staff neutrality to religious teaching, observance, or representation.

Lawful recognition, support, chaplaincy, and ceremonial participation of the State Religion do not alone constitute discrimination. The exemption does not extend to ordinary healthcare, general education, commercial services, or unrelated administrative employment, and does not authorize violence, coercive abuse, or another criminal offense.

Article 7: Civil Proceedings and Remedies

Section 1: Right of Action

A person affected by a contravention may bring a civil claim before a court of competent jurisdiction. An authorized representative may assist or act for that person according to the applicable rules of procedure.

Section 2: Proof

The claimant shall establish, on the balance of probabilities, facts which, if unexplained, support a finding of a contravention. The respondent shall then prove that the conduct did not contravene this Chapter or fell within an applicable exception.

Hostility or an intention to discriminate need not be proved for civil liability where the other elements are established.

Section 3: Available Remedies

The court may grant the following remedies:

(a) a declaration of a contravention;

(b) an order restraining its continuation or repetition;

(c) lawful reconsideration of a decision;

(d) restoration of access or reasonable accommodation; and

(e) compensation for proved financial loss and injury to dignity or emotional distress caused by the contravention.

The court shall identify the conduct requiring correction and give reasons for the remedy. Amounts recovered for the same loss shall be credited against any other recovery for that loss.

Section 4: Responsibility of Organizations

An organization is responsible for discriminatory decisions and conduct of its officers or agents acting within their actual or apparent functions. For harassment by other staff or participants, responsibility arises where the organization knew or ought reasonably to have known of the conduct and failed to take reasonable steps to prevent or stop it.

Personal liability requires the individual's own participation in a contravention. Holding an office or supervisory title does not alone establish personal liability.

Article 8: Dignity and Equal Treatment in Healthcare and Education

Section 1: Duty and Application

Healthcare and education providers, and their officers, employees, contractors, trainees, and volunteers, shall treat patients, pupils, and students with dignity and respect. This duty applies to public and private hospitals, clinics, community and remote care, schools, universities, and other educational or training services, including admission, registration, and related professional conduct.

Section 2: Socioeconomic Background

Within healthcare and education, Articles 3 and 4 also protect socioeconomic background. This means actual or perceived social class, personal or family income or wealth, occupation, employment status, educational background, housing circumstances, or the social or economic reputation of the area where a person lives or grew up. Protection covers affluent and disadvantaged backgrounds and applies to association as provided in Article 2, Section 2.

Section 3: Mockery and Humiliating Treatment

Staff shall not mock, laugh at, contemptuously imitate, use degrading labels for, or make humiliating or inappropriately personal comments about a patient, pupil, or student. This includes conduct based on a ground listed in Article 2, socioeconomic background, a health condition, or learning needs.

A breach occurs where the conduct, assessed reasonably in its context, demeans the person or subjects them to ridicule or shame. The assessment shall take account of age, vulnerability, dependence, and the professional relationship. A single incident may breach this duty without meeting the severity or repetition test in Article 4. The duty applies whether or not the person is present, including in staff conversations, messages, and online posts connected with the professional relationship.

Section 4: Care and Educational Decisions

A person shall not receive inferior care, unfair assessment, exclusion, or other disadvantage because of socioeconomic background. Decisions shall rest on relevant clinical needs, individual learning needs, fair academic criteria, or another lawful and objectively justified basis. Assumptions about a person's background or social worth are not a justification.

Clinically necessary questions and discussion, candid educational feedback, proportionate discipline, and ordinary friendly interaction do not alone breach this Article when conducted respectfully. Lawful assistance addressing financial or educational disadvantage remains permitted.

Section 5: Provider Responsibilities and Complaints

Providers shall take reasonable steps to prevent and stop prohibited treatment by staff and bullying by other patients, students, or visitors where the provider knows or ought reasonably to know of it. Providers shall maintain an accessible complaints process, investigate promptly and impartially, preserve relevant records, protect confidentiality, and give a reasoned response. A person shall not be required to complain to the staff member concerned.

Complaints, evidence, and assistance under this Article are protected by Article 4, Section 3. Care, educational opportunity, marks, or access shall not be worsened in retaliation. An internal complaint is not a prerequisite to proceedings under Article 7.

Section 6: Enforcement

Article 7 applies to a breach. The court may also order proportionate staff training, correction of an assessment or service decision, and improvements to complaints or safeguarding procedures. Staff discipline shall follow the safeguards in Title 2, Chapter 4, Article 15, Section 7.

