

Queensland



Explanatory Notes for SL 2000 No. 176

Prostitution Act 1999

PROSTITUTION REGULATION 2000

NOTES ON PROVISIONS

Clause 1 sets out the title of the Regulation.

Clause 2 sets out the commencement of the Regulation.

Clause 3 provides a definition of 'room' in relation to the Regulation.

Clause 4 provides that applications for brothel licences or approved manager certificates must be accompanied by a colour passport size photograph of the applicant.

Clause 5 provides that when an application for a brothel licence or approved manager's certificate is withdrawn, it must be withdrawn in writing.

Clause 6 provides that it is a condition of a licence that a brothel licensee must notify the Prostitution Licensing Authority when particulars in relation to a telephone number or a business name of the licensed brothel changes. An administration fee is payable for the notification.

Clause 7 sets out the particulars that must be supplied by police to the Prostitution Licensing Authority in relation to an entry made pursuant to the *Prostitution Act 1999*. Details to be recorded are the name and address of the brothel licensee, if an approved manager is on premises—the name of the approved manager, the brothel address, the time and purpose of entry, if a thing was taken possession of—a description of the thing, the names of police entering the brothel, and the name of the authorising officer—if it is a police officer.

Clause 8 requires that a copy of a declaration of a prohibited brothel must be in the form approved by the Prostitution Licensing Authority.

Clause 9 prescribes intervals of six weeks for medical testing or examination in relation to defences that may be raised for offences set out in section 89 ‘Permitting prostitute infective with a disease to work in a licensed brothel’ and section 90 ‘Prostitute working while infective with a disease’.

Clause 10 refers to the agencies that the Prostitution Advisory Council must liaise with in carrying out its functions, as being mentioned in Schedule 1.

Clause 11 requires that each period a brothel is open for business, that the brothel licensee keep records of the times the brothel is open, who was responsible for supervision—the brothel licensee or the approved manager, and the times during which either the brothel licensee or approved manager supervised the business, the name of persons providing prostitution at the relevant time. Also, the records must not be removed, erased, obliterated.

Clause 12 sets out that the Prostitution Licensing Authority may give a notice to a brothel licensee or an approved manager requiring the production of a stated document within a stated time. However, the document must be relevant to an investigation or an inspection. There is no requirement for service of a notice, where there is reasonable grounds for believing that delay may result in destruction, removal or concealment of the document or serious prejudice to the conduct of the investigation, or inspection, of the brothel. The licensee or approved manager may refuse to produce the document where he or she has a reasonable excuse.

Clause 13 details the brothel licensee’s duties with respect to the provision of alarm buttons in brothel rooms, lighting requirements to check for sexually transmissible diseases and signage for safe sexual activities in brothel.

Clause 14 refers to fees payable under the Act as being set out in schedule 2.

Clause 15 refers to the code for IDAS for development applications which applies code assessment in industrial areas as being set out in schedule 3.

Schedule 1 lists the agencies the Prostitution Advisory Council must liaise with in the performance of its functions.

Schedule 2 sets out the fees associated with licenses, approved manager's certificates and administration of the *Prostitution Act 1999*.

Schedule 3 sets of the IDAS Code for development applications for brothels under the *Integrated Planning Act 1997* for the making of a material change of the use of premises for a licensed brothel.

ENDNOTES

1. Laid before the Legislative Assembly on . . .
2. The administering agency is the Department of Police.