



Australian Capital Territory

# Sex Work Act 1992

**A1992-64**

**Republication No 26**

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Last amendment made by [A2018-25](#)  
(republishing for renaming and  
other amendments by [A2018-25](#))

## About this republication

### The republished law

This is a republication of the *Sex Work Act 1992* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 9 August 2018. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 9 August 2018.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Sex Work Act 1992

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Australian Capital Territory

## **Sex Work Act 1992**

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An Act to regulate certain aspects of sex work

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *Sex Work Act 1992*.

### 2 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*nurse practitioner position*—see the [Health Act 1993](#), section 195 (2).’ means that the term ‘nurse practitioner position’ is defined in that section and the definition applies to this Act.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act 2001](#), s 155 and s 156 (1)).

### 3 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See [Legislation Act 2001](#), s 127 (1), (4) and (5) for the legal status of notes.



### 3A Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

*Note 1 Criminal Code*

The [Criminal Code](#), ch 2 applies to the following offences against this Act (see Code, pt 2.1):

- s 12 (Registration notice etc to be given to commissioner—commercial operators)
- s 13 (Annual notice to be given to commissioner—commercial operators)
- s 14 (Other notices to be given to commissioner—commercial operators and former commercial operators)
- s 20 (Causing child to provide commercial sexual services etc)
- s 26 (Medical tests and examinations)
- s 26A (Commercial operator must provide health and safety equipment).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## 4 Objects

The objects of the Act are as follows:

- (a) to safeguard public health;
- (b) to promote the welfare and occupational health and safety of sex workers;
- (c) to protect the social and physical environment of the community by controlling the location of brothels;
- (d) to protect children from sexual exploitation.

## Part 2 Registration

### Division 2.1 Interpretation

#### 5 Definitions for pt 2

In this part:

*commercial brothel* means a brothel other than a sole operator brothel.

*commercial escort agency* means an escort agency other than a sole operator escort agency.

*disqualifying offence*—see section 6.

*interested person*, in relation to a commercial brothel or commercial escort agency, means any of the following:

- (a) each operator;
- (b) each owner who is an individual;
- (c) each director of an owner that is a corporation.

*police report*, for a person, means a report by a police officer or the Australian Criminal Intelligence Commission about the person's criminal record made on a form that—

- (a) contains a consent by the person to a police officer or the Australian Criminal Intelligence Commission making inquiries about the person's criminal record; and
- (b) contains imprints of the fingers and palms of both hands of the person.

*Note* If a form is approved under s 30 (Approved forms) for a police report, the form must be used.

*required police report*, in relation to a commercial brothel or commercial escort agency, means a police report for each interested person in relation to the brothel or escort agency.

***sole operator brothel*** means a brothel—

- (a) the premises of which are premises used by a single sex worker;  
and
- (b) the business of which is solely owned and operated by the single sex worker.

***sole operator escort agency*** means an escort agency solely owned and operated by a single sex worker.

***the operator***, of a commercial brothel or commercial escort agency—

- (a) if there is only 1 operator of the brothel or escort agency—the operator; or
- (b) if there are 2 or more operators of the brothel or escort agency—each operator.

## 6 Meaning of ***disqualifying offence***

- (1) In this part:

***disqualifying offence*** means—

- (a) an offence against any of the following:
  - (i) a provision of the *Crimes Act 1900* mentioned in schedule 1;
  - (ii) a provision of this Act mentioned in schedule 2;
  - (iii) the *Crimes Act 1900*, section 114B (Money laundering);
  - (iv) the *Criminal Code*, chapter 6 (Serious drug offences); or

*Note* A reference to an offence against a Territory law includes a reference to a related ancillary offence, eg attempt (see [Legislation Act](#), s 189).

- (b) an offence against a law of the Commonwealth, a State or another Territory corresponding to an offence mentioned in paragraph (a); or

- (c) an offence against a law of the Commonwealth, a State or another Territory corresponding to a provision of the [Criminal Code](#), part 2.4 (Extensions of criminal responsibility) or section 717 (Accessory after the fact) in relation to an offence mentioned in paragraph (a); or
  - (d) an offence against the [Migration Act 1958](#) (Cwlth), section 232A (Organising bringing groups of non-citizens into Australia), section 233 (1) (about bringing etc non-citizens into Australia in contravention of the Act) or section 233A (Other offences relating to groups of non-citizens etc); or
  - (e) an offence against a Commonwealth law corresponding to a provision of the [Criminal Code](#), part 2.4 (Extensions of criminal responsibility) or section 717 (Accessory after the fact) in relation to an offence mentioned in paragraph (d); or
  - (f) an offence against a law of a foreign country of a kind mentioned in schedule 3.
- (2) To remove any doubt, this section applies to offences committed before or after the commencement of this section.

## **Division 2.2 Register and notices**

### **11 Register**

- (1) The commissioner must keep a register of information provided by operators of commercial brothels and commercial escort agencies in notices under this part.
- (2) Subsection (1) does not require the commissioner to include or keep in the register information about a commercial brothel or commercial escort agency that has ceased to operate.
- (3) The commissioner must make information in the register available for public inspection.

**12 Registration notice etc to be given to commissioner—  
commercial operators**

- (1) A person commits an offence if—
- (a) the person is an operator of a commercial brothel or commercial escort agency; and
  - (b) both of the following are not given to the commissioner at least 7 days before the day the brothel or escort agency begins to operate:
    - (i) a registration notice;
    - (ii) a required police report in relation to the brothel or escort agency.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) In this section:

**registration notice**, in relation to a commercial brothel or commercial escort agency, means a written notice containing the following particulars in relation to the brothel or escort agency:

- (a) its business name (if any) and address;
- (b) the name and home address of each person in day-to-day control of the brothel or escort agency;
- (c) if the owner (or an owner) of the brothel or escort agency is an individual—the name and home address of each individual who is an owner;
- (d) if the owner (or an owner) of the brothel or escort agency is a corporation—the following for each corporation that is an owner:
  - (i) its name and business address;

- (ii) the name and home address of each director and each shareholder;
- (e) for each interested person in relation to the brothel or escort agency—a statement about whether or not the person has been convicted, or found guilty, of a disqualifying offence.

*Note 1* If a form is approved under s 30 for a notice, the form must be used.

*Note 2* A fee may be determined under s 29 for a notice under this section.