Chapter 2 - Professional Standards in State Organs

Section 1: Staff and Appointed Leadership

Title 2, Chapter 4 of the Civil Code is amended by inserting Article 15 after Article 14, Doctrine of Operative Legal Terms, to read:

Article 15: Professional Standards in State Organs

Section 1: Staff Covered

Staff means civilian employees and administrative officers, Constables and other personnel of the National Gendarmerie and Police Administration, personnel of the Civil Corrections Administration, commissioned officers and other serving members of the Armed Forces, and contractors, trainees, and volunteers entrusted with functions of a national, subnational, or local state organ. It includes staff of ministries, administrations, legislative and judicial offices, public schools, hospitals, and other public institutions. Military personnel are covered as service personnel, whether or not described as civil servants, subject to lawful command and service procedures.

Section 2: Official Capacity and Exclusions

These standards apply only when a person performs official duties, exercises or purports to exercise the authority of the position, represents the organ, or uses official channels, access, or resources to perform those functions. Workplace supervision and communication undertaken in the position are included. Holding a title, being publicly known, or mentioning employment does not alone make private conduct official.

An elected officeholder is exempt from this Article when acting in that elected capacity. A person who separately holds an appointed position or staff assignment remains covered when acting in that separate capacity.

The State Religion and persons exercising its genuinely religious or ceremonial functions have the exemptions in Title 1, Chapter 7, Article 6, Section 6.

Section 3: Professional Duties

In the capacity defined in Section 2, staff shall:

(a) act lawfully, honestly, impartially, competently, and with due care;

(b) treat service users and colleagues with dignity, courtesy, and respect;

(c) apply relevant eligibility and service criteria consistently, without favouritism, prejudice, or improper personal influence;

(d) provide accurate and understandable information within their responsibilities, correct material errors, and explain avoidable delay;

(e) protect confidential information and disclose a conflicting personal interest to the competent authority; and

(f) refrain from humiliation, bullying, sexual harassment, intimidation, retaliation, and abuse of office or rank.

Mockery, degrading labels, contemptuous imitation, and humiliating personal comments are assessed reasonably in context, including remarks in official staff conversations when the person concerned is absent. A single incident may breach this duty. The protected grounds and socioeconomic-background protections in Title 1, Chapter 7, Articles 2 and 8 apply to public employment and administration.

Section 4: Appointed Leadership and Judicial Functions

Ministers, Deputy Ministers, heads and deputy heads of administrations or other state organs, chiefs of staff, and commanders of the Armed Forces or the National Gendarmerie and Police are covered when acting in their appointed capacities. They may explain and defend policy, make political or public statements, engage in robust debate, and exercise lawful leadership and command. Forceful language or criticism does not alone establish misconduct. When administering services, deciding individual matters, directing personnel, or exercising coercive authority, they remain bound by the duties of lawful, fair, and respectful treatment.

Judicial officers shall maintain impartiality and respectful treatment in judicial and administrative functions. They may control proceedings, restrain abusive conduct, protect participants, and make lawful directions and orders. Disagreement with a ruling is addressed through the applicable appeal or review process.

Section 5: Legitimate Duties and Personal Expression

Respectful refusal of an ineligible request, candid advice or assessment, proportionate discipline, and necessary enforcement or security measures do not alone breach this Article. Personal political or religious expression, private disagreement, professional advice, and good-faith reporting of wrongdoing are not misconduct under this Article unless the conduct falls within Section 2 and breaches a defined duty.

Section 6: Complaints and Judicial Intervention

Each organ shall provide an accessible complaint route outside the person complained against, investigate impartially without undue delay, preserve evidence, and give a reasoned response subject to lawful confidentiality. Managers shall take reasonable steps to prevent and stop known or reasonably apparent breaches. The protection against retaliation in Title 1, Chapter 7, Article 4, Section 3 applies.

An affected person may seek civil relief under Title 1, Chapter 7, Article 7 without first exhausting an internal complaint. A competent court may restrain ongoing misconduct, require a lawful reconsideration or corrective procedure, award compensation, or review a disciplinary decision. The court shall respect judicial independence and the removal procedures governing protected offices.

Section 7: Fair Discipline and Review

Before a disciplinary sanction, the employing authority or provider shall give written particulars of the alleged conduct, the duty and proposed sanction, the supporting material, a reasonable opportunity to answer and present evidence, assistance by a representative, and a reasoned decision by an impartial person. Necessary confidentiality measures shall preserve a meaningful opportunity to respond. Reasonable disability accommodation shall be provided.

The employer shall prove misconduct on the balance of probabilities. Sanctions shall reflect seriousness, culpability, harm, relevant prior findings, comparable cases, working conditions, and prospects of correction. Disability-related needs, communication differences, and honest mistakes shall be considered.

