NORTHERN TERRITORY OF AUSTRALIA

PROSTITUTION REGULATION ACT

As in force at 12 April 2017

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 12 April 2017

PROSTITUTION REGULATION ACT

An Act to make provision with respect to prostitution, to establish a licensing system for escort agency businesses, and for related purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Prostitution Regulation Act*.

2 Commencement

The various provisions of this Act shall come into operation on such date or dates as is or are fixed by the Administrator by notice in the *Gazette*.

3 Definitions

In this Act, unless the contrary intention appears:

affected person, see section 47D.

approved form means a form approved under section 49A.

brothel means premises to which people resort for the purpose of prostitution, but does not include premises forming part of a hotel which are used for the purpose of providing prostitution services in cases only where the person providing the services does so as the result of an agreement or arrangement entered into or initiated elsewhere.

dangerous drug has the same meaning as in the *Misuse of Drugs Act*.

decision notice, for a decision, means a written notice setting out:

(a) the decision and the reasons for it; and

(b) any right the person to whom the notice is to be given has, under this Act or the *Licensing (Director-General) Act*, to apply for a review of, or to appeal, the decision.

director, in relation to a body corporate, includes any person occupying or acting in the position of director of the body corporate, by whatever name called and whether or not validly appointed to occupy, or duly authorised to act in, the position.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

escort agency business means a business that arranges, otherwise than for people attending in person for that purpose (whether at the premises where the business is carried on or at any other place), the provision of prostitution services elsewhere than on those premises.

hotel means an establishment which provides, or is held out as providing, accommodation for members of the public as a commercial enterprise, but does not include an apartment house, guest-house, boarding-house, lodging-house or hostel.

licence means a manager's licence or an operator's licence, and ***licensee*** includes a holder of either type of licence.

manager means a person appointed or authorised by the operator of an escort agency business to carry on or conduct the escort agency business but does not include a person whose principal duty is to act as a receptionist and arrange for the provision of prostitution services.

manager's licence means a licence under Part 3 to manage an escort agency business on behalf of a body corporate or another individual.

officer, in relation to a body corporate, includes a director of the body corporate, any other person concerned in the management of the body corporate, and its secretary.

operator's licence means a licence under Part 3 to carry on an escort agency business.

premises includes a part of any premises.

prostitution means the provision by one person to another (whether or not of a different sex) of sexual services of any description in return for payment or reward to any person, and ***prostitute*** and ***prostitution services*** shall be construed accordingly.

public place has the same meaning as in the *Summary Offences Act*.

publish means:

(a) insert in a newspaper or other publication;

(b) disseminate by cinematograph;

(c) exhibit by means of poster, film or video-tape;

(d) send or deliver to any person by any means whatever;

(e) throw or leave on or in premises in the occupation of any person; or

(f) bring to the notice of the public or any member of the public by any other means whatever.

reviewable decision, see section 47C.

Tribunal means the Civil and Administrative Tribunal.

Part 2 Offences connected with prostitution

Division 1 Brothels

4 Keeping or managing brothel

A person who keeps or manages a brothel is guilty of an offence.

Maximum penalty: 175 penalty units.

5 Allowing premises to be used as brothel

A person who, being the owner, landlord or occupier of premises, permits or allows the premises to be used as a brothel is guilty of an offence.

Maximum penalty: 175 penalty units.

Division 2 Escort agency businesses

6 Operators and managers of escort agency businesses to be licensed

(1) Subject to subsection (4), an individual shall not carry on an escort agency business unless:

(a) the individual holds an operator's licence in respect of the business; and

(b) the business is managed either by the individual or by an individual who is authorised to do so by a manager's licence.

Maximum penalty: 85 penalty units.

(2) A body corporate shall not carry on an escort agency business unless:

(a) it holds an operator's licence in respect of the business; and

(b) the business is managed by an individual who is authorised to do so by a manager's licence.

Maximum penalty: 85 penalty units.

(3) An individual shall not manage an escort agency business on behalf of a body corporate or another individual unless he or she is authorised to do so by a manager's licence.

Maximum penalty: 85 penalty units.

(4) Subsection (1) does not require an individual who carries on an escort agency business to be licensed where:

(a) the escort agency business arranges for the provision of prostitution services by that individual and no other;

(b) the individual does not carry on the escort agency business in partnership or otherwise in association or conjunction with any other person; and

(c) the individual is the only person employed in the escort agency business.

7 Licensed operator not to have unlicensed partner, &c.

The holder of an operator's licence shall not carry on the business to which the licence relates in partnership with, or otherwise in association or conjunction with, a person who is not also licensed to carry on that business.

Maximum penalty: 85 penalty units.

8 Breach of terms of licence

The holder of an operator's licence or a manager's licence shall not contravene or fail to comply with any condition or restriction to which the licence is subject.

Maximum penalty: 85 penalty units.

9 Prohibition on arranging provision of services by persons found guilty of violent or drug offences

(1) The holder of an operator's licence may apply in the approved form to the Commissioner of Police for a certificate under this section in respect of an individual described in the application.

(2) An application under subsection (1) must be accompanied by a statutory declaration by the individual with respect to the prescribed matters.

(3) Within 7 days after receiving an application under subsection (1) accompanied by the statutory declaration required by subsection (2), the Commissioner of Police shall cause a search to be made of the records available to the Commissioner, and:

(a) if it appears from the search that the individual to whom the application relates has not at any time during the immediately preceding 10 years been found guilty of a violent offence or a relevant drug offence as defined in subsection (11), or of an attempt to commit such an offence:

(i) issue a certificate to that effect to the applicant; and

(ii) notify the individual in writing that a certificate has been so issued; or

(b) if it appears from the search that the individual has been so found guilty, refuse to issue such a certificate and:

(i) notify the applicant in writing of the refusal; and

(ii) notify the individual in writing of the refusal, specifying in the notification any finding of guilt by reason of which the issue of a certificate is refused.

(4) The holder of an operator's licence or manager's licence who, in the course of the business to which the licence relates, arranges for the provision of prostitution services by an individual other than the holder of a licence in respect of that business is guilty of an offence unless a certificate under this section is in force in respect of that individual at the time when the arrangement is made.

Maximum penalty: 85 penalty units.

(5) Where a person other than a licensee is authorised by a licensee to make arrangements for the provision of prostitution services on behalf of an escort agency business, an arrangement made by that person shall be treated for the purposes of subsection (4) as having been made by that licensee.

(6) Where:

(a) a certificate under this section is in force in respect of an individual; and

(b) an arrangement for the provision of prostitution services by that individual is made for the first time in the course of an escort agency business, the holder of the operator's licence in respect of which is not the person to whom the certificate was issued,

the holder of that operator's licence shall, not later than 7 days after the arrangement is made, notify the Commissioner of Police in writing of the making thereof.

Maximum penalty: 17 penalty units.