### 13 **Annual notice to be given to commissioner—commercial operators**

- (1) A person commits an offence if—
  - (a) the person is an operator of a commercial brothel or commercial escort agency; and
  - (b) an annual notice for the year for the brothel or escort agency is not given to the commissioner before 1 October of that year.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) In this section:

***annual notice***, in relation to a commercial brothel or commercial escort agency, means a written notice containing the following particulars in relation to the brothel or escort agency:

- (a) its business name (if any) and address;
- (b) the name and home address of each person in day-to-day control of the brothel or escort agency;
- (c) if the owner (or an owner) of the brothel or escort agency is an individual—the name and home address of each individual who is an owner;

- (d) if the owner (or an owner) of the brothel or escort agency is a corporation—the following for each corporation that is an owner:
  - (i) its name and business address;
  - (ii) the name and home address of each director and each shareholder;
- (e) for each interested person in relation to the brothel or escort agency—a statement about whether or not the person has been convicted, or found guilty, of a disqualifying offence.

*Note 1* If a form is approved under s 30 for a notice, the form must be used.

*Note 2* A fee may be determined under s 29 for a notice under this section.

#### **14 Other notices to be given to commissioner—commercial operators and former commercial operators**

- (1) A person commits an offence if—
  - (a) the person is an operator of a commercial brothel or commercial escort agency; and
  - (b) any information given to the commissioner in a notice under this division changes; and
  - (c) written notice of the new information is not given to the commissioner within 7 days after the day the information changes.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) A person commits an offence if—
  - (a) the person is an operator of a commercial brothel or commercial escort agency; and
  - (b) the brothel or escort agency stops operating; and

- (c) written notice that the brothel or escort agency stopped operating is not given to the commissioner within 7 days after the last day the brothel or escort agency operated.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

## Division 2.3 Interested people—offences

### 15 Interested person—disqualifying offence

- (1) A person who has been convicted or found guilty of a disqualifying offence must not—
- (a) become an interested person in relation to a commercial brothel or commercial escort agency; or
  - (b) continue to be an interested person in relation to a commercial brothel or commercial escort agency.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) Any other interested person (the *other interested person*) in relation to a commercial brothel or commercial escort agency commits an offence if—
- (a) an interested person mentioned in subsection (1) becomes, or continues to be, an interested person in relation to the brothel or escort agency; and
  - (b) the other interested person knows that, or is reckless as to whether, a person who becomes, or continues to be, an interested person in relation to the brothel or escort agency is an interested person mentioned in subsection (1).

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.



**16**      **Police report to be given before person becomes interested person**

A person must not, without reasonable excuse, fail to give the commissioner a police report for the person at least 7 days before the person becomes an interested person in relation to a commercial brothel or commercial escort agency.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

## Part 3 Offences

### 17 Duress

- (1) A person must not, for the purpose of inducing a person to provide or to continue to provide commercial sexual services—
- (a) intimidate, assault or threaten to assault any person; or
  - (b) supply or offer to supply a controlled medicine or prohibited substance to any person; or
  - (c) make a false representation or otherwise act fraudulently.

Maximum penalty: imprisonment for 6 years.

- (2) A person must not—
- (a) intimidate, assault or threaten to assault a person; or
  - (b) supply or offer to supply a controlled medicine or prohibited substance to a person;

for the purpose of inducing any person to provide or continue to provide him or her with payment derived, directly or indirectly, from the provision of commercial sexual services.

Maximum penalty: imprisonment for 6 years.

- (3) In this section:

***controlled medicine***—see the *Medicines, Poisons and Therapeutic Goods Act 2008*, section 11.

***prohibited substance***—see the *Medicines, Poisons and Therapeutic Goods Act 2008*, section 13.

**18 Brothels—other than in prescribed location**

- (1) A person must not operate a brothel other than in a prescribed location.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) Each owner of a brothel that operates other than in a prescribed location commits an offence.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (3) This section does not apply to an escort agency or premises used by a single sex worker.

**19 Soliciting**

- (1) A person must not, for the purpose of offering or procuring commercial sexual services, accost any person, or solicit or loiter, in a public place.

Maximum penalty: 20 penalty units.

- (2) A person must not, for the purpose of offering or procuring commercial sexual services, accost a child in a public place.

Maximum penalty: imprisonment for 3 years.

- (3) In this section:

***public place*** means any street, road, public park, reserve, or any building, premises or other place that the public are entitled to use or that is open to, or used by, the public (whether on payment or otherwise).

**20 Causing child to provide commercial sexual services etc**

- (1) A person commits an offence if—
- (a) the person causes, permits, offers or procures a child to provide commercial sexual services; and
  - (b) the child is under 12 years old.

Maximum penalty: 1 500 penalty units, imprisonment for 15 years or both.

- (2) Absolute liability applies to subsection (1) (b).

- (3) A person commits an offence if—
- (a) the person causes, permits, offers or procures a child to provide commercial sexual services; and
  - (b) the child is 12 years old or older.

Maximum penalty: 1 000 penalty units, imprisonment for 10 years or both.

- (4) Absolute liability applies to subsection (3) (b).

**21 Proceeds of commercial sexual services by child**

- (1) A person must not receive a payment that he or she knows, or could reasonably be expected to have known, is derived, directly or indirectly, from commercial sexual services provided by a child.

Maximum penalty: imprisonment for 7 years.

- (2) Subsection (1) does not apply in relation to a payment received in the ordinary course of a business other than sex work.

**22 Age of child—burden of proof**

It is a defence to a prosecution under section 19 (2) or 20 if it is established that the defendant—

- (a) took reasonable steps to ascertain the age of the child concerned; and
- (b) believed on reasonable grounds that the child had attained 18 years of age.

**23 Child on premises**

An operator or owner of a brothel or escort agency must not, without reasonable excuse, permit a child to be on the premises.

Maximum penalty: 20 penalty units.

**26 Medical tests and examinations**

- (1) A person commits an offence if—
  - (a) the person is an operator or owner of a brothel or escort agency; and
  - (b) the person fails to take reasonable steps to ensure that 1 or more of the following is not used to induce someone else to believe that the sex worker is not infected with a sexually transmissible infection:
    - (i) the fact that a sex worker had a medical test;
    - (ii) the fact that a sex worker had a medical examination by a doctor or nurse practitioner;
    - (iii) the result of a sex worker's medical test;
    - (iv) the result of a sex worker's medical examination by a doctor or nurse practitioner.

Maximum penalty: 20 penalty units.

- (2) A sex worker commits an offence if—
- (a) the sex worker tells someone else—
    - (i) that the sex worker had a medical test; or
    - (ii) that the sex worker had a medical examination by a doctor or nurse practitioner; or
    - (iii) the result of the sex worker’s medical test; or
    - (iv) the result of the sex worker’s medical examination by a doctor or nurse practitioner; and
  - (b) the sex worker—
    - (i) intends the person to believe that the sex worker is not infected with a sexually transmissible infection; or
    - (ii) is reckless about whether the person believes that the sex worker is not infected with a sexually transmissible infection.