Measures within lawful authority include:

(a) counselling;

(b) training;

(c) a warning;

(d) reassignment;

(e) suspension not exceeding 14 days; or

(f) dismissal for serious or repeated misconduct.

The authority shall explain why a lesser measure is inadequate when imposing a severe sanction. Earned pay shall not be confiscated; unpaid suspension requires separate lawful authority.

Interim reassignment or leave shall rest on a recorded risk, be reviewed promptly, and not determine guilt. Leave remains paid unless another law expressly permits otherwise. Staff may seek review by an uninvolved superior or appointing authority and a competent court. Applicable protection against self-incrimination shall be respected.

Section 8: Implementation and Legal Effect

Each organ shall maintain a staff conduct policy, communicate complaint and review routes, and provide instruction appropriate to the functions performed. The statutory duties apply from commencement.

Appointment, suspension, removal, military command, and judicial discipline shall be exercised only by the authority competent under the governing law.

Chapter 3 - Hate Crimes and Protected Characteristics

Section 1: Hate-Crime Aggravation

Title 7, Chapter 2 of the Civil Code is amended by inserting Article 12 after Article 11, Abuse of Public, Military, Judicial, Fiduciary, or Command Authority, to read:

Article 12: Hate Crimes and Protected Characteristics

Section 1: Protected Characteristics

For this Article and Title 7, Chapter 9, Articles 10 and 11, the protected characteristics are:

(a) age;

(b) race or colour;

(c) ethnic or national origin;

(d) religion, religious belief, or absence of religion or religious belief;

(e) disability;

(f) sex, including pregnancy, childbirth, breastfeeding, and intersex variations;

(g) sexual orientation; and

(h) gender identity or expression.

The meanings in Title 1, Chapter 7, Article 2 apply. Protection extends to an actual or perceived characteristic, whether present or past, and to association with or support for persons having that characteristic. It applies equally to every person.

Section 2: Hate-Crime Finding

An offense is a hate crime where the prosecution proves that:

(a) at the time of the offense, or immediately before or after it, the offender demonstrated hostility towards the victim based on a protected characteristic; or

(b) hostility towards persons sharing a protected characteristic wholly or partly motivated the offense.

Hostility means hatred, contempt, or antagonism towards persons because of a protected characteristic. An offense against property or an organization qualifies where that hostility motivated its selection as a target because of its connection with such persons. The characteristic need not be correctly perceived or the hostility the sole motive. The victim's identity, the offender's beliefs, or an unrelated offensive remark alone does not establish the aggravation.

Section 3: Proof and Sentencing

The aggravation shall be alleged before trial. The underlying offense and the aggravation shall each be proved beyond a reasonable doubt. The court shall record a separate finding and treat a proved aggravation as increasing seriousness, stating its effect on the sentence.

The court may increase an expressly numerical maximum fine or term of imprisonment for the underlying offense by up to 50%. No minimum sentence is required. A fractional day resulting from an enhancement shall be rounded down.

Section 4: Coordination of Enhancements

The same hostility shall not both establish a hate-specific offense or aggravated form of an offense and support this enhancement. Multiple protected characteristics do not create multiple enhancements for the same offense.

Where this enhancement is combined with Article 7 or Article 11 of this Chapter or Chapter 8, Article 26, Section 4 or Article 28, Section 3, each increase shall be calculated from the same maximum before those enhancements. The combined maximum shall not exceed twice that maximum unless another Act expressly authorizes a higher combined limit. The court shall record its calculation.

Chapter 4 - Criminal Discrimination and Hate Speech

Section 1: Deliberate Criminal Discrimination and Retaliation

Title 7, Chapter 8 of the Civil Code is amended by inserting Article 25 at the end of the Chapter, to read:

Article 25: Criminal Discrimination and Retaliation

Section 1: Criminal Discrimination

A person commits criminal discrimination where, in an activity covered by Title 1, Chapter 7, the person intentionally denies or materially restricts another person's employment, education, housing, healthcare, public service, goods, services, or facilities because of a ground protected by Article 2 or, within healthcare and education, Article 8 of that Chapter, without a lawful exception, and knowing the material facts making the treatment discriminatory.

A civil finding alone does not establish this offense. Indirect discrimination, an honest mistake, or a failure to provide reasonable accommodation does not alone establish criminal discrimination without proof of the intentional denial or restriction required by this Section.

Section 2: Criminal Retaliation

A person commits criminal retaliation where the person intentionally dismisses, evicts, excludes, or otherwise causes material disadvantage to another person to punish or deter a complaint, request for accommodation, evidence, assistance, or proceedings protected by Title 1, Chapter 7, Article 4. An unsuccessful complaint remains protected. Protection does not extend to the complainant's own knowing fabrication of allegations or evidence.