(7) Where an escort agency business ceases, otherwise than for reasons of a temporary nature, to make arrangements for the provision of prostitution services by an individual in respect of whom a certificate under this section is in force, the holder of the operator's licence in respect of the business shall, not later than 7 days after the cessation, notify the Commissioner of Police in writing thereof.

Maximum penalty: 17 penalty units.

(8) Where the holder of an operator's licence has given a notice under subsection (7) in respect of an individual, he or she shall, not later than 7 days after an arrangement for the provision of prostitution services by that individual is made in the course of the business in

question for the first time after the giving of that notice, notify the Commissioner of Police in writing of the making of the arrangement.

Maximum penalty: 17 penalty units.

(9) If it appears to the Commissioner of Police that an individual in respect of whom a certificate is in force under this section has been found guilty of a violent offence or a relevant drug offence as defined in subsection (11) (whether committed before or after the issue of the certificate) or of an attempt to commit such an offence, the Commissioner shall:

(a) cancel the certificate by a notice in writing served on the person to whom it was issued;

(b) give written notice of the cancellation to any person who has given the Commissioner a notification under subsection (6) or (8) in relation to the individual, other than a person who, subsequently to the last giving of such a notification has given in relation to the individual a notification under subsection (7); and

(c) notify the individual in writing of the cancellation, specifying in the notification any finding of guilt in question.

(10) A notice under subsection (9)(a) shall require the person on whom it is served to surrender the certificate to the Commissioner not later than 14 days after the date on which the notice is served, and a person who fails to comply with the requirement is guilty of an offence.

Maximum penalty: 17 penalty units.

(11) In this section:

relevant drug offence means an offence against:

(a) Part II, Division 1 or section 11Y(1) of the *Misuse of Drugs Act*; or

(b) a corresponding law (as defined in subsection (12)),

being an offence punishable on a finding of guilt (except where dealt with summarily) by imprisonment for 5 years or more.

violent offence means an offence involving the use or threat of violence against another person irrespective of the penalty that may be imposed on a finding of guilt.

(12) In subsection (11)(b), ***corresponding law*** means:

(a) a law (including a repealed law) of the Commonwealth, or of a State or another Territory of the Commonwealth; or

(b) a repealed law of the Territory,

which makes (or, when in force, made) provision substantially similar to a provision specified in subsection (11)(a).

Division 3 Other offences

10 Soliciting, &c., in public place

(1) A person shall not, for the purposes of prostitution:

(a) solicit or accost any person in a public place; or

(b) loiter in a public place.

Maximum penalty: 17 penalty units.

(2) A person shall not:

(a) in a public place, invite or solicit any person to prostitute himself or herself with the first-mentioned person or a third person; or

(b) loiter in or frequent a public place for the purpose of:

(i) inviting or soliciting any person to prostitute himself or herself with the first-mentioned person or a third person; or

(ii) being accosted by or on behalf of a prostitute.

Maximum penalty: 17 penalty units.

11 Forcing adult to become or remain a prostitute

A person who, for the purpose of inducing a person who has attained the age of 18 years to engage or continue to engage in prostitution:

(a) assaults, or threatens to assault, that person or any other person;

(b) intimidates that person or any other person;

(c) supplies, offers to supply, or causes to be supplied, a dangerous drug to that person or any other person; or

(d) makes a false representation or uses any false pretence or other fraudulent means,

is guilty of an offence.

Maximum penalty: Imprisonment for 5 years.

12 Forcing adult to provide financial support out of prostitution

A person who, for the purpose of inducing a person who has attained the age of 18 years to provide or continue to provide him or her with a payment or payments derived (directly or indirectly) from an act or acts of prostitution taken part in by the second-mentioned person:

(a) assaults, or threatens to assault, that person or any other person;

(b) intimidates that person or any other person; or

(c) supplies, or offers to supply, a dangerous drug to that person or any other person,

is guilty of an offence.

Maximum penalty: Imprisonment for 5 years.

13 Causing or inducing infant to take part in prostitution

A person shall not cause or induce an infant to take part, or to continue to take part, in the provision of prostitution services.

Maximum penalty: Where the offence is committed in respect of an infant who has not attained the age of 14 years – imprisonment for 14 years.

In any other case – imprisonment for 7 years.

14 Allowing infant to take part in prostitution

(1) A person who carries on or manages a business involving the provision, or arranging for the provision, of prostitution services shall not allow an infant to take part in the provision of such services.

Maximum penalty: Where the offence is committed in respect of an infant who has not attained the age of 14 years – imprisonment for 14 years.

In any other case – imprisonment for 7 years.

(2) A person having the care or control of an infant shall not allow that infant to take part in the provision of prostitution services.

Maximum penalty: Where the offence is committed in respect of an infant who has not attained the age of 14 years – imprisonment for 14 years.

In any other case – imprisonment for 7 years.

15 Obtaining payment in respect of prostitution services provided by infant

(1) A person who, except in the ordinary course of a business unrelated to prostitution, receives a payment knowing that it or any part of it has been derived (directly or indirectly) from prostitution services provided by an infant is guilty of an offence.

Maximum penalty: Where the offence is committed in respect of an infant who has not attained the age of 14 years – imprisonment for 14 years.

In any other case – imprisonment for 7 years.

(2) If it is proved to a court that a person is cohabiting with a prostitute who is an infant, that person is to be taken to be contravening subsection (1) unless the court is satisfied to the contrary.

(3) A prosecution for an offence against subsection (1) shall, if the person accused was an infant at the time when the offence is alleged to have been committed, be commenced only with the consent of the Director of Public Prosecutions.

16 Entering into agreement for provision of prostitution services by infant

A person shall not enter into an agreement, or offer to enter into an agreement, under which an infant is to provide prostitution services to that person or another person in return for payment or in exchange for dangerous drugs.

Maximum penalty: Where the offence is committed in respect of an infant who has not attained the age of 14 years – imprisonment for 14 years.

In any other case – imprisonment for 7 years.

17 Prohibition on prostitution by infants

An infant who offers to provide or who provides prostitution services is guilty of an offence.

Maximum penalty: Imprisonment for 2 years.

18 Belief by accused that infant was of age

In proceedings for an offence against section 13, 14(1) or (2), 15(1) or 16, it is not necessary for the prosecution to prove that the accused knew that the person concerned was an infant, but it is a defence for the accused to prove that, having taken all reasonable steps to find out the age of the person concerned, the accused reasonably believed at the time when the offence is alleged to have been committed that the person had attained the age of 18 years.

19 Advertising offences

(1) A person shall not publish, or cause to be published, an advertisement for prostitution services which contravenes or fails to comply with any requirement, prohibition or restriction prescribed for the purposes of this subsection.

Maximum penalty: 17 penalty units.

(2) A person shall not cause an advertisement for prostitution services to be broadcast or televised.

Maximum penalty: 17 penalty units.

(3) A person shall not publish, or cause to be published, an advertisement which is intended, or is likely, to induce a person:

(a) to seek employment as a prostitute; or

(b) to provide prostitution services for clients of a business that arranges the provision of such services.

