



Western Australia

Dangerous Sexual Offenders Act 2006

Dangerous Sexual Offenders Regulations 2018

Dangerous Sexual Offenders Regulations 2018

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Part 1 — Preliminary

[Heading inserted: Gazette 15 Feb 2019 p. 283.]

1. Citation

These regulations are the *Dangerous Sexual Offenders Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

Part 2 — Matters prescribed for terms used in Act

[Heading inserted: Gazette 15 Feb 2019 p. 283.]

Division 1 — Qualified psychologists

[Heading inserted: Gazette 15 Feb 2019 p. 284.]

3. Qualified psychologists (Act s. 3(1))

For the purposes of the definition of *qualified psychologist* in section 3(1) of the Act, the qualification of a master's degree or higher in psychology is prescribed.

Division 2 — Serious sexual offences

[Heading inserted: Gazette 15 Feb 2019 p. 284.]

Subdivision 1 — Serious sexual offences

[Heading inserted: Gazette 15 Feb 2019 p. 284.]

4. Serious sexual offences (Act s. 3(1))

This Division has effect for the purposes of paragraph (c) of the definition of *serious sexual offence* in section 3(1) of the Act.

[Regulation 4 inserted: Gazette 15 Feb 2019 p. 284.]

Subdivision 2 — Australian Capital Territory

[Heading inserted: Gazette 15 Feb 2019 p. 284.]

5. Australian Capital Territory

(1) In this regulation —

relevant ACT provision means a provision of the *Crimes Act 1900* (Australian Capital Territory) specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

- (2) An offence against a provision of the *Crimes Act 1900* (Australian Capital Territory) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Crimes Act 1900 (ACT)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 54(1)	s. 325(1)
2.	s. 54(2)	s. 326(1)
3.	s. 55(1)	s. 320(2)
4.	s. 55(2)	s. 320(2) s. 321(2)
5.	s. 55A(1)	s. 322(2)
6.	s. 56(2)	s. 321A(4)
7.	s. 61(1)	s. 320(4)
8.	s. 61(2)	s. 320(4) s. 321(4)
9.	s. 62(1)	s. 329(2)
10.	s. 62(2)	s. 329(2)
11.	s. 63A	s. 181
12.	s. 79(1)	s. 331B

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Item	Column 1 <i>Crimes Act 1900 (ACT)</i>	Column 2 <i>The Criminal Code</i>
13.	s. 79(2)	s. 331C(2)
14.	s. 80	s. 331D(1) s. 331D(2)

- (3) An offence against a provision of the *Criminal Code 2002* (Australian Capital Territory) specified in column 1 of an item in the Table, committed in respect of a relevant ACT provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 <i>Criminal Code 2002 (ACT)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 44(1)	s. 552(1)
2.	s. 47(1)	s. 553(1)
3.	s. 48(1)	s. 558(1)

[Regulation 5 inserted: Gazette 15 Feb 2019 p. 284-5.]

Subdivision 3 — Commonwealth

[Heading inserted: Gazette 15 Feb 2019 p. 285.]

6. Commonwealth

(1) In this regulation —

Commonwealth Criminal Code means the Criminal Code set out in the Schedule to the *Criminal Code Act 1995* (Commonwealth);

relevant Commonwealth provision means a provision of the Commonwealth Criminal Code specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the Commonwealth Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 71.8(1)	s. 325(1)
2.	s. 272.8(1)	s. 320(2) s. 321(2)
3.	s. 272.8(2)	s. 320(3) s. 321(3)
4.	s. 272.9(1)	s. 320(4) s. 321(4)

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Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
5.	s. 272.9(2)	s. 320(4) s. 320(5) s. 321(4) s. 321(5)
6.	s. 272.10(1)	s. 320(2) s. 320(3) s. 320(4) s. 320(5) s. 321(2) s. 321(3) s. 321(4) s. 321(5)
7.	s. 272.11(1)	s. 321A(4)
8.	s. 272.12(1)	s. 322(2)
9.	s. 272.12(2)	s. 322(3)
10.	s. 268.14(1)	s. 325(1)
11.	s. 268.14(2)	s. 325(1) s. 327(1)
12.	s. 268.15(1)	s. 331B
13.	s. 268.59(1)	s. 325(1)

Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
14.	s. 268.59(2)	s. 325(1) s. 327(1)
15.	s. 268.60(1)	s. 331B
16.	s. 268.82(1)	s. 325(1)
17.	s. 268.82(2)	s. 325(1) s. 327(1)
18.	s. 268.83(1)	s. 331B

- (3) An offence against the Commonwealth Criminal Code section 71.8(1), that is an aggravated offence under section 71.13 of that Code, is prescribed to correspond to an offence against *The Criminal Code* section 326(1).
- (4) An offence against a provision of the Commonwealth Criminal Code specified in column 1 of an item in the Table, committed in respect of a relevant Commonwealth provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 11.1(1)	s. 552(1)
2.	s. 11.4(1)	s. 553(1)

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Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
3.	s. 11.5(1)	s. 558(1)

[Regulation 6 inserted: Gazette 15 Feb 2019 p. 285-7.]

