



Queensland

# Criminal Practice (Decriminalising Sex Work) Amendment Rule 2024

## Subordinate Legislation 2024 No. 215

made under the

*Supreme Court of Queensland Act 1991*

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**1 Short title**

This rule may be cited as the *Criminal Practice (Decriminalising Sex Work) Amendment Rule 2024*.

**2 Rules amended**

This rule amends the *Criminal Practice Rules 1999*.

**3 Amendment of sch 3 (Forms for indictments, informations and complaints—statement of offences under the Code)**

(1) Schedule 3, after form 120—

*insert—*

**Form 120A      Obtaining commercial sexual services from a person who is not an adult**

**(Section 217A. Obtaining commercial sexual services from person who is not an adult)**

Obtained commercial sexual services from EF, who was not an adult.

And EF was under 16 years.

And EF was under 12 years.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

(a) was a participant in a criminal organisation; and

- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

**Form 120B      Allowing a person who is not an adult to enter (*or* remain on) premises to take part in providing commercial sexual services**

**(Section 217B. Allowing person who is not an adult to take part in commercial sexual services)**

Being the owner (*or* occupier) (*or* person in control) of premises, allowed EF, who was not an adult, to enter (*or* remain on) the premises for the purpose of taking part in providing commercial sexual services.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

**Form 120C**      **Causing (*or* entering into an agreement for) (*or* receiving payment from) the provision of commercial sexual services by a person who is not an adult**

**(Section 217C. Conduct relating to provision of commercial sexual services by person who is not an adult)**

1 Caused (*or* Induced) EF, who was not an adult, to provide commercial sexual services.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

2 Entered into (*or* Offered to enter into) an agreement under which EF, who was not an adult, was to provide commercial sexual services.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and

- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).
- 3 Received a payment (*or* reward), namely, [*state payment or reward*], that AB knew (*or* ought reasonably to have known) was derived directly (*or* indirectly) from commercial sexual services provided by EF, who was not an adult.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).
- (2) Schedule 3, form 121, heading—

*omit, insert—*

## **Form 121**

**Procuring a sexual act or commercial sexual services by coercion (*or* by coercion causing payment from commercial sexual services) (*or* administering a drug to enable a sexual act to be engaged in)**

[s 3]

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(3) Schedule 3, form 121, items 1 and 2—  
*omit, insert—*

1 By coercion, procured EF to engage in a sexual act.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

2 By coercion, procured EF to provide (*or* continue to provide) commercial sexual services.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

2A By coercion, caused EF to provide (*or* continue to provide) payment derived directly (*or* indirectly) from the provision of commercial sexual services.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and

- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).
- (4) Schedule 3, form 121, items 2A and 3—  
*renumber* as schedule 3, form 121, items 3 and 4.
- (5) Schedule 3, chapter 22A—  
*omit*.

ENDNOTES

- 1 Made by the Governor in Council on 19 September 2024.
- 2 Notified on the Queensland legislation website on 20 September 2024.
- 3 The administering agency is the Department of Justice and Attorney-General.

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