Maximum penalty: 17 penalty units.

(4) Where an advertisement invites persons to work in, or obtain work through, a business that arranges the provision of prostitution services, it shall be treated for the purposes of subsection (3) as intended to induce persons to provide prostitution services for clients of the business unless it is clear from the face of the advertisement that the work to which it relates does not involve providing such services.

(5) Where an advertisement has been published, broadcast or televised for or relating to a business that provides, or arranges for the provision of, prostitution services, the person who was carrying on the business at the time when the advertisement was published, broadcast or televised shall be taken for the purposes of this section as having caused the publication, broadcasting or televising unless the court is satisfied to the contrary.

(6) Regulations made for the purposes of subsection (1), may:

(a) make provision with respect to the size, form and content of advertisements for prostitution services, or any class or description of prostitution services; or

(b) prohibit the advertising of prostitution services, or any class or description of prostitution services:

(i) in a specified publication or class or description of publications; or

(ii) in a specified manner.

20 Medical examinations

(1) For the purposes of this section, ***sexually transmitted disease*** means:

(b) the disease known as acquired immune deficiency syndrome in any of its stages; and

(c) any other disease specified by the Minister for the purpose of this section by notice in the *Gazette*.

(2) A licensee shall take all reasonable steps to ensure that the fact of a prostitute's attendance at a medical examination or the result of such an examination is not used for the purpose of inducing a person to believe that the prostitute is not infected with a sexually transmitted disease.

(3) A prostitute shall not, for the purpose of prostitution, use the fact of the prostitute's attendance at a medical examination or the result of such an examination for the purpose of inducing a person to believe that the prostitute is not infected with a sexually transmitted disease.

Maximum penalty: 17 penalty units.

Part 3 Licensing of operators and managers of escort agency businesses

Division 1 Role of Director-General

22 Functions and powers of Director-General

(1) The functions of the Director-General are:

(a) to determine in accordance with this Part:

(i) applications by individuals or bodies corporate for the grant or renewal of a licence to carry on an escort agency business (an operator's licence); and

(ii) applications by individuals for the grant or renewal of a licence to manage an escort agency business on behalf of a body corporate or individual (a manager's licence);

(b) to decide the conditions or restrictions (if any) to which licences are to be subject;

(c) to cancel and suspend licences in accordance with this Part;

(d) to request of the Commissioner of Police the investigation by members of the Police Force of complaints relating to the operation or management of any escort agency business in respect of which an operator's licence is in force;

(e) to liaise with the Commissioner of Police so as to assist the Commissioner and members of the Police Force in carrying out their respective functions; and

(f) to liaise or consult with persons who, or bodies, groups or associations that, the Director-General considers may assist the Director-General in carrying out his or her functions.

(2) The Director-General has, in addition to the powers expressly conferred by this Part, power to do all things that are necessary or convenient to be done for or in connection with the performance of the Director-General's functions or the exercise of those powers.

Division 2 Grant, renewal, effect and duration of licences

24 Eligibility for grant or renewal of licence

(1) To be eligible to be granted an operator's licence or a manager's licence in respect of an escort agency business, or to have such a licence renewed, an individual:

(a) must have attained the age of 18 years;

(b) must be resident in the Territory;

(c) must not have been found guilty:

(i) at any time, of a disqualifying offence as defined in subsection (3), or of an attempt to commit such an offence; or

(ii) within the preceding 10 years, of a disqualifying offence as defined in subsection (4), or of an attempt to commit such an offence;

(d) must not be the spouse, de facto partner, business partner or business associate of an individual who has been found guilty as mentioned in paragraph (c); and

(e) must not have entered into a business arrangement or relationship in respect of the operation of the escort agency business with:

(i) an individual who has been found guilty as mentioned in paragraph (c); or

(ii) a body corporate any officer of which has been so found guilty.

(2) For a body corporate to be eligible to be granted an operator's licence in respect of an escort agency business, or to have such a licence renewed:

(a) its shareholders must not include a body corporate;

(b) each of its officers must satisfy the requirements in subsection (1)(a), (b), (c) and (d); and

(c) the body corporate must not itself have entered into any such business arrangement or relationship as is described in subsection (1)(e).

(3) In subsection (1)(c)(i), ***disqualifying offence*** means an offence against:

(a) section 9(4), 11, 12, 13, 14(1) or (2), 15(1) or 16 of this Act;

(b) section 127, 128, 130, 131, 131A, 132, 192 or 201 of the Criminal Code; or

(c) a corresponding law (as defined in subsection (5)),

being, in the case of an offence against section 127 of the Criminal Code or a law which is a corresponding law in relation to that section, an offence involving a male person who, at the time of the offence, had not attained the age of 14 years.

(4) In subsection (1)(c)(ii), ***disqualifying offence*** means an offence against:

(a) Part II, Division 1 or section 11Y(1) of the *Misuse of Drugs Act*; or

(b) a corresponding law (as defined in subsection (5)),

being an offence punishable on a finding of guilt (except where dealt with summarily) by imprisonment for 5 years or more.

(5) In subsections (3)(c) and (4)(b), ***corresponding law*** means:

(a) a law (including a repealed law) of the Commonwealth, or of a State or another Territory of the Commonwealth; or

(b) a repealed law of the Territory,

which makes (or, when in force, made) provision substantially similar to a provision specified in subsection (3)(a) or (b) or, as the case requires, subsection (4)(a).

(6) This section, so far as it renders a person ineligible for the grant or renewal of a licence if he or she, or some other person, has been found guilty as mentioned in subsection (1)(c)(ii), has effect subject to section 28(3).

25 Applications for grant or renewal

(1) An application to the Director-General for the grant or renewal of a licence:

(a) must be in writing in the prescribed form;

(b) must state:

(i) the name, address, occupation and date of birth of the applicant; or

(ii) where the applicant is a body corporate, the name and registered address of the body corporate and the name, address, occupation and date of birth of each of the body corporate's officers;

(c) must contain such other particulars as are prescribed;

(d) must be signed by the applicant or, where the applicant is a body corporate, must bear the seal of the body corporate and be signed by each of its officers; and

(e) must be accompanied by:

(i) the prescribed application fee;

(ii) where the applicant is a body corporate – an application by an individual for the grant or renewal, as the case may require, of a manager's licence in respect of the business to which the body corporate's application relates; and

(iii) such other things as are prescribed.

(2) An application for the renewal of a licence shall be made not later than 2 months before the date on which the licence is due to expire.

(3) If, before an application is determined, a change occurs in any of the particulars specified in the application, the applicant shall, as soon as possible after the occurrence of the change, give to the Director-General written notice of the change signed by the applicant or, where the applicant is a body corporate, each of its officers.

(4) If an application is withdrawn before it has been determined, the Director-General may in the Director-General's absolute discretion refund (wholly or in part) the fee that accompanied the application.