Subdivision 4 — New South Wales

[Heading inserted: Gazette 15 Feb 2019 p. 288.]

7. New South Wales

- (1) An offence against a provision of the *Crimes Act 1900* (New South Wales) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Crimes Act 1900</i> (NSW)	Column 2 <i>The Criminal Code</i>
1.	s. 61I	s. 325(1)
2.	s. 61J(1)	s. 325(1) s. 326(1)
3.	s. 61JA(1)	s. 326(1)
4.	s. 61KD(1)	s. 324(1)
<i>[5-7. deleted]</i>		
8.	s. 66A(1)	s. 320(2)
9.	s. 66C(1)	s. 320(2)

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>The Criminal Code</i>
		s. 321(2)
10.	s. 66C(2)	s. 320(2) s. 321(2)
11.	s. 66C(3)	s. 321(2)
12.	s. 66C(4)	s. 321(2)
12A.	s. 66DA	s. 320(4) s. 320(5)
12B.	s. 66DB	s. 321(4) s. 321(5) s. 324(1)
12C.	s. 66DC	s. 320(4) s. 320(5)
12D.	s. 66DF	s. 320(4) s. 320(5) s. 321(4) s. 321(5)
13.	s. 66EA(1)	s. 321A(4)
14.	s. 66F(2)	s. 330(2)
15.	s. 66F(3)	s. 330(2)

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Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>The Criminal Code</i>
16.	s. 73(1)	s. 322(2)
17.	s. 79	s. 181
18.	s. 80A(2)	s. 327(1)
19.	s. 80A(2A)	s. 327(1)
20.	s. 80D(1)	s. 331B
21.	s. 80E(1)	s. 331C(2)

- (2) An offence against the *Crimes Act 1900* (New South Wales) section 78A(1), committed in circumstances where the victim was under 18 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 329(2).
- (3) An offence against a provision of the *Crimes Act 1900* (New South Wales) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a provision of that Code specified in column 3 of the item.

Table

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>The Criminal Code</i>	Column 3 <i>The Criminal Code</i>
1.	s. 66B	s. 552(1)	s. 320(2)
2.	s. 66D	s. 552(1)	s. 320(2)

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>The Criminal Code</i>	Column 3 <i>The Criminal Code</i>
			s. 321(2)
<i>[3. deleted]</i>			

- (4) An offence against a provision of the *Crimes Act 1900* (New South Wales) specified in column 1 of an item in the Table, committed in respect of a provision of that Act specified in column 2 of the item, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 3 of the item committed in respect of a provision of that Code specified in column 4 of the item.

Table

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>Crimes Act 1900 (NSW)</i>	Column 3 <i>The Criminal Code</i>	Column 4 <i>The Criminal Code</i>
<i>[1, 2. deleted]</i>				
3.	s. 80G(1)	A provision specified in column 1 of the Table to subregulation (1)	s. 553(1)	A provision specified in column 2 of the Table to subregulation (1)

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Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>Crimes Act 1900 (NSW)</i>	Column 3 <i>The Criminal Code</i>	Column 4 <i>The Criminal Code</i>
4.	s. 344A(1)	A provision specified in column 1 of the Table to subregulation (1)	s. 552(1)	A provision specified in column 2 of the Table to subregulation (1)

[Regulation 7 inserted: Gazette 15 Feb 2019 p. 288-90;
amended: Gazette 5 Nov 2019 p. 3899.]

Subdivision 5 — Northern Territory

[Heading inserted: Gazette 15 Feb 2019 p. 290.]

8. Northern Territory

(1) In this regulation —

NT Criminal Code means the Criminal Code set out in Schedule 1 to the *Criminal Code Act 1983* (Northern Territory);

relevant NT provision means a provision of the NT Criminal Code specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the NT Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 NT Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 127(1)(a)	s. 320(2) s. 321(2)
2.	s. 127(1)(b)	s. 320(4) s. 321(4)
3.	s. 130(2)(a)	s. 330(2)
4.	s. 130(2)(b)	s. 330(4)
5.	s. 130(3A)(a)	s. 320(2) s. 321(2)
6.	s. 130(3A)(b)	s. 320(4) s. 321(4)
7.	s. 131A(2)	s. 321A(4)
8.	s. 132(2)(a)	s. 320(4) s. 321(4)
9.	s. 132(2)(b)	s. 320(4) s. 321(4)
10.	s. 132(2)(c)	s. 320(4) s. 321(4)
11.	s. 132(2)(d)	s. 320(5) s. 321(5)

