



Queensland

Liquor (Approval of Adult Entertainment Code) Regulation 2024

Subordinate Legislation 2024 No. 231

made under the

Liquor Act 1992

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1 Short title

This regulation may be cited as the *Liquor (Approval of Adult Entertainment Code) Regulation 2024*.

2 Approval of adult entertainment code

- (1) For section 103N(5) of the Act, the code entitled ‘Adult Entertainment Code’ made by the commissioner on 19 August 2024 is approved.
- (2) The provisions of the approved code are set out in the schedule.

Editor’s note—

Schedule 1, item 5 states that the term ‘genitalia’ is not defined in the Criminal Code. However, see the inclusive definition in the Criminal Code, section 1.

3 Repeal

The Liquor (Approval of Adult Entertainment Code) Regulation 2002, SL No. 229 is repealed.

Schedule 1 Provisions of approved code

section 2(2)

Adult Entertainment Code

(Section 103N *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 103N 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.

Editor's note—

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.

- 5 ***Genitalia*** is not defined in the *Liquor Act 1992*, 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.

Schedule 1

- 6 **Masturbation** is not defined in the *Liquor Act 1992*, 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, *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*, 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 103N 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;
- 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 commercial sexual services.

Editor's note—

In this section: *commercial sexual services* has the meaning as prescribed under section 4 of the *Liquor Act 1992*.

ENDNOTES

- 1 Made by the Governor in Council on 26 September 2024.
- 2 Notified on the Queensland legislation website on 27 September 2024.
- 3 The administering agency is the Department of Justice and Attorney-General.

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