26 False or misleading statements in applications

(1) A person shall not, in or in relation to an application for the grant or renewal of a licence, make a statement that is false or misleading by reason of the inclusion of any false or misleading matter or the omission of any material matter.

Maximum penalty: 17 penalty units.

(2) It is a defence to a charge under subsection (1) for the accused to prove that, at the time the statement was made, the accused:

(a) believed on reasonable grounds that the false matter was true or, as the case requires, that the misleading matter was not misleading; or

(b) in the case of an omission:

(i) believed on reasonable grounds that no material matter had been omitted; or

(ii) did not know that the omitted matter was material.

27 Police, &c., to be notified of applications

(1) Where an application for the grant or renewal of a licence has been duly made, the Director-General must give a copy of it to:

(a) the Commissioner of Police; and

(b) such persons and bodies as are prescribed for the purposes of this paragraph.

(2) On receiving a copy of the application, the Commissioner of Police shall cause such enquiries to be made as the Commissioner considers necessary for the purpose of advising the Director-General in the discharge of the Director-General's functions under section 28, and shall report the results of those enquiries to the Director-General within 28 days of receiving the copy.

(3) A person or body to whom a copy of an application is given pursuant to subsection (1)(b) may, within 28 days of receiving it, make written representations to the Director-General with respect to the application.

28 Director-General to be satisfied that applicant both eligible and suitable

(1) Where an application for the grant or renewal of a licence has been duly made, the Director-General shall:

(a) if the conditions specified in subsection (2) are satisfied – grant a licence to the applicant or, as the case requires, renew the applicant's licence; and

(b) in any other case, subject to subsection (3), refuse the grant or renewal.

(2) The conditions are:

(a) that the Director-General is satisfied that the applicant is eligible under section 24 to be granted a licence or, as the case may be, to have the applicant's licence renewed; and

(b) that the Director-General is also satisfied:

(i) in the case of an operator's licence – that the personal character of the applicant or, where the applicant is a body corporate, of each of its officers is such that he or she is a suitable person to carry on an escort agency business; and

(ii) in the case of a manager's licence – that the personal character of the applicant is such that he or she is a suitable person to manage an escort agency business.

(3) Where during the period of 10 years preceding the making of an application the applicant or some other person has been found guilty of a disqualifying offence as defined in section 24(4), or of an attempt to commit such an offence, the Director-General may, if the Director-General considers that there are adequate grounds for doing so, disregard the finding of guilt for the purposes of determining the applicant's eligibility, and grant a licence or renew one accordingly.

(4) Where an individual who applies for the grant or renewal of a licence, or an officer of a body corporate which so applies, has at any time during the period of 10 years preceding the making of the application been found guilty:

(a) in the Territory, of an indictable offence; or

(b) elsewhere, of an offence that would be an indictable offence if committed in the Territory,

the Director-General shall, for the purposes of subsection (2)(b), treat that individual or officer as not a suitable person to carry on or manage an escort agency business unless, in the opinion of the Director-General, there are adequate grounds for disregarding the finding of guilt.

29 Director-General may impose conditions or restrictions

(1) The Director-General may, as the Director-Gener considers necessary or desirable:

(a) grant a licence subject to conditions or restrictions; or

(b) on renewing a licence, vary any condition or restriction to which the licence is subject, or impose conditions or restrictions to which the licence is to be subject.

(2) Without limiting the generality of subsection (1), the conditions and restrictions to which a licence may be made subject include conditions or restrictions relating to the working conditions of persons providing prostitution services, matters concerning their health and welfare and the health and welfare of the community generally.

(3) Where the Director-General imposes or varies a condition or restriction under subsection (1), the Director-General shall cause the condition, restriction or variation to be endorsed on the licence.

29A Notice of decision

(1) Within 14 days after making a decision under section 28, the Director-General must give a decision notice to:

(a) if the decision is to grant or renew a licence – the Minister; or

(b) if the decision is to refuse to grant or renew a licence – the applicant.

(2) On deciding to impose or vary a condition or restriction on a licence under section 29(1), the Director-General must give a decision notice to the applicant and the Minister.

30 Effect and duration of licence

(1) An operator's licence authorises the licensee, during the currency of the licence, to carry on an escort agency business in accordance with any conditions or restrictions to which the licence is subject.

(2) A manager's licence authorises the licensee, during the currency of the licence and in accordance with any conditions or restrictions to which the licence is subject, to manage an escort agency business on behalf of a body corporate or individual named in the licence.

(3) A licence is incapable of transfer by the licensee, and cannot vest in a person other than the licensee by operation of law.

(4) Subject to this Part, a licence remains in force for one year beginning with the date on which it is granted or on which its renewal takes effect.

(4A) Where a licence has been renewed after the time when the licence would (but for subsection (5)) expire, the licence is deemed to have been renewed at the time when the licence would have expired and shall be taken to have effect as if renewed at that time.

(5) If, on the day on which a licence would, but for this subsection, expire, an application for the renewal of the licence has not been determined, the licence continues in force because of this subsection (but subject to this Act):

(a) until the person determining the application renews the licence; or

(b) if the person refuses the application (the ***refusal decision***) – until:

(i) the day on which the licence is renewed after one of the following (each of which is a ***review***):

(A) a review by the Director-General of the refusal decision (an ***internal review decision***);

(B) a review by the Tribunal of the refusal decision or internal review decision (a ***Tribunal decision***);

(C) an appeal to the Supreme Court against a Tribunal decision; or

(ii) the day on which:

(A) the applicant no longer has a right to apply for or commence a review; and

(B) any review that the applicant has applied for or commenced has been decided.

(6) If, on the day on which a licence would, but for this subsection, expire, the licensee:

(a) has applied for or commenced a review in relation to a refusal of an application for the renewal of the licence; or

(b) has a right to do so;

the licence continues in force because of this subsection (but subject to this Act) until the relevant day mentioned in subsection (5)(b).

(7) A manager's licence granted or renewed in respect of a business during the term of the operator's licence relating to that business expires at the end of that term.

Division 3 Cancellation, suspension, &c., of licence

31 Mandatory cancellation

(1) Subject to subsection (4), the Director-General shall (on an application by the Commissioner of Police or without any such application) cancel a licence if satisfied that:

(a) the licensee; or

(b) in the case of a licence held by a body corporate, an officer of the body corporate,

has since the licence was granted or last renewed been found guilty of a disqualifying offence as defined in subsection (2), or of an attempt to commit such an offence.

(2) In subsection (1), ***disqualifying offence*** means an offence against:

(a) section 9(4), 11, 12, 13, 14(1) or (2), 15(1) or 16 of this Act;

(b) section 127, 128, 130, 131, 131A, 132, 192 or 201 of the Criminal Code;

(c) Part II, Division 1 or section 11Y(1) of the *Misuse of Drugs Act*; or

(d) a corresponding law (as defined in subsection (3)),

being:

(e) in the case of an offence against section 127 of the Criminal Code or a law which is a corresponding law in relation to that section, an offence involving a male person who, at the time of the offence, had not attained the age of 14 years; and

(f) in the case of an offence against any of the provisions specified in paragraph (c) or a law which is a corresponding law in relation to any of those provisions, an offence punishable on a finding of guilt (except where dealt with summarily) by imprisonment for 5 years or more.