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Item	Column 1 NT Criminal Code	Column 2 <i>The Criminal Code</i>
12.	s. 132(2)(f)	s. 320(6) s. 321(6)
<i>[13. deleted]</i>		
14.	s. 192(3)	s. 325(1)
15.	s. 192(4)	s. 324(1)
16.	s. 192B(2)	s. 327(1)
17.	s. 202B(1)	s. 331B
18.	s. 202B(2)	s. 331B
19.	s. 202B(3)	s. 331B
20.	s. 202C(1)	s. 331C(2)
21.	s. 202C(2)	s. 331C(2)
22.	s. 202C(3)	s. 331C(2)
23.	s. 202D(1)	s. 331D(1) s. 331D(2)

(3) An offence against the NT Criminal Code section 128(1)(a), committed in circumstances where the offender is liable to the penalty mentioned in section 128(2) of that Code, is prescribed to correspond to an offence against *The Criminal Code* section 322(2).

(3A) An offence against the NT Criminal Code section 134(1), committed in circumstances where the victim was under

18 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 329(2).

- (4) An offence against a provision of the NT Criminal Code specified in column 1 of an item in the Table, committed in respect of a provision of that Code specified in column 2 of the item, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 3 of the item committed in respect of a provision of that Code specified in column 4 of the item.

Table

Item	Column 1 NT Criminal Code	Column 2 NT Criminal Code	Column 3 <i>The Criminal Code</i>	Column 4 <i>The Criminal Code</i>
1.	s. 43BF(1)	s. 192(3)	s. 552(1)	s. 325(1)
2.	s. 43BF(1)	s. 192(4)	s. 552(1)	s. 324(1)
3.	s. 277(1)	A provision specified in column 1 of the Table to subregulation (2) other than items 14 and 15	s. 552(1)	A provision specified in column 2 of the Table to subregulation (2) other than items 14 and 15
4.	s. 43BI(1)	s. 192(3)	s. 553(1)	s. 325(1)
5.	s. 43BI(1)	s. 192(4)	s. 553(1)	s. 324(1)
6.	s. 43BJ(1)	s. 192(3)	s. 558(1)	s. 325(1)
7.	s. 43BJ(1)	s. 192(4)	s. 558(1)	s. 324(1)

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Item	Column 1 NT Criminal Code	Column 2 NT Criminal Code	Column 3 <i>The</i> <i>Criminal</i> <i>Code</i>	Column 4 <i>The Criminal</i> <i>Code</i>
8.	s. 282	A provision specified in column 1 of the Table to subregulation (2) other than items 14 and 15	s. 558(1)	A provision specified in column 2 of the Table to subregulation (2) other than items 14 and 15

[Regulation 8 inserted: Gazette 15 Feb 2019 p. 290-3;
amended: Gazette 5 Nov 2019 p. 3899.]

Subdivision 6 — Queensland

[Heading inserted: Gazette 15 Feb 2019 p. 293.]

9. Queensland

(1) In this regulation —

Queensland Criminal Code means the Criminal Code set out in Schedule 1 to the *Criminal Code Act 1899* (Queensland);

relevant Queensland provision means a provision of the Queensland Criminal Code specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the Queensland Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 210(1)(a)	s. 320(4) s. 321(4)
2.	s. 210(1)(b)	s. 320(5) s. 321(5)
3.	s. 210(1)(c)	s. 320(4) s. 321(4)
4.	s. 210(1)(d)	s. 320(4) s. 321(4)
5.	s. 210(1)(f)	s. 320(6) s. 321(6)
6.	s. 211	s. 181
<i>[7. deleted]</i>		
8.	s. 216(2)(a)	s. 330(4)
9.	s. 216(2)(b)	s. 330(5)
10.	s. 216(2)(c)	s. 330(4)
11.	s. 216(2)(d)	s. 330(4)
12.	s. 216(2)(f)	s. 330(6)

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Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>
13.	s. 217(1)	s. 320(3) s. 321(3) s. 322(3) s. 330(3)
14.	s. 218(1)(a)	s. 327(1)
15.	s. 218(1)(b)	s. 327(1)
16.	s. 222(1)	s. 329(2)
17.	s. 229B(1)	s. 321A(2)
18.	s. 349(1)	s. 325(1)
19.	s. 352	s. 324(1)

- (2A) An offence against the Queensland Criminal Code section 213(1), committed in circumstances where the victim was under 13 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 186(1)(b).
- (3) An offence against the Queensland Criminal Code section 215(1) —
- (a) committed in circumstances where the offender had unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 320(2) and 321(2); and
 - (b) committed in circumstances where the offender attempted to have unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence

against *The Criminal Code* section 552(1) committed in respect of *The Criminal Code* section 320(2) and 321(2).