Section 3: Penalties

An offense under this Article is punishable by either or both of the following:

(a) a fine not exceeding 25,000 SL;

(b) imprisonment not exceeding 14 days.

Where the offender abuses authority over the victim, targets multiple victims through an organized practice, or knowingly breaches an injunction prohibiting the conduct, the court may instead impose either or both of the following:

(c) a fine not exceeding 50,000 SL;

(d) imprisonment not exceeding 30 days.

The same circumstance shall not support another enhancement.

Civil remedies under Title 1, Chapter 7 remain available. Restitution and compensation for the same loss shall be credited against one another.

Section 2: Hate Harassment and Incitement

Title 7, Chapter 9 of the Civil Code is amended by inserting Articles 10 and 11 after Article 9, to read:

Article 10: Hate Harassment

Section 1: Elements

A person commits hate harassment where, because of a protected characteristic defined in Title 7, Chapter 2, Article 12, the person directs unwanted threatening or seriously abusive conduct at another person, intending to intimidate that person, and thereby causes fear of violence or serious alarm or distress substantially interfering with ordinary life. The fear, alarm, or distress shall be reasonable in the circumstances.

The conduct shall occur on at least 2 occasions or consist of a single grave act sufficient to cause the harm required by this Section. It may occur in a public or private place, through electronic communications, or through others. A slur or insult is evidence to be considered in context and does not alone establish the offense.

Section 2: Penalties

Hate harassment is punishable by either or both of the following:

(a) a fine not exceeding 10,000 SL;

(b) imprisonment not exceeding 14 days.

Where the offender uses a weapon, acts as part of a coordinated campaign against the victim, or knowingly breaches a protective order, the court may instead impose either or both of the following:

(c) a fine not exceeding 50,000 SL;

(d) imprisonment not exceeding 30 days.

The same circumstance shall not support another enhancement.

Article 11: Hate Speech and Incitement to Violence or Criminal Discrimination

Section 1: Elements

A person commits an offense where the person communicates threatening or seriously abusive words, images, or other material to an audience, intending to encourage violence or criminal discrimination against persons because of a protected characteristic defined in Title 7, Chapter 2, Article 12, and the communication creates a real and substantial risk of that conduct.

The offense includes speech, publication, display, distribution, broadcasting, and electronic communication to a public or private audience. It is not necessary to identify an individual victim or prove that the encouraged conduct occurred. Hatred, offense, or disagreement alone is insufficient.

The court shall consider the content and context, the speaker’s influence, the intended audience, the scale and repetition of dissemination, and the likelihood of the encouraged conduct. Criminal discrimination means an offense under Title 7, Chapter 8, Article 25.

Section 2: Penalties

An offense under this Article is punishable by either or both of the following:

(a) a fine not exceeding 50,000 SL;

(b) imprisonment not exceeding 30 days.

Where the offender supplies weapons or operational instructions to facilitate the encouraged violence, the court may instead impose either or both of the following:

(c) a fine not exceeding 100,000 SL;

(d) imprisonment not exceeding 60 days.

Section 3: Protected Expression

For Articles 10 and 11, criticism, ridicule, satire, political advocacy, religious teaching or debate, discussion of sex or gender, and good-faith reporting or quotation do not alone establish an offense.

Section 4: Additional Orders and Separate Offenses

Following conviction under Article 10 or 11, or Chapter 8, Article 25, the court may order:

(a) restitution;

(b) a proportionate no-contact or access restriction not exceeding 180 days;

(c) community service not exceeding 40 hours; or

(d) a suitable educational programme not exceeding 12 hours.

Education shall address the offending conduct and prevention of harm, with reasonable disability accommodation. Orders shall be necessary, practicable, and proportionate to the whole sentence.

A removal order shall identify material found unlawful and be limited to its removal or prevention of its republication.

Criminal incitement under Chapter 1, Article 5, threats or stalking under Chapter 8, Article 16, and other offenses remain available where their elements are proved. The same conduct and harm shall not receive duplicate punishment under overlapping offenses. Distinct victims, acts, or harms may be punished separately under Chapter 1, Article 10. The limitation rules in Chapter 2, Article 9 remain applicable.