(3) In subsection (2)(d), ***corresponding law*** means:

(a) a law (including a repealed law) of the Commonwealth, or of a State or another Territory of the Commonwealth; or

(b) a repealed law of the Territory,

which makes (or, when in force, made) provision substantially similar to a provision specified in subsection (2)(a), (b) or (c).

(4) Where a person to whom subsection (1) applies has been found guilty of an offence which is a disqualifying offence by virtue of subsection (2)(c) and (f), or subsection (2)(d) and (f) in their application to the provisions specified in subsection (2)(c), or of an attempt to commit such an offence, the Director-General may if the Director-General considers that there are adequate grounds for doing so disregard the finding of guilt for the purposes of this section and refrain accordingly from cancelling the licence in question.

(5) Where the Director-General cancels an operator's licence under this section or section 32, the Director-General must also cancel any manager's licence relating to the business to which the operator's licence relates.

(6) If the Director-General decides to cancel a licence under this section:

(a) the Director-General must give a decision notice to the licensee; and

(b) the cancellation takes effect when the notice is given to the licensee.

32 Discretionary cancellation, suspension, &c.

(1) The powers of the Director-General under this section are:

(a) to cancel a licence;

(b) to suspend a licence for such period as the Director-General thinks fit; and

(c) to vary any condition or restriction to which a licence is subject or impose conditions or restrictions to which a licence is to be subject.

(2) Section 29(2) has effect for the purposes of subsection (1)(c) as it has effect for the purposes of section 29(1).

(3) The Director-General may (on an application made by the Commissioner of Police or without any such application) exercise a power under this section in relation to a licence if satisfied:

(a) that since the licence was granted or last renewed (***the relevant time***):

(i) the licensee has contravened or failed to comply with a condition or restriction to which the licence is subject; or

(ii) the business to which the licence relates has been conducted in such a way as to make the exercise of the power desirable;

(b) that since the relevant time, the licensee or, where the licensee is a body corporate, an officer of the body corporate has been found guilty:

(i) in the Territory, of an indictable offence; or

(ii) elsewhere, of an offence that would be an indictable offence if committed in the Territory;

(c) in the case of a licence held by an individual, that the licensee has since the relevant time ceased to be a suitable person to carry on or, as the case requires, manage an escort agency business;

(d) in the case of a licence held by a body corporate, that an officer of the body corporate:

(i) has since the relevant time ceased to be a suitable person to carry on an escort agency business; or

(ii) having become an officer of the body corporate since the relevant time, is not a suitable person to carry on an escort agency business; or

(e) that the licensee has failed to comply with section 45(1).

(4) Where the Director-General cancels a manager's licence under this section or section 31, the Director-General may also cancel the operator's licence relating to the business to which the manager's licence relates.

(5) On making a decision under this section, the Director-General must give a decision notice to the following:

(a) if the decision is to cancel or suspend a licence – the licensee;

(b) if the decision is to impose or vary a condition or restriction on a licence – the licensee;

(c) unless the decision is to cancel a licence – the Minister.

(6) A decision mentioned in subsection (5)(a) or (b) takes effect when the notice is given to the licensee.

Division 7 Registers

41 Registers to be kept

(1) The Director-General shall keep 2 registers, to be known respectively as the Public Register of Escort Agency Licences and the Private Register of Escort Agency Licences.

(2) On the grant of an operator's licence, the Director-General must enter in one of the registers:

(a) the name of the licensee, and the name and address of the business to which the licence relates (or, if more than one, of each such business); and

(b) full details of the licence (including any conditions or restrictions to which the licence is subject),

and on the grant of a manager's licence, the Director-General must enter the like particulars and details in the register in which the relevant operator's licence is registered.

(3) In registering an operator's licence under subsection (2), the Director-General must, unless in the circumstances of a particular case the Director-General considers it desirable to depart therefrom, observe the principle that a licence should be entered in

the Public Register if the number of persons by whom it is intended that prostitution services should be provided on a regular basis (including a regular part-time basis) exceeds 3, and in the Private Register if that number is 3 or less.

(4) Subject to subsection (5), the Director-General must enter in the register in which details of a licence are for the time being registered:

(a) the prescribed particulars contained in any application for renewal of the licence, and details of the Director-General's decision on the application;

(b) details of any other decision of the Director-General with respect to the licence; and

(c) details of any review of or appeal against a decision made with respect to the licence, and of the results of the review or appeal.

(5) Where a licence ceases to be in force for any reason other than its suspension, the Director-General shall remove from the register all entries relating to the licence (but, in the case of the cancellation of a licence, not until such time as no right of review or appeal is available under this or any other Act in respect of the cancellation).

(6) If it appears to the Director-General to be necessary to do so having regard to the principle referred to in subsection (3), or to be desirable to do so for any other reason, the Director-General may transfer the entries relating to a licence from one register to the other.

(7) For the purposes of subsection (3), where the licensee of the operator's licence under consideration is the holder of one or more other operator's licences, the total number of persons by whom it is intended that prostitution services should be provided under that licence and the other licence or licences shall be taken into account in determining whether, for the purposes of the licence under consideration, the number of persons exceeds 3.

42 Access to registers

(1) The Public Register of Escort Agency Licences may be inspected at any reasonable time by:

(a) a member of the Police Force; or

(b) on payment of the prescribed fee, any other person,

and a person inspecting the register may take copies of any entries in it.

(2) The Private Register of Escort Agency Licences may be inspected only by the Commissioner of Police or a member of the Police Force authorised in writing by the Commissioner of Police.

Division 8 Miscellaneous

42A Access to information

(1) For the purpose of performing functions and exercising powers under this Part, the Director-General may:

(a) make the inquiries or investigations the Director-General considers necessary; and

(b) by written notice, request a person to give specified information or documents to the Director-General within a reasonable time specified in the notice.

(2) A person must comply with a request under subsection (1)(b).

Maximum penalty: 50 penalty units or imprisonment for 6 months.

(3) It is a defence to a prosecution for an offence against subsection (2) if the defendant has a reasonable excuse.

42B Minister may make submissions

The Minister may make a written submission to the Director-General in relation to any matter being considered by the Director-General under this Act.

43 Removal or variation of conditions, &c., on application of licensee

(1) The Director-General may, on an application by a licensee made in writing in the approved form and accompanied by the prescribed fee, remove or vary any condition or restriction to which the licence is for the time being subject.

(2) As soon as practicable after deciding the application, the Director-General must give a decision notice to:

(a) if the decision is to refuse to remove or vary the condition or restriction – the licensee; or

(b) if the decision is to remove or vary the condition or restriction – the Minister.

