

LEGISLATIVE COUNCIL

SEX WORK DECRIMINALISATION BILL 2021

(Amendments and New Clauses to be proposed in Committee by Mr MEDDICK)

1. Clause 1, page 2, lines 7 to 9, omit all words and expressions on these lines.

NEW CLAUSE

2. Insert the following New Clause to follow clause 2—

"2A Definitions

In this Act—

sex work means the provision by a person of services that involve the person participating in sexual activity with another person in return for payment or reward;

sex worker means a person who performs sex work."

3. Clause 5, after line 3 insert—

'(1) In section 3(1) of the **Sex Work Act 1994**, in the definition of *sex work*, for "one person to or for another person (whether or not of a different sex) of sexual services" **substitute** "a person of services that involve the person participating in sexual activity with another person".

(2) **Insert** the following definition in section 3(1) of the **Sex Work Act 1994**—

"*sex worker* means a person who performs sex work;".'

4. Clause 5, line 4, before "In" insert "(3)".
5. Heading to clause 7, omit "substituted" and insert "repealed".
6. Clause 7, lines 15 to 21, omit all words and expressions on these lines and insert—
"Section 17 of the **Sex Work Act 1994** is **repealed**."

NEW CLAUSE

7. Insert the following New Clause to follow clause 7—

"7A Section 18 repealed (advertising regulations)

Section 18 of the **Sex Work Act 1994** is **repealed**."

8. Clause 22, lines 6 to 10, omit all words and expressions on these lines and insert—
'The register maintained under section 24, as in force immediately before its repeal, must be destroyed as soon as practicable after that repeal.'.
9. Division heading preceding clause 23, omit this heading.

10. Clause 23, omit this clause.
11. Clause 24, omit this clause.
12. Clause 25, omit this clause.
13. Clause 26, omit this clause.
14. Clause 28, omit this clause.
15. Clause 29, lines 25 to 33, omit all words and expressions on these lines.
16. Clause 30, omit this clause.
17. Clause 32, omit this clause.

NEW CLAUSE

18. Insert the following New Clause before clause 34—

'33A Definitions

Insert the following definitions in section 4(1) of the **Equal Opportunity Act 2010**—

"sex work means the provision by a person of services that involve the person participating in sexual activity with another person in return for payment or reward;

sex worker means a person who performs sex work;".'

19. Clause 34, line 4, before "After" insert "(1)".
20. Clause 34, after line 6 insert—
 - '(2) After section 6(pa) of the **Equal Opportunity Act 2010** insert—
 - "(pb) sex work or sex worker;".'
21. Clause 39, lines 14 to 17, omit "(including the supply of a drug of dependence within the meaning of the **Drugs, Poisons and Controlled Substances Act 1981**)".
22. Clause 42, page 22, lines 20 to 24, omit all words and expressions on these lines.
23. Clause 42, page 23, lines 1 to 4, omit "(including the supply of a drug of dependence with the meaning of the **Drugs, Poisons and Controlled Substances Act 1981**)".
24. Clause 42, page 23, line 9, omit "person; or" and insert "person."
25. Clause 42, page 23, lines 10 to 14, omit all words and expressions on these lines.
26. Clause 44, omit this clause.
27. Clause 45, omit this clause.
28. Clause 46, omit this clause.

NEW CLAUSE

29. Insert the following New Clause before clause 47—
- '46A New Division 3A of Part I inserted**
 After section 38 of the **Summary Offences Act 1966** insert—
- "Division 3A—Commercial sexual services**
- 38A Definitions**
 In this Division—
- child* means a person who is under 18 years of age;
commercial sexual services has the same meaning as in section 35(1) of the **Crimes Act 1958**.".
30. Clause 47, line 16, omit "38B" and insert "38A".
31. Clause 48, omit this clause.
32. Clause 49, omit this clause.
33. Clause 50, omit this clause.
34. Clause 58, line 14, omit "paragraph (a) of".
35. Clause 58, lines 16 to 18, omit all words and expressions on these lines and insert—
- "Penalty: (a) in relation to information acquired or obtained under the **Sex Work Act 1994** before its repeal, 60 penalty units;
 (b) in any other case, 5 penalty units."