Chapter 5 - Domestic Abuse, Disability-Related Abuse, and Protection

Section 1: Domestic Violence and Coercive Control

Title 7, Chapter 8 of the Civil Code is amended by inserting Articles 26 and 27 after Article 25, to read:

Article 26: Domestic Abuse, Domestic Assault, and Coercive Control

Section 1: Meaning and Persons Protected

Domestic abuse means physical or sexual violence, unlawful threats or restraint, or serious psychological, emotional, social, or economic abuse between personally connected persons. Personally connected persons include current or former spouses or intimate partners; parents, children, siblings, and other relatives; persons in adoptive, foster, guardianship, or caregiving relationships; and members of a household linked by family, intimacy, care, or dependency. A shared address alone is insufficient. Abuse may be a single serious incident or a course of conduct; Section 2 requires repeated or continuous behaviour.

Protection applies regardless of sex, sexual orientation, gender identity, age, or whether the persons presently live together. It does not depend on a valid marriage, a lawful sexual relationship, or a previous complaint. A child who sees, hears, or experiences the effects of domestic abuse shall be considered in safeguarding and protection decisions.

Culture, religion, family honour, jealousy, or a claimed entitlement to discipline a partner does not excuse abuse.

Section 2: Coercive Control and Emotional, Social, and Financial Abuse

A person commits an offense by intentionally engaging in repeated or continuous controlling or coercive behaviour towards a personally connected person that causes fear of violence; serious psychological or emotional distress substantially affecting daily life; or a substantial impairment of financial, social, or daily-living independence. The person shall know of that effect or consciously disregard a substantial risk of causing it.

Controlling or coercive behaviour may include:

(a) psychological or emotional abuse, including repeated degradation, intimidation, manipulation intended to undermine autonomy or a person's ability to judge their own situation, and threats of self-harm or harm to others used to compel the person's conduct;

(b) social or relationship abuse, including enforced isolation, interference with supportive friendships or family contact, and threats to destroy relationships, expose private information, or damage reputation to enforce control;

(c) work or educational abuse, including obstructing attendance, sabotaging work or study, withholding necessary transport or equipment, or threatening dismissal, exclusion, professional harm, or false reports to an employer or institution as a means of coercion;

(d) economic or financial abuse, including taking or controlling earnings or benefits, coercing transfers or debts, denying access to accounts, documents, necessities, housing, or medical care, and obstructing the ability to obtain, use, or retain money, property, employment, or essential services; and

(e) surveillance or digital monitoring used to control the person, threats against children, relatives, or animals, and material restrictions on movement, communication, or access to help.

These forms of abuse may be carried out through other people or digital tools and may continue after separation. Serious emotional distress does not require a medical diagnosis; its nature and effect shall be proved from the available evidence.

Ordinary disagreement, voluntary arrangements, legitimate financial decisions, ending a relationship, good-faith reporting of wrongdoing, and necessary and proportionate caregiving or parental safeguarding do not alone establish the offense. Their use as part of a coercive pattern shall be assessed in context. The court or jury shall examine the whole proved pattern, its purpose and effect, dependency, and genuine consent, rather than an isolated act detached from context.

An offense under this Section is punishable by either or both of the following:

(f) a fine not exceeding 50,000 SL;

(g) imprisonment not exceeding 30 days.

Where the pattern causes serious physical or psychological injury, deliberately uses a child to control the victim, or knowingly breaches a protective order, the court may instead impose either or both of the following:

(h) a fine not exceeding 100,000 SL;

(i) imprisonment not exceeding 60 days.

The same circumstance shall not be counted again as an enhancement.

Section 3: Domestic Assault

An assault under Article 9 committed as domestic abuse is domestic assault and is punishable by either or both of the following:

(a) a fine not exceeding 25,000 SL;

(b) imprisonment not exceeding 30 days.

Where an aggravating circumstance in Article 9, Section 3 is proved, or the assault forms part of a proved repeated pattern of domestic violence, the court may instead impose either or both of the following:

(c) a fine not exceeding 150,000 SL;

(d) imprisonment not exceeding 90 days.

Only timely proved acts may establish the repeated pattern for this aggravated form; prior convictions are governed by Chapter 2, Article 7. The maximum penalties in paragraphs (a) to (d) replace the corresponding maximum penalties for ordinary or aggravated assault; they do not limit a separately proved homicide or sexual offense.

Strangulation, the use or threat of a weapon, serious injury, targeting a pregnant or dependent person, and deliberately exposing a child to violence shall receive particular attention where proved and relevant. No minimum sentence is mandatory. The court shall explain its assessment of seriousness and mitigation.

Section 4: Other Offenses and Enhancement Limits

Where another offense against a personally connected person is proved to constitute domestic abuse, the court shall record that finding and may increase an expressly numerical maximum fine or term of imprisonment by up to 50%. The relationship and abusive character shall be alleged before trial and proved beyond a reasonable doubt.