(3) If an application under subsection (1) is withdrawn before it has been determined, the Director-General may in the Director-General's absolute discretion refund (wholly or in part) the fee that accompanied the application.

44 Police to be notified of Director-General's decisions

The Director-General must notify the Commissioner of Police of the following:

(a) all decisions specified in the Schedule that are made by a delegate of the Director-General;

(b) all reviewable decisions made;

(c) the results of any review by the Tribunal of a reviewable decision.

45 Director-General and police to be notified of changes in licensee's particulars

(1) If at any time after a licence is granted or renewed a change occurs in any of the particulars specified in the application for its grant or renewal, the licensee shall, within 7 days after the occurrence of the change, give to the Director-General written notice of the change signed by the licensee.

(2) On receiving a notice under subsection (1), the Director-General shall amend the appropriate register to accord with the notice, and shall send a copy of the notice to the Commissioner of Police.

46 Director-General's certificate as evidence

(1) A document in the approved form, signed by the Director-General and certifying as to any matter which appears in, or can be deduced from, a register kept under section 41, is admissible in evidence in any proceedings and, in the absence of evidence to the contrary, is proof of the matter certified.

(2) For the purposes of subsection (1), a document that purports to have been signed by the Director-General shall be taken to have been so signed unless the contrary is proved.

47B Licence not transferable

A licence is not transferable by the licensee.

Part 3A Review of decisions

Division 1 Definitions

47C Meaning of *reviewable decision*

A ***reviewable decision*** is:

(a) a decision specified in the Schedule, unless the decision was made by a delegate of the Director-General; or

(b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:

(i) is specified in the Schedule; and

(ii) was made by a delegate of the Director-General.

Note for section 47C

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

47D Meaning of *affected person*

(1) A person is an ***affected person*** for a reviewable decision mentioned in section 47C(a) if the person is specified in the Schedule opposite the decision.

(2) A person is an ***affected person*** for a reviewable decision mentioned in section 47C(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

Division 2 Review of reviewable decisions

47E Jurisdiction of Tribunal

(1) An affected person for a reviewable decision may apply to the Tribunal for a review of the decision.

(2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

47F Minister may intervene

The Minister may, on behalf of the Territory, intervene in a review proceeding in relation to a reviewable decision before the Tribunal at any time without the leave of the Tribunal.

47G Tribunal may make different decision when certificate refused or cancelled

(1) This section applies if:

(a) the Commissioner of Police refuses to issue a certificate in respect of an individual under section 9, or cancels a certificate issued in respect of an individual under section 9, on the ground that the individual has been found guilty of an offence of a kind mentioned in section 9(3); and

(b) the individual applies to the Tribunal for a review of the decision.

(2) On the review of the decision, if the Tribunal is satisfied that there are adequate grounds for disregarding the offence, the Tribunal may:

(a) order that the offence be disregarded; and

(b) direct the Commissioner of Police to issue a certificate to the individual or quash the cancellation.

(3) To avoid doubt, the Tribunal may direct the Commissioner to issue the certificate or quash the cancellation, and the Commissioner must comply with the order, even though, in the absence of the order, the Commissioner would not have been permitted to issue the certificate or quash the cancellation.

Division 3 Review of decisions made by delegate of Director-General

47H Regulations may declare decision not to be reviewable

The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a decision specified in the Schedule, is not a delegate decision for the *Licensing (Director-General) Act*.

47J Minister may make submissions

(1) The Minister may make written submissions to the Director-General in relation to the review of a delegate decision under the *Licensing (Director-General) Act* even if the Minister is not the applicant for the review.

(2) The Director-General must take the submissions into account in reviewing the delegate decision.

Part 4 Miscellaneous

49 Service of notices, &c.

Where by or under this Act a notice or other document is required to be given to or served on a person, it may:

(a) in the case of an individual, be given or served by delivering it to the individual personally, or by sending it by prepaid post addressed to the individual at his or her place of business (if any) or last known place of residence; and

(b) in the case of a body corporate, be given or served by delivering it personally to an individual who is, or apparently is, concerned in the management of the body corporate, or by sending it by prepaid post addressed to the body corporate at its place of business.

49A Approved forms

The Director-General may approve forms for this Act.

50 Confidentiality

A person other than a member of the Police Force acting in the course of his or her duties as a member shall not divulge or communicate information which the person acquires by reason of being employed or engaged or otherwise concerned in or in connection with the administration or enforcement of this Act except:

(a) with the consent of the person to whom the information relates; or

(b) in connection with the administration or enforcement of this Act.

Maximum penalty: 40 penalty units.

51 Delegation by Commissioner of Police

(1) Subject to subsection (2), the Commissioner of Police may, by instrument in writing, delegate to a member of the Police Force any function or power conferred on the Commissioner by or under this Act.

(2) The power of delegation conferred by subsection (1) is not itself capable of being delegated.

(3) A function or power delegated under subsection (1) shall, when performed or exercised by the delegate, be deemed to have been performed or exercised by the Commissioner.

(4) A delegation under subsection (1) does not prevent the performance of a function or the exercise of a power by the Commissioner.

52 Power of police to enter certain premises

(1) In this section ***authorised member*** means a member of the Police Force authorised in writing by the Commissioner of Police or a member of the Police Force of or above the rank of Sergeant.

(2) An authorised member may, at any time, enter premises which are or are reported to be, or which are reasonably believed to be, a brothel.

(3) An authorised member may, at any time, enter and inspect premises from which the holder of an operator's licence carries on an escort agency business for the purpose of:

(a) ascertaining whether the provisions of this Act are being complied with;

(b) ascertaining whether the conditions or restrictions, if any, of the operator's licence or any manager's licence in respect of the escort agency business are being complied with; or

(c) investigating a complaint on a request by the Director-General made of the Commissioner of Police under section 22(1)(d).

(4) If an authorised member demands entry to premises under the power conferred by this section and entry is refused or delayed for such a time as to make it appear that wilful delay is intended, the authorised member may break into the premises and, for that purpose, may use such force as is necessary.

(5) A person who prevents, hinders or obstructs an authorised member entering premises under the power conferred by this section or from exercising the authorised member's powers under this section is guilty of an offence.

Maximum penalty: 40 penalty units or imprisonment for 2 years.

(6) Where an authorised member enters premises under the power conferred by this section, the Commissioner of Police shall, as soon as practicable, but in any event not later than 48 hours after the exercise of the power, serve a notice, in the approved form, on the Director-General giving details of the circumstances of the exercise of the power.

52A Protection from liability

(1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as a person:

(a) employed or engaged in, or in connection with, the administration or enforcement of this Act; or

(b) who is otherwise concerned in the administration or enforcement of this Act.

(2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

(3) In this section:

exercise, of a power, includes the purported exercise of the power.

performance, of a function, includes the purported performance of the function.