Maximum penalty: 20 penalty units.

- (3) An offence against subsection (1) is a strict liability offence.
- (4) This section does not apply to an operator or owner of a brothel or escort agency if the operator or owner uses a sex worker’s medical test, a sex worker’s medical examination by a doctor or nurse practitioner, or the result of a sex worker’s medical test or medical examination by a doctor or nurse practitioner, to satisfy himself or herself that the sex worker is not infected with a sexually transmissible infection.
- (5) In this section:

***medical test*** means the taking of a sample of tissue, blood, urine or other bodily material for medical testing.

**26A Commercial operator must provide health and safety equipment**

- (1) A person commits an offence if the person—
- (a) is the operator of a commercial brothel or commercial escort agency; and
  - (b) fails to provide a sex worker employed at the brothel, or from the escort agency, prophylactics in sufficient quantity to allow the sex worker to comply with section 27 (3).

Maximum penalty: 40 penalty units.

- (2) A person commits an offence if the person—
- (a) is the operator of a commercial brothel or commercial escort agency; and
  - (b) fails to—
    - (i) provide a sex worker employed at the brothel, or from the escort agency, personal protective equipment; and
    - (ii) take reasonable steps to ensure the sex worker uses the personal protective equipment to minimise the risk to the sex worker's health or safety.

Maximum penalty: 40 penalty units.

- (3) A person commits an offence if the person—
- (a) is the operator of a commercial brothel or commercial escort agency; and
  - (b) provides a sex worker employed at the brothel, or from the escort agency, prophylactics or personal protective equipment; and
  - (c) charges, or imposes a levy on, the sex worker for the prophylactics or personal protective equipment.

Maximum penalty: 40 penalty units.

- (4) In this section:

***commercial brothel***—see section 5.

***commercial escort agency***—see section 5.

***personal protective equipment***, in relation to sex work, means anything used or worn by a sex worker to minimise risk to the sex worker's health or safety from engaging in sex work.

**Examples—personal protective equipment**

dental dams, latex gloves, water-based lubricants, sponges

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

## 27 Use of prophylactics

- (1) Each operator and owner of a brothel or escort agency must take reasonable steps to ensure that no person provides or receives commercial sexual services at the brothel or escort agency, being services which involve vaginal, oral or anal penetration by any means, unless a prophylactic is used.

Maximum penalty: 50 penalty units.

- (2) An operator or owner of a brothel must not discourage the use of prophylactics at the brothel.

Maximum penalty: 100 penalty units.

- (3) A person must not, at a brothel or elsewhere, provide or receive commercial sexual services that involve vaginal, oral or anal penetration by any means unless a prophylactic is used.

Maximum penalty: 50 penalty units.

*Note* It is also an offence not to take reasonable precautions against transmitting a notifiable condition (see [Public Health Regulation 2000](#), s 21 (1)).



- (4) A person must not, at a brothel or elsewhere, while providing or receiving commercial sexual services that involve oral, anal or vaginal penetration—
- (a) misuse, damage or interfere with the efficacy of any prophylactic used; or
  - (b) continue to use a prophylactic that he or she knows, or could reasonably be expected to know, is damaged.

Maximum penalty: 50 penalty units.

## Part 4 Miscellaneous

### 28 Entry by police

A police officer may enter a brothel or escort agency if the officer believes on reasonable grounds that—

- (a) an offence against section 20, 21 or 23 has been, is being or is likely to be committed on the premises; and
- (b) it is necessary to enter the premises for the purpose of preventing the commission or repetition of such an offence, investigating such an offence or apprehending an offender.

### 29 Determination of fees

- (1) The Minister may determine fees for this Act.

*Note* The [Legislation Act 2001](#) contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

- (2) A determination is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act 2001](#).

### 30 Approved forms

- (1) The commissioner may approve forms for this Act.

*Note* For other provisions about forms, see [Legislation Act 2001](#), s 255.

- (2) If the commissioner approves a form for a particular purpose, the approved form must be used for that purpose.
- (3) An approved form is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act 2001](#).

**32 Regulation-making power**

- (1) The Executive may make regulations for this Act.

*Note* Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

- (2) The regulations may make provision in relation to the following matters:
- (a) the cleanliness of brothels;
  - (b) the provision, use and laundering of towels and other items of linen;
  - (c) hygiene standards for swimming pools, spa baths and sexual aids used in brothels;
  - (d) provision of, and hygiene standards for, showers and washing and toilet facilities in brothels;
  - (e) the disposal of prophylactics used in brothels;
  - (f) the inspection of brothels and escort agencies to ensure compliance with this Act;
  - (g) the provision of information relating to sexually transmissible infections to sex workers employed at brothels or from escort agencies and to clients;
  - (h) safeguarding the health of clients and sex workers employed at brothels and from escort agencies;
  - (i) the provision of assistance to sex workers in gaining access to job retraining, job skills improvement schemes and further education;
  - (j) the size, form and content of advertisements relating to brothels and escort agencies.

- (3) The regulations may also prescribe offences for contraventions of the regulations and prescribe maximum penalties of not more than 10 penalty units for offences against the regulations.

**34 Sex Work Regulation 2018—sch 4**

- (1) The provisions set out in schedule 4 are taken, on the commencement of this section, to be a regulation made under section 32.
- (2) To remove any doubt and without limiting subsection (1), the regulation may be amended or repealed as if it had been made by the Executive under section 32.
- (3) Also to remove any doubt, the regulation is taken—
  - (a) to have been notified under the [Legislation Act](#) on the day the *Prostitution Amendment Act 2018* is notified; and
  - (b) to have commenced on the commencement of this section; and
  - (c) not to be required to be presented to the Legislative Assembly under the [Legislation Act](#), section 64 (1).
- (4) Subsections (1) to (3) are laws to which the [Legislation Act](#), section 88 (Repeal does not end effect of transitional laws etc) applies.
- (5) This section and schedule 4 expire on the day they commence.