The maximum penalties for domestic assault under Section 3 are the starting limits for independent enhancements; this Section's 50% increase shall not also be applied to them or to the coercive-control penalties in Section 2, paragraphs (f) to (i). For another offense, this increase, increases under Article 28, Section 3, and increases under Chapter 2, Articles 7, 11, and 12 shall be calculated from the same unenhanced maximum, with a combined limit of twice that maximum unless an Act expressly permits more. The same fact shall not establish an aggravated form and be counted again for the same enhancement.

Separate offenses, acts, or victims may be punished under Chapter 1, Article 10, but overlapping descriptions of the same conduct and harm shall not receive duplicate punishment. Compensation and restitution for the same loss shall be credited against one another. The limitation rules in Chapter 2, Article 9 remain applicable; protective relief addresses a present risk and

does not revive a time-barred prosecution. Time-barred acts may supply lawful context but shall not be independently punished; later acts may be charged only where they independently satisfy an offense within the applicable period.

Section 5: Evidence, Defense, and Sentencing

Each person's conduct shall be assessed separately. Mutual allegations or injuries do not establish equal responsibility. The court or jury shall consider relevant evidence of the history of abuse, coercion, defensive action, power and dependency, and the circumstances of the incident. Remaining in a relationship, delayed reporting, withdrawal of a complaint, or the absence of visible injury does not alone disprove abuse or a defense.

Self-defense, defense of another, duress, mistake, necessity, and the excuses in Chapter 2 remain available. The judge shall explain the legal tests to a lawfully constituted jury; the jury decides disputed facts where the governing procedure assigns that role. The prosecution retains its burden of proving the offense and disproving a properly raised defense beyond a reasonable doubt.

A sentence may include:

(a) restitution;

(b) a protective order under Article 27; and

(c) a suitable violence-prevention or counselling programme not exceeding 24 hours.

The court shall consider culpability, harm, genuine fear, previous coercion, ability to pay, and obligations towards dependants, giving restitution priority where resources are limited. A person shall not be required to reconcile or undergo joint mediation with the alleged abuser.

Article 27: Domestic-Abuse Protection Orders and Support

Section 1: Judicial Protection

On application by an affected person, an authorized representative, or a Constable of the National Gendarmerie and Police acting within lawful jurisdiction to protect a person at risk, a competent court may make a protective order where domestic abuse has occurred or is threatened and a continuing or imminent risk is established on the balance of probabilities. A conviction or pending prosecution is not required. The court shall identify the acts or risks found and the necessity and proportionality of each restriction.

An order may prohibit contact, harassment, tracking, or entry to specified places; require temporary departure from a shared residence regardless of ownership; arrange supervised retrieval of belongings; and impose a specific temporary weapon-access restriction where lawful and necessary to prevent violence. Residence and weapon measures shall not determine permanent property rights or create a general weapon prohibition. Child-contact conditions shall address safety and the child's best interests within the court's jurisdiction.

An order after a hearing may last up to 180 days and may be varied, discharged, or renewed on a fresh finding of continuing risk after an opportunity to be heard. The parties shall receive clear terms and reasons. The court may protect confidential addresses and arrange separate attendance or remote evidence while preserving a fair opportunity to answer the case.

Section 2: Immediate Danger and Prompt Hearing

Where delay creates an immediate risk of violence or serious harm, a judge may make an interim order without advance notice for no more than 7 days before an opportunity for a hearing. On reasonable grounds of immediate danger, a Constable of the National Gendarmerie and Police acting within lawful jurisdiction may direct temporary departure and no contact for no more than 48 hours. The Constable shall record the grounds, serve clear written terms, and apply promptly for judicial review. The direction expires after that period unless replaced by a judicial order. These measures do not authorize detention without another lawful ground.

Section 3: Knowing Breach

A person who, without reasonable excuse, knowingly breaches a valid protective order or emergency direction of which the person has notice commits an offense punishable by either or both of the following:

(a) a fine not exceeding 25,000 SL;

(b) imprisonment not exceeding 14 days.

Where the breach involves a credible threat of serious harm or repeated deliberate violations, the court may instead impose either or both of the following:

(c) a fine not exceeding 50,000 SL;

(d) imprisonment not exceeding 30 days.

Independent violence or stalking may be prosecuted, subject to the prohibition on duplicate punishment for the same conduct and harm.

Section 4: Assistance

The National Gendarmerie and Police Administration and relevant care services shall assess immediate safety, take reasonable protective steps within their authority, and offer information and referrals for medical care, safe accommodation, legal assistance, and child protection. Assistance shall be accessible to persons with disabilities and shall not depend on agreeing to mediation or making a criminal complaint.

