

Western Australia

**Criminal Code Amendment (Child Sex  
Offences) Act 2014**

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As at 22 Apr 2014

No. 5 of 2014

Extract from [www.slp.wa.gov.au](http://www.slp.wa.gov.au), see that website for further information



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# **Criminal Code Amendment (Child Sex Offences) Act 2014**

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**Criminal Code Amendment (Child Sex  
Offences) Act 2014**

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**No. 5 of 2014**

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**An Act to amend *The Criminal Code*.**

*[Assented to 22 April 2014]*

The Parliament of Western Australia enacts as follows:

**s. 1**

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**1. Short title**

This is the *Criminal Code Amendment (Child Sex Offences) Act 2014*.

**2. Commencement**

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

**3. Act amended**

This Act amends *The Criminal Code*.

**4. Section 187 amended**

Delete section 187(1) and insert:

- (1) In this section —

*prohibited conduct* means the doing of an act in a place outside Western Australia in respect of a child that, if done in Western Australia, would constitute an offence under Chapter XXXI.

**5. Section 204B amended**

- (1) In section 204B(1) delete the definition of *electronic communication*.
- (2) In section 204B(1) insert in alphabetical order:

*electronic* includes electrical, digital, magnetic, optical, electromagnetic, biometric and photonic;

*electronic communication* —

- (a) means a communication by electronic means;  
and
- (b) without limiting paragraph (a), includes a communication by any of these means —
  - (i) email;
  - (ii) the Internet;
  - (iii) facsimile;
  - (iv) telephone, including mobile telephone;
  - (v) radio;
  - (vi) television;

**6. Section 557K amended**

In section 557K(1) in the definition of *child sex offender* after paragraph (c) insert:

- (da) an offence under any of these provisions of *The Criminal Code* set out in the Schedule to the *Criminal Code Act 1995* (Commonwealth) —
  - (i) Division 272 — Child sex offences outside Australia;
  - (ii) Division 273 — Offences involving child pornography material or child abuse material outside Australia;
  - (iii) Division 474 Subdivision D — Offences relating to use of carriage service for child pornography material or child abuse material;
  - (iv) Division 474 Subdivision F — Offences relating to use of carriage service involving sexual activity with person under 16;

or

- (db) an offence under the repealed Part IIIA  
Division 2 of the *Crimes Act 1914*  
(Commonwealth); or

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