## Schedule 1 Disqualifying offences— Crimes Act 1900

(see s 6 (1), def *disqualifying offence*, par (a) (i))

column 1 item	column 2 section	column 3 description
1	12	murder
2	19	intentionally inflicting grievous bodily harm
3	20	recklessly inflicting grievous bodily harm
4	22	assault with intent to commit other offence
5	32 (1) (a)	make demand with threat to kill or inflict grievous bodily harm
6	32 (2) (a)	make demand with threat to endanger health etc
7	35	stalking
8	36	torture
9	38	kidnapping
10	51	sexual assault in the first degree
11	52	sexual assault in the second degree
12	53	sexual assault in the third degree
13	54	sexual intercourse without consent
14	55	sexual intercourse with young person
15	55A	sexual intercourse with young person under special care
16	57	act of indecency in the first degree
17	58	act of indecency in the second degree
18	59	act of indecency in the third degree
19	60	act of indecency without consent
20	61	acts of indecency with young people
21	61A	act of indecency with young person under special care

**Schedule 1**            Disqualifying offences—Crimes Act 1900

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<b>column 1 item</b>	<b>column 2 section</b>	<b>column 3 description</b>
22	62	incest and similar offences
23	63	abduction
24	63A	bestiality
25	64	employment of young people for pornographic purposes
26	65	possession of child exploitation material
27	79	sexual servitude offences
28	80	deceptive recruiting for sexual services

## Schedule 2 Disqualifying offences—this Act

(see s 6 (1), def *disqualifying offence*, par (a) (ii))

column 1 item	column 2 section	column 3 description
1	17	duress used to induce person to provide commercial sexual services
2	18	brothel operating other than in prescribed location
3	19 (2)	accost a child for the purpose of offering or getting commercial sexual services
4	20	cause or permit child to provide commercial sexual services
5	21	receive proceeds of commercial sexual services by child
6	23	permit child on premises
7	26	obligations in relation to medical test and medical examination of sex worker
8	26A	obligation to supply health and safety equipment
9	27	obligations about use of prophylactics

## Schedule 3 Disqualifying offences— foreign countries

(see s 6 (1), def *disqualifying offence*, par (f))

### 3.1 Kinds of offences

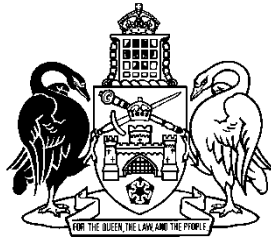
- (1) An offence that consists of or involves—
  - (a) murder; or
  - (b) torture, abduction or kidnapping; or
  - (c) sexual assault; or
  - (d) sexual servitude; or
  - (e) child exploitation material; or
  - (f) violence, intimidation or coercion related to provision of commercial sexual services; or
  - (g) causing serious physical harm to another person; or
  - (h) money laundering; or
  - (i) illegal immigration; or
  - (j) supplying illegal drugs.
- (2) An offence that consists of, or involves, in relation to an offence mentioned in subsection (1)—
  - (a) aiding and abetting the commission of the offence, or
  - (b) being an accessory after the fact; or
  - (c) attempting, inciting a person, or conspiring, to commit the offence.



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## Schedule 4      Sex Work Regulation 2018

(see s 34)



Australian Capital Territory

# Sex Work Regulation 2018

Subordinate Law SL2018-

made under the

[Sex Work Act 1992](#)

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### 1      Name of regulation

This regulation is the *Sex Work Regulation 2018*.

### 2      Locations

For the [Act](#), section 18 (1), the following locations are prescribed:

- (a) the division of Fyshwick in the Central Canberra district;
- (b) the division of Mitchell in the Gungahlin district.

## Dictionary

(see s 2)

*Note 1* The *Legislation Act 2001* contains definitions and other provisions relevant to this Act.

*Note 2* In particular, the *Legislation Act 2001*, dict, pt 1, defines the following terms:

- Australian Criminal Intelligence Commission
- child
- commissioner for fair trading
- doctor
- exercise
- found guilty
- function
- home address
- nurse practitioner
- police officer.

***brothel*** means premises used or to be used for the purpose of sex work, but does not include premises where accommodation is normally provided on a commercial basis if the sex work occurs under an arrangement initiated elsewhere.

***commercial brothel***, for part 2 (Registration)—see section 5.

***commercial escort agency***, for part 2 (Registration)—see section 5.

***commercial sexual services*** means sexual services provided for monetary consideration or any other form of consideration or material reward (regardless of whether the consideration or reward is, or is to be, paid or given to the person providing the sexual services or another person).

***commissioner*** means the commissioner for fair trading.

***disqualifying offence***, for part 2 (Registration)—see section 6.

**employed**—a sex worker is **employed** at a brothel or from an escort agency if the sex worker provides commercial sexual services at the brothel, or from the escort agency, under a contract of service or a contract for services.

**escort agency** means a business of arranging sex work, being a business carried on at premises other than a brothel.

**interested person**, for part 2 (Registration)—see section 5.

**operator**, of a brothel or escort agency, includes a person in day-to-day control of the brothel or escort agency.

**police report**, for part 2 (Registration)—see section 5.

**premises** includes a part of premises.

**premises used by a single sex worker** means premises used by not more than 1 sex worker other than—

- (a) premises adjacent to or, for town houses, units or apartments, in the same block as, other premises that are used for sex work; or
- (b) premises at which the provision of commercial sexual services is arranged by a person (other than the sex worker) who arranges clients for other sex workers; or
- (c) premises to which clients are referred by other sex workers, or from which clients are referred to other sex workers.

**prophylactic** means a condom or other device that is adequate to prevent the transmission of a sexually transmissible infection.

**required police report**, for part 2 (Registration)—see section 5.

**sexually transmissible infection** means—

- (a) chancroid, chlamydial infection, donovanosis, gonorrhoea, HIV/AIDS, lymphogranuloma venereum or syphilis; or
- (b) an infection prescribed by regulation.

***sexual services*** means—

- (a) an act of sexual intercourse as defined in the *Crimes Act 1900*, section 50; or
- (b) the masturbation of one person by another; or
- (c) any activity that involves the use of one person by another for his or her sexual gratification.

***sex work*** means the provision of commercial sexual services by an adult.

***sole operator brothel***, for part 2 (Registration)—see section 5.

***sole operator escort agency***, for part 2 (Registration)—see section 5.

***the operator***, for part 2 (Registration)—see section 5.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

The *Sex Work Act 1992* was originally the *Prostitution Act 1992*. It was renamed by the *Prostitution Amendment Act 2018* A2018-25 (see s 6).