Section 2: Abuse, Neglect, and Exploitation of Persons with Disabilities

Title 7, Chapter 8 of the Civil Code is amended by inserting Article 28 after Article 27, to read:

Article 28: Abuse, Neglect, and Exploitation of Persons with Disabilities

Section 1: Distinct Category and Scope

An offense against a person with disabilities is disability-related abuse where the offender knowingly exploits that person's disability-related dependence, a position of care or trust in relation to that person, or a disability-related difficulty in resisting, communicating, understanding the conduct, or obtaining protection to commit, conceal, or continue the offense. This category applies in domestic, institutional, professional, and community settings, without requiring a family relationship or proof of hatred.

Disability has the meaning in Title 1, Chapter 7, Article 2. Disability alone does not establish incapacity, dependence, or inability to resist; the person's actual circumstances govern. The classification and circumstances relied upon shall be alleged before trial and proved beyond a reasonable doubt.

Section 2: Abusive Deprivation and Wilful Neglect

A person commits abusive deprivation where, without lawful justification, the person knowingly withholds, removes, damages, or obstructs access to essential medication, food, water, hygiene, personal assistance, mobility or sensory equipment, communication aids, necessary documents, or emergency help on which a person with disabilities depends, and thereby causes serious harm or a substantial risk of serious harm which the offender knows of or consciously disregards. The person shall have a duty to provide the support or have deliberately taken control of access to it.

A person entrusted with essential care commits wilful neglect where, knowing that duty and being reasonably able to provide care or obtain assistance, the person deliberately fails to act and knowingly or recklessly exposes the person with disabilities to a substantial risk of serious physical or psychological harm. A single grave act or omission may suffice; a repeated pattern is not required.

Serious harm includes substantial impairment of physical safety, psychological wellbeing, communication, or independent daily living. Informed refusal of care, necessary and proportionate lawful treatment or emergency safeguarding, and an unavoidable shortfall despite reasonable efforts to obtain assistance do not alone establish an offense. An ordinary failure of accommodation does not become criminal neglect without the elements required by this Section.

Section 3: Existing Offenses and Financial Exploitation

Assault, sexual abuse, threats, stalking, coercive control, theft, fraud, extortion, or another independently defined offense may be classified under Section 1. Financial exploitation includes misappropriating disability benefits or care funds, procuring transfers or debts by deception or coercion, or abusing control of an account or property; the elements of the underlying offense shall still be proved.

For an existing offense classified under Section 1, the court shall record the disability-related abuse and may increase an expressly numerical maximum fine or term of imprisonment by up to 50%. The increase shall not also be applied to the disability-specific offenses and penalties in Sections 2 and 4.

Increases under this Section, Article 26, Section 4, and Chapter 2, Articles 7, 11, and 12 shall be calculated from the same starting maximum and together shall not exceed twice that maximum unless an Act expressly permits more. The maximum penalties for domestic assault under Article 26, Section 3 remain the starting limits where applicable. The same dependence or difficulty in defending against harm shall not both establish an aggravated form and support this enhancement. Distinct hostility or another independent aggravating fact must be proved separately.

Section 4: Penalties and Other Orders

An offense under Section 2 is punishable by either or both of the following:

(a) a fine not exceeding 50,000 SL;

(b) imprisonment not exceeding 30 days.

Where it causes serious physical or psychological injury, forms part of repeated grave neglect, or knowingly breaches a protective order, the court may instead impose either or both of the following:

(c) a fine not exceeding 100,000 SL;

(d) imprisonment not exceeding 60 days.

There is no mandatory minimum. A greater penalty for a separately proved offense remains available, subject to the prohibition on duplicate punishment for the same conduct and harm.

The court may also order:

(e) restitution;

(f) restoration or replacement of essential aids;

(g) a suitable programme not exceeding 24 hours; and

(h) a restriction on the offender's care, financial, or supervisory functions not exceeding 180 days.

Each order shall be necessary and proportionate.

Section 5: Protection, Assistance, and Personal Autonomy

The protective orders and emergency measures in Article 27 are available for abuse under this Article whether or not the persons are personally connected. They may require restoration of access to support and safe arrangements for replacement care. Removing an abusive carer shall be coordinated with necessary alternative assistance; the person shall not be left without essential support as a consequence of the protective measure.

The National Gendarmerie and Police Administration, courts, and care services shall provide reasonable communication assistance and an accessible way to report and give evidence, including assistance from an independent person chosen by the affected person where appropriate. A communication difficulty does not itself establish unreliability. The person's will and preferences shall be respected.

