

**Queensland**



**Subordinate Legislation 2002 No. 229**

*Liquor Act 1992*

**LIQUOR (APPROVAL OF ADULT  
ENTERTAINMENT CODE) REGULATION 2002**

**TABLE OF PROVISIONS**

Section		Page
1	Short title . . . . .	2
2	Commencement . . . . .	2
3	Approval of adult entertainment code . . . . .	2
4	Repeal of regulation . . . . .	2
	<b>ATTACHMENT . . . . .</b>	<b>3</b>

**APPROVED CODE**

## **1 Short title**

This regulation may be cited as the *Liquor (Approval of Adult Entertainment Code) Regulation 2002*.

## **2 Commencement**

This regulation commences on 1 September 2002.

## **3 Approval of adult entertainment code**

(1) For section 103E(5) of the Act, the code titled ‘Adult Entertainment Code’ and made by the chief executive and the commissioner is approved.<sup>1</sup>

(2) A copy of the code is set out in the attachment.

## **4 Repeal of regulation**

The *Liquor (Approval of Adult Entertainment Code) Regulation 2000* SL No. 73 is repealed.

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<sup>1</sup> A copy of the code is available at departmental offices throughout the State.

## ATTACHMENT

### APPROVED CODE

section 3

### ADULT ENTERTAINMENT CODE

(Section 103E *Liquor Act 1992*)

#### Interpretation

1. **“Adult entertainer”**, this is the person performing an act of an explicit sexual nature (adult entertainment), as live entertainment that may be performed for an audience, on licensed premises or premises to which a general purpose permit or restricted club permit relates under an adult entertainment permit.
2. **“Adult entertainment”** does not include the performance of sexual intercourse, masturbation, or oral sex.
3. **“Adult entertainment permit”** means an adult entertainment permit granted under the *Liquor Act 1992* and in force.
4. **“Code”**, this is the "Code" for adult entertainment referred to in section 103E of the *Liquor Act 1992*. This Code prescribes the live entertainment that may be performed for an audience, by a person performing an act of an explicit sexual nature (adult entertainment), on licensed premises or premises to which a general purpose permit or restricted club permit relates under an adult entertainment permit.<sup>2</sup>
5. **“Genitalia”** is not defined in the *Liquor Act 1992*, *Prostitution Act 1999* or Criminal Code therefore it is presumed to have its ordinary meaning. For the purpose of this Code, it includes the penis, scrotum, testicles and vagina.

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<sup>2</sup> Any entertainment of an explicit sexual nature that is performed at licensed premises without an adult entertainment permit may be subject to prosecution, if the entertainment is of such a nature as to constitute a criminal offence.

ATTACHMENT (continued)

6. **“Masturbation”** is not defined in the *Liquor Act 1992*, *Prostitution Act 1999* or Criminal Code therefore it is presumed to have its ordinary meaning. Sexual stimulation not involving intercourse; sexual self-gratification; onanism ((1997) *The Macquarie Dictionary*, 3rd ed, The Macquarie Library Pty Ltd, NSW, Australia).
7. **“Object”** includes an animal.
8. **“Oral sex”** means the bringing into contact of any part of the genitalia or anus of a person with any part of the mouth of another person.
9. **“Penis”** includes a surgically constructed penis.
10. **“Sexual intercourse”** includes either or both of the following activities—
  - a) the penetration, to any extent, of the vagina, vulva or anus of a person by any part of the body of another person;
  - b) the penetration, to any extent, of the vagina, vulva or anus of a person, carried out by another person using an object.
11. **“Vagina”** includes the external genitalia, and a surgically constructed vagina.

**Code’s relationship with Acts**

12. This Code is to be read and construed with the Criminal Code, *Prostitution Act 1999*, *Prostitution Regulation 2000*, *Liquor Act 1992* and *Liquor Regulation 2002*.
13. To the state of any inconsistency between this Code and the *Liquor Act 1992* or *Liquor Regulation 2002*, *Prostitution Act 1999* or *Prostitution Regulation 2000* or Criminal Code, those enactments shall prevail over the Adult Entertainment Code.

**The prescribed behaviour for adult entertainment**

14. The prescribed behaviour for the purposes of section 103E of the *Liquor Act 1992* is an act of an explicit sexual nature but does not include an adult entertainer:
  - participating in sexual intercourse, masturbation or oral sex;

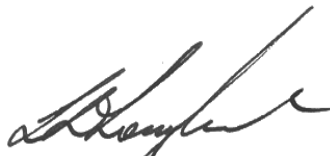
ATTACHMENT (continued)

- touching the genitalia or anus of another person;
- allowing another person to touch the adult entertainer's genitalia or anus;
- allowing penetration, to any extent, of the vagina, vulva or anus, either by any part of the body or by an object;
- placing his or her face in the close proximity of the genitalia or anus of another person;
- allowing an audience member to put his or her face in the close proximity of the genitalia or anus of the adult entertainer;
- soliciting any person for the purposes of prostitution.



R Atkinson  
**Commissioner  
Queensland Police Service**

26 August 2002



L D Longland  
**Acting Chief Executive  
Department of Tourism, Racing  
and Fair Trading**

26 August 2002

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ENDNOTES

1. Made by the Governor in Council on 29 August 2002.
2. Notified in the gazette on 30 August 2002.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Tourism, Racing and Fair Trading.

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