53 Reports on operation of Act

(1) As soon as practicable after the end of each period of 12 months beginning with the date on which Division 2 of Part 2 and Part 3 come into operation, the Director-General shall report to the Minister on the operation during that period of the provisions of this Act relating to escort agency businesses, and on the participation of members of the Police Force in administering and enforcing those provisions, and the Minister shall lay a copy of the report before the Assembly.

(2) As soon as practicable after the end of a period of 5 years beginning with the date referred to in subsection (1), the Minister shall lay before the Assembly a report on the operation of the provisions of this Act relating to escort agency businesses during that 5 year period.

54 Regulations

(1) The Administrator may make regulations, not inconsistent with this Act, prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The Regulations may provide for:

(a) the payment of a prescribed amount instead of a penalty that may otherwise be imposed for an offence against this Act; and

(b) the service of a notice relating to payment of the prescribed amount on a person alleged to have committed the offence and the particulars to be included in the notice.

Part 5 Repeals and transitional matters

Division 1 Repeal

55 Repeal of Act of South Australia

The *Suppression of Brothels Act*, 1907 of the State of South Australia (No. 931 of 1907) in its application to the Territory as a law of the Territory is repealed.

Division 2 Transitional matters for Licensing (Director-General) Act 2014

Subdivision 1 Definitions

56 Definitions

In this Division:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

Escort Tribunal means the Escort Agency Licensing Appeals Tribunal provided for by Part 3, Division 4 as in force immediately before the commencement.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Subdivision 2 Applications

57 Application to Commission – not yet considered

(1) This section applies if, before the commencement:

(a) an application had been made under this Act for a decision to be made by the Commission; but

(b) the Commission had not commenced active consideration of the application.

(2) The application:

(a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and

(b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 57

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

58 Application to Commission – under active consideration

(1) This section applies if, before the commencement:

(a) an application had been made under this Act for a decision to be made by the Commission and the Commission had commenced active consideration of the application; but

(b) the Commission had not made a decision.

(2) The Commission must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.

(3) However, the Commission's decision is then taken to have been made by the Director-General.

Note for section 58(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

59 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Subdivision.

Subdivision 3 Review of decisions

60 New review regime applies to post-commencement decisions

Part 3A applies only in relation to decisions made after the commencement.

61 Appeal to Escort Tribunal against pre-commencement decision – appeal not yet lodged

(1) This section applies if, before the commencement:

(a) a decision had been made under this Act and the period for lodging an appeal against the decision under Part 3, Division 4, as then in force, had not expired; but

(b) an appeal against the decision had not been lodged.

(2) A person who would have been entitled to appeal against the decision under the old legislation may do so under this Act, as if the 2014 Acts had not commenced.

(3) The Escort Tribunal must hear and determine the appeal in accordance with this Act as if the 2014 Acts had not commenced.

(4) If the Escort Tribunal determines an appeal as mentioned in subsection (3), section 63 applies in relation to the Escort Tribunal's decision as if it had been made before the commencement.

62 Appeal to Escort Tribunal against pre-commencement decision – appeal commenced

(1) This section applies if, before the commencement:

(a) an appeal against a decision made under this Act had been lodged under section 36, as then in force; but

(b) the appeal had not been finally determined.

(2) The Escort Tribunal must hear and determine the appeal in accordance with this Act as if the 2014 Acts had not commenced.

(3) If the Escort Tribunal determines an appeal as mentioned in subsection (2), section 63 applies in relation to the Escort Tribunal's decision as if it had been made before the commencement.

63 Appeal to Supreme Court against pre-commencement decision – appeal not yet lodged

(1) This section applies if, before the commencement:

(a) a decision had been made by the Escort Tribunal under this Act and the period for lodging an appeal against the decision under section 40, as then in force, had not expired; but

(b) an appeal against the decision had not been lodged.

(2) A person who would have been entitled to appeal against the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.

(3) The Supreme Court must hear and determine the appeal in accordance with this Act as if the 2014 Acts had not commenced.

Subdivision 4 General matters

64 Continuation of ongoing documents and things

(1) This section applies if:

(a) before the commencement, a power or function was conferred by this Act on a former entity; and

(b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.

(2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.

(3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.

(4) This section applies subject to the other provisions of this Division and Part 5, Division 2 of the *Licensing (Director-General) Act*.

(5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Division as if it had been done before the commencement.

(6) In this section:

former entity means the Commission, the NTLC Director, the Chairperson (as defined in section 3 of the NTLC Act) or the Escort Tribunal.

ongoing document means a document that:

(a) before the commencement, was issued by, or given to, the former entity in or for the exercise of the power or performance of the function; and

(b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

(a) before the commencement, was done by, or in relation to, the former entity in or for the exercise of the power or performance of the function; and

(b) immediately before the commencement, had ongoing effect.

Schedule Reviewable decisions and affected persons

sections 47C, 47D(1) and 47H

Section	Decision	Affected person
9(3)	Decision to refuse to issue certificate in respect of individual	Individual
9(9)	Decision to cancel certificate in respect of individual	Individual
28(1)(a)	Decision to grant or renew licence	Minister
28(1)(b)	Decision to refuse to grant or renew licence	Applicant
29(1)(a)	Decision to grant licence subject to condition or restriction	Licensee, Minister
29(1)(b)	Decision to vary or impose condition or restriction on renewal of licence	Licensee, Minister
31	Decision to cancel licence (other than a manager's licence under section 31(5))	Licensee
32	Decision to cancel or suspend licence	Licensee
	Decision to vary or impose condition or restriction on licence	Licensee, Minister
43(1)	Decision to refuse to remove or vary condition or restriction on licence	Licensee
	Decision to remove or vary condition or restriction on licence	Minister

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Prostitution Regulation Act 1992* (Act No. 6, 1992)**
Assent date 8 April 1992
Commenced 8 May 1992 (*Gaz* S28, 8 May 1992)

***Statute Law Revision Act 1993* (Act No. 6, 1993)**
Assent date 18 March 1993
Commenced 18 March 1993

***Prostitution Regulation Amendment Act 1993* (Act No. 47, 1993)**
Assent date 27 September 1993
Commenced 27 September 1993

***Statute Law Revision Act 1994* (Act No. 50, 1994)**
Assent date 20 September 1994
Commenced 20 September 1994

***Statute Law Revision Act 1995* (Act No. 14, 1995)**
Assent date 23 June 1995
Commenced 23 June 1995

***Sentencing (Consequential Amendments) Act 1996* (Act No. 17, 1996)**
Assent date 19 April 1996
Commenced s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz* S15, 13 June 1996)

***Statute Law Revision Act 1998* (Act No. 11, 1998)**
Assent date 30 March 1998
Commenced 30 March 1998

***Prostitution Regulation Amendment Act 2000* (Act No. 69, 2000)**
Assent date 14 December 2000
Commenced 19 February 2001 (*Gaz* S3, 13 January 2001)