Section 3: Relationship with the Assault Provisions

Title 7, Chapter 8, Article 9 of the Civil Code is amended by adding Section 6:

Section 6: Domestic Assault

Where an assault constitutes domestic abuse under Article 26, the classification and sentencing limits in that Article apply. Section 5 and the justifications and excuses in Chapter 2 remain applicable.

Section 4: Context, Perceived Threats, and Excess Defensive Force

Title 7, Chapter 2, Article 2 of the Civil Code is amended by adding Sections 6 and 7:

Section 6: Assessment in the Circumstances

Necessity, imminence, and proportionality shall be assessed in the circumstances reasonably perceived at the time, including relevant previous violence or coercive control, threats, relative physical ability, access to weapons, and the time available to react. A person confronted by an attack is not required to calculate the precise degree of necessary force with calm hindsight. Previous abuse is relevant evidence and does not by itself authorize revenge or force against a merely remote threat.

Section 5 governs a mistaken belief in danger. Once credible evidence raises self-defense or defense of another, the prosecution shall disprove at least one required condition beyond a reasonable doubt. A domestic relationship does not reduce that protection.

Section 7: Fear-Driven Excess and Mitigation

Where an actual imminent unlawful attack occurs, excess defensive force is excused if severe fear, confusion, or panic caused by that attack materially impaired the accused's ability to regulate the response and the force was used to protect against the attack. The excuse does not cover retaliation after the accused recognized that the danger had ended, or an encounter deliberately provoked to create an excuse for violence under Section 4.

The accused shall produce credible evidence supporting the excuse; the prosecution shall then disprove a required condition beyond a reasonable doubt. The judge shall direct a lawfully constituted jury on the legal test. Where no complete justification or excuse applies, genuine fear, coercion, trauma, a mistaken threat perception, or limited opportunity to react may mitigate sentence; the court shall give reasons.

Chapter 6 - Freedom of Expression and Consequential Amendments

Section 1: Freedom of Expression and the Press

Title 1, Chapter 1, Article 1 of the Civil Code is amended to read:

Article 1: Freedom of ~~Speech~~ Expression and the Press

Section 1: Freedom of Expression and the Press

~~Definition: Citizens have the right to express their opinions freely, with limitations.~~

Every person shall enjoy freedom of expression and the press, including the right to seek, receive, and communicate information and ideas through any medium.

Criticism of public authorities or religious institutions, political or religious debate, satire, artistic or academic expression, and good-faith reporting shall not, by themselves, justify restriction or punishment.

Section 2: ~~Limitations~~ Lawful Restrictions

~~Limitations:~~

~~- Hate speech, discrimination, or incitement to violence are not protected.~~

~~- General harassment is prohibited~~

A restriction on expression or expressive material shall have express legal authority, identify the material or conduct concerned and the public interest protected, and be necessary and proportionate to that interest.

Discrimination, harassment, retaliation, hate speech, and incitement are subject to the specific elements, exceptions, remedies, and penalties in Title 1, Chapter 7 and Title 7. Describing expression as hateful, insulting, or harmful to social cohesion does not alone establish liability. A slur or insult shall be assessed in context under the elements of the alleged contravention or offense.

~~-~~Speech concerning the Sovereign or Imperial Family shall not constitute treason merely because it is critical, disrespectful, derogatory, or allegedly defamatory. Political propaganda concerning the reigning Monarch or an heir is governed by Title 1, Chapter 3; civil defamation is governed by Title 1, Chapter 4; and criminal liability requires proof of a specific Title 7 offense.

Section 3: ~~Consequences of Violations~~ Remedies, Penalties, and Review

~~Punishment:~~

~~-General Offenses: Warning, Fine, or Temporary Suspension of speech privileges.~~

~~-Slurs, or any derogatory name or word subject to context that are used in a derogatory way to harass or put down a person, and the excessive of slurs or derogatory words will be not permitted and will result in direct temporary suspension of speech privileges or at His Imperial Majesty's Pleasure.~~

Liability and enforcement shall be determined as follows:

(a) civil relief requires proof of a civil contravention under the applicable law;

(b) criminal punishment requires proof beyond a reasonable doubt of every element of a defined offense and shall remain within its authorized penalties;

(c) an order restricting communication, access, publication, or material shall have an express legal basis, identify its scope and duration, and be necessary and proportionate to the established grounds; and

(d) a restriction imposed by a state organ shall be subject to judicial review under the applicable procedure.

Section 2: Relationship with Existing Harassment Provisions

Title 7, Chapter 8, Article 16, Section 3 of the Civil Code is amended by adding at its end:

This Section does not exclude liability for hate harassment or hate incitement under Chapter 9, Articles 10 and 11 where every element of the separate offense is proved.

END OF BILL