

NORTHERN TERRITORY OF AUSTRALIA

SEX INDUSTRY REGULATIONS 2020

As in force at 12 June 2020

Table of provisions

1	Title.....	1
2	Commencement	1
3	Advertising.....	1
4	Fee for suitability certificate	2
5	Requirements to hold suitability certificate.....	2

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 12 June 2020

SEX INDUSTRY REGULATIONS 2020

Regulations under the *Sex Industry Act 2019*

1 Title

These Regulations may be cited as the *Sex Industry Regulations 2020*.

2 Commencement

These Regulations commence on the commencement of section 24 of the *Sex Industry Act 2019*.

3 Advertising

For section 15(1) of the Act, an advertisement for sex work placed in a newspaper:

- (a) must be no larger than 3.5 cm x 4.5 cm; and
- (b) must appear in the "classifieds" section under the heading "Adult Services" or a similar heading; and
- (c) must not:
 - (i) contain photographic or other pictorial representation of a person, whether real or symbolic, unless the representation is restricted to the head and shoulders of the person; or
 - (ii) refer to the race, colour or ethnic origin of the person offering to perform sex work or refer to any of those matters in the name of a sex services business; or
 - (iii) refer to the age of the person offering to perform sex work; or
 - (iv) refer to the physical attributes of the person offering to perform sex work or refer to personal physical attributes in the name of a sex services business; or

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- (v) refer to "massage" or "masseur" or other parts of speech or grammatical forms of those words unless preceded by the word "erotic".

4 Fee for suitability certificate

For section 19(2) of the Act, the fee for an application for a suitability certificate is 100 revenue units.

5 Requirements to hold suitability certificate

- (1) For section 19(3)(b) of the Act, the requirements are that, in the 10 year period before the day the application for the suitability certificate is made, the applicant or person:

- (a) has not been found guilty of a relevant offence; and
- (b) was not an executive officer of a body corporate when the body corporate was found guilty of an indictable offence against the *Fair Work Act 2009* (Cth) or against a work health and safety law; and
- (c) has not been bankrupt, applied to take the benefit of a law for the relief of bankrupt or insolvent debtors or compounded with creditors or made an assignment of the applicant's or person's remuneration for their benefit; and
- (d) has not had a suitability certificate previously issued under the Act, or a similar certificate issued in another jurisdiction, revoked.

- (2) In this regulation:

executive officer, of a body corporate, means a director or other person who is concerned with, or takes part in, the management of the body corporate.

relevant offence means:

- (a) an indictable offence involving a dangerous drug, as defined in section 3(1) of the *Misuse of Drugs Act 1990*, other than an offence relating to:
 - (i) the possession of less than a traffickable quantity of a dangerous drug; or
 - (ii) the use of a dangerous drug; or

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- (b) an indictable offence arising from the provision of sex work, other than an offence committed merely by being a sex worker or the operator of a sex services business; or
 - (c) an indictable offence involving any of the following:
 - (i) assault;
 - (ii) sexual assault;
 - (iii) fraud or dishonesty;
 - (iv) theft; or
 - (d) an indictable offence against the *Fair Work Act 2009* (Cth) or against a work health and safety law.

work health and safety law means the *Work Health and Safety (National Uniform Legislation) Act 2011*, the *Occupational Health and Safety Act 2004* (Vic), the *Occupational Health and Safety Act 1984* (WA), the *Work Health and Safety Act 2011* (ACT), the *Work Health and Safety Act 2011* (Cth), the *Work Health and Safety Act 2011* (NSW), the *Work Health and Safety Act 2011* (Qld), the *Work Health and Safety Act 2012* (SA) or the *Work Health and Safety Act 2012* (Tas).

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

Sex Industry Regulations 2020 (SL No. 4, 2020)

Notified

15 April 2020

Commenced

12 June 2020, (r 2, s 2, *Sex Industry Act 2019* (Act No. 40, 2019) (Gaz S35, 11 June 2020)