#### **Sex Work Act 1992 A1992-64**

notified 1 December 1992 ([Gaz 1992 No S208](#))

s 1, s 2 commenced 1 December 1992 (s 2 (1))

remainder commenced 7 May 1993 (s 2 (2) and [Gaz 1993 No S75](#))

as amended by

#### **Statute Law Revision Act 1994 A1994-26 sch**

notified 31 May 1994 ([Gaz 1994 No S93](#))

commenced 31 May 1994 (s 2)

#### **Statutory Offices (Miscellaneous Provisions) Act 1994 A1994-97 sch pt 1**

notified 15 December 1994 ([Gaz 1994 No S280](#))

s 1, s 2 commenced 15 December 1994 (s 2 (1))

sch pt 1 commenced 15 December 1994 (s 2 (2) and [Gaz 1994  
No S293](#))

#### **Prostitution (Amendment) Act 1997 A1997-9**

notified 12 May 1997 ([Gaz 1997 No S130](#))

commenced 12 May 1997 (s 2)

#### **Public Health (Miscellaneous Provisions) Act 1997 A1997-70 sch 1, sch 3**

notified 9 October 1997 ([Gaz 1997 No S300](#))

ss 1-3 commenced 9 October 1997 (s 2 (1))

sch 1 commenced 13 August 1998 (s 2 (2) and [Gaz 1998 No S185](#))

sch 3 commenced 10 July 2001 (s 2 (2) and [Gaz 2001 No S45](#))

#### **Statute Law Revision (Penalties) Act 1998 A1998-54 sch**

notified 27 November 1998 ([Gaz 1998 No S207](#))

s 1, s 2 commenced 27 November 1998 (s 2 (1))

sch commenced 9 December 1998 (s 2 (2) and [Gaz 1998 No 49](#))

**Legislation (Consequential Amendments) Act 2001 A2001-44 pt 303**

notified 26 July 2001 ([Gaz 2001 No 30](#))  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 303 commenced 12 September 2001 (s 2 and see [Gaz 2001 No S65](#))

**Statute Law Amendment Act 2002 A2002-30 pt 3.54**

notified LR 16 September 2002  
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))  
pt 3.54 commenced 17 September 2002 (s 2 (1))

**Prostitution Amendment Act 2002 A2002-35**

notified LR 8 October 2002  
s 1, s 2 commenced 8 October 2002 (LA s 75 (1))  
remainder commenced 16 December 2002 (s 2 and [CN2002-15](#))

**Criminal Code 2002 No 51 pt 1.14**

notified LR 20 December 2002  
s 1, s 2 commenced 20 December 2002 (LA s 75 (1))  
pt 1.14 commenced 1 January 2003 (s 2 (1))

**Confiscation of Criminal Assets Act 2003 A2003-8 sch 1 pt 1.3**

notified LR 27 March 2003  
s 1, s 2 commenced 27 March 2003 (LA s 75 (1))  
sch 1 pt 1.3 commenced 15 August 2003 (s 2 and [CN2003-7](#))

**Nurse Practitioners Legislation Amendment Act 2004 A2004-10 pt 8**

notified LR 19 March 2004  
s 1, s 2 commenced 19 March 2004 (LA s 75 (1))  
pt 8 commenced 27 May 2004 (s 2 and [CN2004-9](#))

**Criminal Code (Theft, Fraud, Bribery and Related Offences) Amendment Act 2004 A2004-15 sch 2 pt 2.72**

notified LR 26 March 2004  
s 1, s 2 commenced 26 March 2004 (LA s 75 (1))  
sch 2 pt 2.72 commenced 9 April 2004 (s 2 (1))

## Endnotes

3 Legislation history

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### **Crimes Legislation Amendment Act 2004 A2004-30 pt 3**

notified LR 7 July 2004

s 1, s 2 taken to have commenced 27 May 2004 (LA s 75 (2))

s 7 taken to have commenced 27 May 2004 (s 2 (2) and see [Nurse Practitioners Legislation Amendment Act 2004 A2004-10](#), s 2 and [CN2004-9](#))

pt 3 remainder commenced 8 July 2004 (s 2 (1))

### **Criminal Code (Serious Drug Offences) Amendment Act 2004 A2004-56 sch 1 pt 1.5**

notified LR 6 September 2004

s 1, s 2 commenced 6 September 2004 (LA s 75 (1))

sch 1 pt 1.5 commenced 6 March 2005 (s 2 and LA s 79)

### **Criminal Code (Administration of Justice Offences) Amendment Act 2005 A2005-53 sch 1 pt 1.24**

notified LR 26 October 2005

s 1, s 2 commenced 26 October 2005 (LA s 75 (1))

sch 1 pt 1.24 commenced 23 November 2005 (s 2)

### **Health Legislation Amendment Act 2006 A2006-27 sch 2 pt 2.6**

notified LR 14 June 2006

s 1, s 2 commenced 14 June 2006 (LA s 75 (1))

sch 2 pt 2.6 commenced 14 December 2006 (s 2 and LA s 79)

### **Health Legislation Amendment Act 2006 (No 2) A2006-46 sch 2 pt 2.14**

notified LR 17 November 2006

s 1, s 2 commenced 17 November 2006 (LA s 75 (1))

sch 2 pt 2.14 commenced 18 November 2006 (s 2 (1))

### **Medicines, Poisons and Therapeutic Goods Act 2008 A2008-26 sch 2 pt 2.19**

notified LR 14 August 2008

s 1, s 2 commenced 14 August 2008 (LA s 75 (1))

sch 2 pt 2.19 commenced 14 February 2009 (s 2 and LA s 79)

### **Crimes Legislation Amendment Act 2008 A2008-44 sch 1 pt 1.12**

notified LR 9 September 2008

s 1, s 2 commenced 9 September 2008 (LA s 75 (1))

sch 1 pt 1.12 commenced 30 May 2009 (s 2 and [CN2009-4](#))



**Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.57**

notified LR 26 November 2009

s 1, s 2 commenced 26 November 2009 (LA s 75 (1))

sch 3 pt 3.57 commenced 17 December 2009 (s 2)

**Justice and Community Safety Legislation Amendment Act 2010 (No 2) A2010-30 sch 1 pt 1.18**

notified LR 31 August 2010

s 1, s 2 commenced 31 August 2010 (LA s 75 (1))

s 3 commenced 1 September 2010 (s 2 (1))

sch 1 pt 1.18 commenced 28 September 2010 (s 2 (2))

**Crimes Legislation Amendment Act 2011 A2011-7 pt 5**

notified LR 16 March 2011

s 1, s 2 commenced 16 March 2011 (LA s 75 (1))

pt 5 commenced 17 March 2011 (s 2)

**Justice and Community Safety Legislation Amendment Act 2011 A2011-16 sch 1 pt 1.7**

notified LR 17 May 2011

s 1, s 2 commenced 17 May 2011 (LA s 75 (a))

sch 1 pt 1.7 commenced 17 November 2011 (s 2 and LA s 79)

**Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.124**

notified LR 30 June 2011

s 1, s 2 commenced 30 June 2011 (LA s 75 (1))

sch 1 pt 1.124 commenced 1 July 2011 (s 2 (1))

**Justice and Community Safety Legislation Amendment Act 2011 (No 3) A2011-49 sch 1 pt 1.8**

notified LR 22 November 2011

s 1, s 2 commenced 22 November 2011 (LA s 75 (1))

sch 1 pt 1.8 commenced 12 December 2011 (s 2 (2) (a) and see

[Statute Law Amendment Act 2011 \(No 3\) A2011-52 s 2](#))

**Crimes Legislation Amendment Act 2013 A2013-12 pt 10**

notified LR 17 April 2013

s 1, s 2 commenced 17 April 2013 (LA s 75 (1))

pt 10 commenced 24 April 2013 (s 2)

## Endnotes

3 Legislation history

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**Crimes (Child Sex Offenders) Amendment Act 2015 A2015-35 sch 1 pt 1.5**

notified LR 1 October 2015  
s 1, s 2 commenced 1 October 2015 (LA s 75 (1))  
sch 1 pt 1.5 commenced 2 October 2015 (s 2)

**Statute Law Amendment Act 2017 A2017-4 sch 3 pt 3.20**

notified LR 23 February 2017  
s 1, s 2 commenced 23 February 2017 (LA s 75 (1))  
sch 3 pt 3.20 commenced 9 March 2017 (s 2)

**Prostitution Amendment Act 2018 A2018-25**

notified LR 8 August 2018  
s 1, s 2 commenced 8 August 2018 (LA s 75 (1))  
remainder commenced 9 August 2018 (s 2)

## 4 Amendment history

### Long title

long title sub [A2018-25](#) s 5

### Name of Act

s 1 sub [A2002-30](#) amdt 3.615; [A2018-25](#) s 6

### Dictionary

s 2 om [A2001-44](#) amdt 1.3311  
ins [A2002-30](#) amdt 3.615  
am [A2008-26](#) amdt 2.125

### Notes

s 3 am [A1994-97](#) sch  
defs reloc to dict [A2002-30](#) amdt 3.617  
om [A2002-30](#) amdt 3.618  
def *child* om [A2002-30](#) amdt 3.616  
def *drug of dependence* om [A2002-30](#) amdt 3.616  
def *public place* om [A2002-30](#) amdt 3.616  
pres s 3 ins [A2002-30](#) amdt 3.615

### Offences against Act—application of Criminal Code etc

s 3A ins [A2004-10](#) s 22  
am [A2004-30](#) s 7; [A2018-25](#) s 7

### Objects

s 4 am [A2018-25](#) s 8, s 9

### Registration

pt 2 hdg sub [A2002-35](#) s 4

### Interpretation

div 2.1 hdg ins [A2002-35](#) s 4

### Definitions for pt 2

s 4A renum as s 5

### Meaning of *disqualifying offence*

s 4B renum as s 6

### Meaning of *registration notice*

s 4C renum as s 7

### Meaning of *annual notice*

s 4D renum as s 8

### Definitions for pt 2

s 5 orig s 5 renum as s 9  
(prev s 4A) ins [A2002-35](#) s 4  
def *annual notice* ins [A2002-35](#) s 4  
om [A2018-25](#) s 10  
def *commercial brothel* ins [A2002-35](#) s 4

## Endnotes

### 4 Amendment history

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def **commercial escort agency** ins [A2002-35](#) s 4  
def **commercial operator** ins [A2002-35](#) s 4  
om [A2018-25](#) s 10  
def **disqualifying offence** ins [A2002-35](#) s 4  
def **interested person** ins [A2002-35](#) s 4  
def **police report** ins [A2002-35](#) s 4  
am [A2011-49](#) amdt 1.15; [A2017-4](#) amdt 3.104  
def **registration notice** ins [A2002-35](#) s 4  
om [A2018-25](#) s 10  
def **required police report** ins [A2002-35](#) s 4  
def **sole operator** ins [A2002-35](#) s 4  
om [A2018-25](#) s 10  
def **sole operator brothel** ins [A2002-35](#) s 4  
am [A2018-25](#) s 11  
def **sole operator escort agency** ins [A2002-35](#) s 4  
am [A2018-25](#) s 11  
def **the operator** ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3

#### **Meaning of disqualifying offence**

s 6 orig s 6 renum as s 10  
(prev s 4B) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2002-51](#) amdts 1.29-1.31; [A2003-8](#) amdt 1.16; [A2004-56](#)  
amdt 1.50; [A2005-53](#) amdt 1.124

#### **Register**

s 6A renum as s 11

#### **Registration notice etc to be given to registrar**

s 6B renum as s 12

#### **Meaning of registration notice**

s 7 orig s 7 renum as s 13  
(prev s 4C) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
om [A2018-25](#) s 12

#### **Other notices to be given by operators and former operators**

s 7A renum as s 14

#### **Interested person—disqualifying offence**

s 7B renum as s 15

#### **Police report to be given before person becomes interested person**

s 7C renum as s 16

**Meaning of *annual notice***

s 8 orig s 8 renum as s 17  
(prev s 4D) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
om [A2018-25](#) s 12

**Register and notices**

div 2.2 hdg ins [A2002-35](#) s 4  
sub [A2011-16](#) amdt 1.23

**Registrar of Brothels and Escort Agencies**

s 9 orig s 9 renum as s 18  
(prev s 5) sub [A1994-97](#) sch pt 1; [A2002-30](#) amdt 3.619;  
[A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2011-22](#) amdt 1.358  
om [A2011-16](#) amdt 1.24

**Functions of registrar**

s 10 orig s 10 renum as s 19  
(prev s 6) am [A1997-9](#) s 4; [A2002-30](#) amdt 3.620; ss renum  
R3 LA  
sub [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
om [A2011-16](#) amdt 1.24

**Register**

s 11 orig s 11 renum as s 20  
(prev s 6A) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2011-16](#) amdt 1.28; [A2018-25](#) ss 13-15

**Registration notice etc to be given to commissioner—commercial operators**

s 12 hdg am [A2011-16](#) amdt 1.28  
s 12 orig s 12 renum as s 21  
(prev s 6B) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2011-16](#) amdt 1.28  
sub [A2018-25](#) s 16

**Annual notice to be given to commissioner—commercial operators**

s 13 orig s 13 renum as s 22  
(prev s 7) am [A1994-97](#) sch pt 1; [A1994-26](#) sch; [A1997-9](#) s 5;  
[A2001-44](#) amdt 1.3312; R2 LA (see [A2001-44](#) amdt 1.3313)  
sub [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2011-16](#) amdt 1.28  
sub [A2018-25](#) s 16