Statute Law Revision Act (No. 2) 2001 **(Act No. 62, 2001)**

Assent date	11 December 2001
Commenced	11 December 2001

Statute Law Revision Act (No. 2) 2003 **(Act No. 44, 2003)**

Assent date	7 July 2003
Commenced	7 July 2003

Law Reform (Gender, Sexuality and De Facto Relationships) Act 2003 **(Act No. 1, 2004)**

Assent date	7 January 2004
Commenced	17 March 2004 (*Gaz* G11, 17 March 2004, p 8)

Statute Law Revision Act (No. 2) 2004 **(Act No. 54, 2004)**

Assent date	15 September 2004
Commenced	27 October 2004 (*Gaz* G43, 27 October 2004, p 3)

Statute Law Revision Act 2009 **(Act No. 25, 2009)**

Assent date	1 September 2009
Commenced	16 September 2009 (*Gaz* G37, 16 September 2009, p 3)

Justice Legislation Amendment (Penalties) Act 2010 **(Act No. 12, 2010)**

Assent date	20 May 2010
Commenced	1 July 2010 (*Gaz* G24, 16 June 2010, p 2)

Personal Property Securities (National Uniform Legislation) Implementation Act 2010 **(Act No. 30, 2010)**

Assent date	9 September 2010
Commenced	ss 58 to 60: 30 January 2012 (*Gaz*, S2, 24 January 2012); rem: 25 November 2011 (*Gaz*,S68, 25 November 2011)

Oaths, Affidavits and Declarations (Consequential Amendments) Act 2010 **(Act No. 40, 2010)**

Assent date	18 November 2010
Commenced	1 March 2011 (s 2, s 2 *Oaths, Affidavits and Declarations Act 2010* (Act No. 39, 2010) and *Gaz* G7, 16 February 2011, p 4)

Licensing (Repeals and Consequential Amendments) Act 2014 **(Act No. 44, 2014)**

Assent date	5 December 2014
Commenced	1 January 2015 (*Gaz* S130, 19 December 2014, p 2)

Statute Law Amendment (Directors' Liability) Act 2015 **(Act No. 26, 2015)**

Assent date	18 September 2015
Commenced	14 October 2015 (*Gaz* G41, 14 October 2015, p 3)

Local Court (Related Amendments) Act 2016 **(Act No. 8, 2016)**

Assent date	6 April 2016
Commenced	1 May 2016 (s 2, s 2 *Local Court (Repeals and Related Amendments) Act 2016* (Act No. 9, 2016) and *Gaz* S34, 29 April 2016)

Justice Legislation Amendment (Drug Offences) Act 2016 **(Act No. 17, 2016)**

Assent date	8 June 2016
Commenced	s 17 (to ext ins new s 15): 10 October 2016; rem: 18 July 2016 (*Gaz* S67, 18 July 2016)

Statute Law Revision Act 2017 **(Act No. 4, 2017)**

Assent date 10 March 2017
Commenced 12 April 2017 (*Gaz* G15, 12 April 2017, p 3)

3 SAVINGS AND TRANSITIONAL PROVISIONS

s 10 *Prostitution Regulation Amendment Act 2000* (Act No. 69, 2000)

4 LIST OF AMENDMENTS

s 3	amd No. 6, 1993, s 5; No. 69, 2000, s 4; No. 44, 2003, s 5; No. 1, 2004, s 62; No. 44, 2014, s 105
ss 4 – 8	amd No. 12, 2010, s 3
s 9	amd No. 17, 1996, s 6; No. 69, 2000, s 8; No. 12, 2010, s 3; No. 17, 2016, s 46
s 10 – 17	amd No. 12, 2010, s 3
s 19	amd No. 12, 2010, s 3
s 20	amd No. 62, 2001, s 15; No. 12, 2010, s 3
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div 1 hdg	amd No. 69, 2000, s 8; No. 44, 2014, s 121
s 21	amd No. 6, 1993, s 5 rep No. 69, 2000, s 5
s 22	amd No. 69, 2000, s 8; No. 44, 2014, s 121
s 23	amd No. 11, 1998, s 10 rep No. 69, 2000, s 5
s 24	amd No. 6, 1993, s 8; No. 17, 1996, s 6; No. 1, 2004, s 62; No. 25, 2009, s 10; No. 17, 2016, s 46
s 25	amd No. 69, 2000, s 8; No. 44, 2014, s 121
s 26	amd No. 12, 2010, s 3
s 27	amd No. 69, 2000, s 8; No. 44, 2014, s 121
s 28	amd No. 17, 1996, s 6; No. 69, 2000, s 8; No. 44, 2014, s 106; No. 8, 2016, s 45
s 29	amd No. 69, 2000, s 8; No. 44, 2014, s 121
s 29A	ins No. 44, 2014, s 107
s 30	amd No. 14, 1995, s 7; No. 69, 2000, s 8; No. 44, 2014, s 108
s 31	amd No. 17, 1996, s 6; No. 69, 2000, s 8; No. 25, 2009, s 10; No. 44, 2014, s 109; No. 17, 2016, s 46
s 32	amd No. 17, 1996, s 6; No. 69, 2000, s 8; No. 44, 2014, s 110; No. 8, 2016, s 45
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div 4 hdg	rep No. 44, 2014, s 111
s 33	amd No. 6, 1993, s 5; No. 69, 2000, s 8 rep No. 44, 2014, s 111
s 34	amd No. 17, 1996, s 6; No. 69, 2000, s 8 rep No. 44, 2014, s 111
ss 35 – 36	amd No. 69, 2000, s 8 rep No. 44, 2014, s 111
s 37	amd No. 17, 1996, s 6; No. 69, 2000, s 8 rep No. 44, 2014, s 111
s 37A	ins No. 47, 1993, s 2 amd No. 12, 2010, s 3 rep No. 44, 2014, s 111
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div 5 hdg	amd No. 69, 2000, s 8 rep No. 44, 2014, s 111

s 38	amd No. 69, 2000, s 8
	rep No. 44, 2014, s 111
s 39	amd No. 69, 2000, s 8; No. 12, 2010, s 3; No. 40, 2010, s 106
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s 40	amd No. 69, 2000, s 8
	rep No. 44, 2014, s 111
s 41	amd No. 69, 2000, s 8; No. 44, 2014, s 121; No. 4, 2017, s 34
ss 42A – 42B	ins No. 44, 2014, s 112
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s 44	amd No. 69, 2000, s 8
	sub No. 44, 2014, s 114
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	rep No. 26, 2015, s 98
s 49A	ins No. 69, 2000, s 6
	sub No. 44, 2014, s 117
s 50	amd No. 12, 2010, s 3
s 52	amd No. 69, 2000, s 8; No. 12, 2010, s 3; No. 44, 2014, s 121
s 52A	ins No. 44, 2014, s 118
s 53	amd No. 69, 2000, s 8; No. 44, 2014, s 121
s 54	sub No. 54, 2004, s 5
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	ins No. 44, 2014, s 120