## Endnotes

### 4 Amendment history

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#### **Other notices to be given to commissioner—commercial operators and former commercial operators**

s 14 orig s 14 renum as s 23  
(prev s 7A) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2011-16](#) amdt 1.28  
sub [A2018-25](#) s 16

#### **Interested people—offences**

div 2.3 hdg ins [A2002-35](#) s 4

#### **Interested people—disqualifying offences**

s 15 orig s 15 renum as s 24  
(prev s 7B) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3

#### **Police report to be given before person becomes interested person**

s 16 orig s 16 renum as s 25  
(prev s 7C) ins [A2002-35](#) s 4  
renum [A2002-35](#) amdt 1.3  
am [A2011-16](#) amdt 1.28; [A2018-25](#) s 17

#### **Duress**

s 17 orig s 17 renum as s 26  
(prev s 8) am [A2002-35](#) amdt 1.1  
renum [A2002-35](#) amdt 1.3  
am [A2008-26](#) amdt 2.126, amdt 2.127; [A2017-4](#) amdt 3.105

#### **Brothels—other than in prescribed location**

s 18 orig s 18 renum as s 27  
(prev s 9) am [A1998-54](#) sch  
sub [A2002-35](#) s 5  
renum [A2002-35](#) amdt 1.3  
am [A2018-25](#) s 18

#### **Soliciting**

s 19 orig s 19 om [A2002-35](#) s 12  
(prev s 10) am [A1998-54](#) sch  
renum [A2002-35](#) amdt 1.3  
am [A2017-4](#) amdt 3.105; [A2018-25](#) s 19

#### **Causing child to provide commercial sexual services etc**

s 20 orig s 20 renum as s 28  
(prev s 11) renum [A2002-35](#) amdt 1.3  
sub [A2004-30](#) s 8  
am [A2018-25](#) s 20

**Proceeds of commercial sexual services by child**

s 21 hdg sub [A2018-25](#) s 21  
 s 21 orig s 21 renum as s 29  
 (prev s 12) renum [A2002-35](#) amdt 1.3  
 am [A2017-4](#) amdt 3.105; [A2018-25](#) s 22

**Approved forms**

s 21A renum as s 30

**False or misleading information**

s 21B renum as s 31

**Age of child—burden of proof**

s 22 orig s 22 renum as s 32  
 (prev s 13) renum [A2002-35](#) amdt 1.3

**Child on premises**

s 23 (prev s 14) am [A1998-54](#) sch; [A2002-35](#) s 6  
 renum [A2002-35](#) amdt 1.3  
 am [A2017-4](#) amdt 3.105

**Infected persons**

s 24 (prev s 15) am [A1998-54](#) sch; [A2002-35](#) s 7  
 renum [A2002-35](#) amdt 1.3  
 am [A2010-30](#) amdt 1.50; [A2017-4](#) amdt 3.105  
 om [A2018-25](#) s 23

**Providing or receiving commercial sexual services if infected**

s 25 hdg sub [A2010-30](#) amdt 1.51  
 s 25 (prev s 16) am [A1998-54](#) sch  
 renum [A2002-35](#) amdt 1.3  
 am [A2010-30](#) amdt 1.52; [A2017-4](#) amdt 3.105  
 om [A2018-25](#) s 23

**Medical tests and examinations**

s 26 (prev s 17) am [A1994-26](#) sch; [A1998-54](#) sch; [A2002-30](#)  
 amdt 3.621, amdt 3.622; [A2002-35](#) s 8, s 9  
 renum [A2002-35](#) amdt 1.3  
 sub [A2004-10](#) s 23  
 am [A2010-30](#) amdt 1.52; [A2018-25](#) s 24, s 25

**Commercial operator must provide health and safety equipment**

s 26A ins [A2018-25](#) s 27

**Use of prophylactics**

s 27 (prev s 18) am [A1994-26](#) sch; [A1998-54](#) sch; [A2002-35](#) s 10,  
 s 11  
 renum [A2002-35](#) amdt 1.3  
 am [A2017-4](#) amdt 3.105; [A2018-25](#) s 28

**Entry by police**

s 28 (prev s 20) renum [A2002-35](#) amdt 1.3

## Endnotes

### 4 Amendment history

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#### **Determination of fees**

s 29 (prev s 21) sub [A2001-44](#) amdt 1.3314  
renum [A2002-35](#) amdt 1.3  
am [A2017-4](#) amdt 3.106

#### **Approved forms**

s 30 (prev s 21A) ins [A2002-35](#) s 13  
renum [A2002-35](#) amdt 1.3  
am [A2011-16](#) amdt 1.28; [A2017-4](#) amdt 3.106

#### **False or misleading information**

s 31 (prev s 21B) ins [A2002-35](#) s 13  
renum [A2002-35](#) amdt 1.3  
om [A2004-15](#) amdt 2.149

#### **Regulation-making power**

s 32 (prev s 22) am [A1998-54](#) sch  
sub [A2001-44](#) amdt 1.3315  
renum [A2002-35](#) amdt 1.3  
am [A2010-30](#) amdt 1.53; [A2018-25](#) s 29

#### **Transitional—registration notices etc for existing commercial brothels and commercial escort agencies**

s 33 (prev s 23) ins [A2002-35](#) s 14  
renum [A2002-35](#) amdt 1.3  
exp 16 June 2003 (s 33 (3), (4))

#### **Sex Work Regulation 2018—sch 4**

s 34 ins [A2018-25](#) s 30  
exp 9 August 2018 (s 34 (5))

#### **Disqualifying offences—Crimes Act 1900**

sch 1 ins [A2002-35](#) s 15  
am [A2008-44](#) amdt 1.93; [A2011-7](#) s 13; items renum R19 LA;  
[A2013-12](#) s 43, s 44; items renum R23 LA; [A2015-35](#)  
amdt 1.22

#### **Disqualifying offences—this Act**

sch 2 ins [A2002-35](#) s 15  
am [A2004-10](#) s 24; [A2010-30](#) amdt 1.54; [A2018-25](#) ss 31-34;  
items renum R26 LA

#### **Disqualifying offences—foreign countries**

sch 3 ins [A2002-35](#) s 15  
ss renum R11 LA  
am [A2015-35](#) amdt 1.23; [A2018-25](#) s 35

#### **Sex Work Regulation 2018**

sch 4 ins [A2018-25](#) s 36  
exp 9 August 2018 (s 34 (5))



## Dictionary

dict

ins [A2002-30](#) amdt 3.623  
 am [A2009-49](#) amdt 3.134; [A2011-22](#) amdt 1.359; [A2011-16](#)  
 amdt 1.25; [A2011-49](#) amdt 1.16; [A2017-4](#)  
 amdts 3.107-3.109; [A2018-25](#) s 37  
 def **annual notice** ins [A2002-35](#) s 16  
 om [A2018-25](#) s 38  
 def **authorised nurse practitioner** ins [A2004-10](#) s 25  
 om [A2018-25](#) s 38  
 def **brothel** reloc from s 3 [A2002-30](#) amdt 3.617  
 am [A2018-25](#) s 39  
 def **commercial brothel** ins [A2002-35](#) s 16  
 def **commercial escort agency** ins [A2002-35](#) s 16  
 def **commercial operator** ins [A2002-35](#) s 16  
 om [A2018-25](#) s 40  
 def **commercial sexual services** reloc from s 3 [A2002-30](#)  
 amdt 3.617  
 sub [A2004-30](#) s 9  
 am [A2018-25](#) s 41  
 def **commissioner** ins [A2011-16](#) amdt 1.26  
 def **disqualifying offence** ins [A2002-35](#) s 16  
 def **drug of dependence** ins [A2002-30](#) amdt 3.623  
 om [A2008-26](#) amdt 2.128  
 def **employed** ins [A2002-35](#) s 17  
 am [A2018-25](#) s 42  
 def **employing** ins [A2002-30](#) amdt 3.623  
 om [A2002-35](#) s 17  
 def **escort agency** reloc from s 3 [A2002-30](#) amdt 3.617  
 am [A2018-25](#) s 43  
 def **interested person** ins [A2002-35](#) s 18  
 def **medical examination** reloc from s 3 [A2002-30](#) amdt 3.617  
 om [A2004-10](#) s 26  
 def **nurse practitioner position** ins [A2004-10](#) s 27  
 sub [A2006-27](#) amdt 2.8  
 om [A2018-25](#) s 44  
 def **operator** reloc from s 3 [A2002-30](#) amdt 3.617  
 sub [A2002-35](#) s 19  
 def **police report** ins [A2002-35](#) s 20  
 def **premises** reloc from s 3 [A2002-30](#) amdt 3.617  
 def **premises used by a single prostitute** reloc from s 3  
[A2002-30](#) amdt 3.617  
 am [A2002-35](#) amdt 1.2  
 om [A2018-25](#) s 45  
 def **premises used by a single sex worker** ins [A2018-25](#)  
 s 46  
 def **prophylactic** reloc from s 3 [A2002-30](#) amdt 3.617  
 am [A2010-30](#) amdt 1.55

## Endnotes

### 4 Amendment history

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- def **prostitute** reloc from s 3 [A2002-30](#) amdt 3.617  
om [A2018-25](#) s 47
- def **prostitution** reloc from s 3 [A2002-30](#) amdt 3.617  
om [A2018-25](#) s 47
- def **public place** ins [A2002-30](#) amdt 3.623  
om [A2018-25](#) s 47
- def **registrar** ins [A1994-97](#) sch pt 1  
reloc from s 3 [A2002-30](#) amdt 3.617  
sub [A2002-35](#) s 21  
om [A2011-16](#) amdt 1.27
- def **registration notice** ins [A2002-35](#) s 22  
om [A2018-25](#) s 47
- def **required police report** ins [A2002-35](#) s 22
- def **scope of practice** ins [A2004-10](#) s 27  
sub [A2006-27](#) amdt 2.9  
om [A2018-25](#) s 47
- def **sexually transmitted disease** am [A1997-70](#) sch 3  
reloc from s 3 [A2002-30](#) amdt 3.617  
sub [A2002-35](#) s 23; [A2006-46](#) amdt 2.36  
om [A2010-30](#) amdt 1.56
- def **sexually transmissible infection** ins [A2010-30](#) amdt 1.56
- def **sexual services** reloc from s 3 [A2002-30](#) amdt 3.617
- def **sex work** ins [A2018-25](#) s 48
- def **sole operator** ins [A2002-35](#) s 24  
om [A2018-25](#) s 49
- def **sole operator brothel** ins [A2002-35](#) s 24
- def **sole operator escort agency** ins [A2002-35](#) s 24
- def **the operator** ins [A2002-35](#) s 24

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	<a href="#">A1994-97</a>	28 February 1995
2	<a href="#">A2001-44</a>	12 September 2001
3	<a href="#">A2002-30</a>	17 September 2002
4	<a href="#">A2002-35</a>	16 December 2002
5	<a href="#">A2002-51</a>	1 January 2003
6	<a href="#">A2003-8</a>	17 June 2003
7*	<a href="#">A2003-8</a>	15 August 2003
8	<a href="#">A2004-15</a>	9 April 2004
9 (RI) ††	<a href="#">A2004-15</a>	5 July 2013
9 (RI No 2) ††	<a href="#">A2004-15</a> †	5 July 2013
10 (RI) ††	<a href="#">A2004-30</a>	5 July 2013
11 (RI) ††	<a href="#">A2004-56</a>	5 July 2013
12 (RI) ††	<a href="#">A2005-53</a>	5 July 2013
13 (RI) ††	<a href="#">A2006-46</a>	5 July 2013
14 (RI) ††	<a href="#">A2006-46</a>	5 July 2013
15 (RI) ††	<a href="#">A2008-44</a>	5 July 2013
16 (RI) ††	<a href="#">A2008-44</a>	5 July 2013
17 (RI) ††	<a href="#">A2009-49</a>	5 July 2013
18 (RI) ††	<a href="#">A2010-30</a>	5 July 2013

## Endnotes

### 6 Renumbered provisions

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Republication No	Amendments to	Republication date
19 (RI) ††	<a href="#">A2011-7</a>	5 July 2013
20 (RI) ††	<a href="#">A2011-22</a>	5 July 2013
21 (RI) ††	<a href="#">A2011-22</a>	5 July 2013
22 (RI) ††	<a href="#">A2011-49</a>	5 July 2013
23 (RI) ††	<a href="#">A2013-12</a>	5 July 2013
24	<a href="#">A2015-35</a>	2 October 2015
25	<a href="#">A2017-4</a>	9 March 2017

† reissue for retrospective amendment by [A2004-30](#) s 7

†† reissue for textual correction (s 4)

## 6 Renumbered provisions

This Act was renumbered under the *Legislation Act 2001*, in R4 (see *Prostitution Amendment Act 2002* A2002-35). Details of renumbered provisions are shown in endnote 4 (Amendment history). For a table showing the renumbered provisions, see R10.

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