- (4) An offence against the Queensland Criminal Code section 216(1) —
- (a) committed in circumstances where the offender had unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 330(2); and
 - (b) committed in circumstances where the offender attempted to have unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of *The Criminal Code* section 330(2).
- (5) An offence against a provision of the Queensland Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a provision of that Code specified in column 3 of the item.

Table

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>	Column 3 <i>The Criminal Code</i>
1.	s. 219(1)	s. 552(1)	s. 320(2) s. 320(4) s. 320(5) s. 320(6) s. 321(2) s. 321(4) s. 321(5)

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Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>	Column 3 <i>The Criminal Code</i>
			s. 321(6)
2.	s. 221	s. 558(1)	s. 325(1)
3.	s. 222(2)	s. 552(1)	s. 329(2)
4.	s. 350(1)	s. 552(1)	s. 325(1)

- (6) An offence against a provision of the Queensland Criminal Code specified in column 1 of an item in the Table, committed in respect of a relevant Queensland provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 535(1)	s. 552(1)
2.	s. 541(1)	s. 558(1)

[Regulation 9 inserted: Gazette 15 Feb 2019 p. 293-6;
amended: Gazette 5 Nov 2019 p. 3900.]

Subdivision 7 — South Australia

[Heading inserted: Gazette 15 Feb 2019 p. 296.]

10. South Australia

(1) In this regulation —

relevant SA provision means a provision of the *Criminal Law Consolidation Act 1935* (South Australia) specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the *Criminal Law Consolidation Act 1935* (South Australia) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Criminal Law Consolidation Act 1935 (SA)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 48(1)	s. 325(1)
2.	s. 48(2)(a)	s. 327(1)
3.	s. 48(2)(b)	s. 327(1)
4.	s. 48(2)(c)	s. 327(1)
5.	s. 48A(1)	s. 327(1)
6.	s. 49(1)	s. 320(2) s. 321(2)

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Item	Column 1 <i>Criminal Law Consolidation Act 1935 (SA)</i>	Column 2 <i>The Criminal Code</i>
7.	s. 49(3)	s. 321(2)
8.	s. 49(5)	s. 322(2)
9.	s. 49(6)	s. 330(2)
10.	s. 50(1)	s. 321A(4)
11.	s. 51(1)	s. 330(2) s. 330(3) s. 330(4) s. 330(5)
12.	s. 60(a)	s. 327(1)
<i>[13, 14. deleted]</i>		
15.	s. 66(1)	s. 331B
16.	s. 69	s. 181
17.	s. 72(1)	s. 329(2)

(2A) An offence against the *Criminal Law Consolidation Act 1935* (South Australia) section 61, committed in circumstances where the victim was under 13 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 186(1)(b).

- (2B) An offence against the *Criminal Law Consolidation Act 1935* (South Australia) section 63B(1)(a) —
- (a) committed in circumstances where the victim was under 13 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 320(5); and
 - (b) committed in circumstances where the victim was of or over the age of 13 years and under the age of 16 years, is prescribed to correspond to an offence against *The Criminal Code* section 321(5).
- (3) An offence against the *Criminal Law Consolidation Act 1935* (South Australia) section 270A(1), committed in respect of a relevant SA provision, is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of a relevant WA provision.
- [Regulation 10 inserted: Gazette 15 Feb 2019 p. 296-7;
amended: Gazette 5 Nov 2019 p. 3900.]

Subdivision 8 — Tasmania

[Heading inserted: Gazette 15 Feb 2019 p. 297.]

11. Tasmania

- (1) In this regulation —
- Tasmanian Criminal Code** means the Code set out in Schedule 1 to the *Criminal Code Act 1924* (Tasmania);
- relevant Tasmanian provision** means a provision of the Tasmanian Criminal Code specified in column 1 of the Table to subregulation (2);
- relevant WA provision** means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).
- (2) An offence against a provision of the Tasmanian Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

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Table

Item	Column 1 Tasmanian Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 122	s. 181
2.	s. 124(1)	s. 320(2) s. 321(2) s. 322(2)
<i>[3-5. deleted]</i>		
6.	s. 126(1)	s. 330(2)
7.	s. 129(a)	s. 327(1)
8.	s. 129(b)	s. 327(1)
9.	s. 133(1)	s. 329(2)
10.	s. 185(1)	s. 325(1)

- (2A) An offence against the Tasmanian Criminal Code section 125, committed in circumstances where the victim was under 13 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 186(1)(b).
- (2B) An offence against the Tasmanian Criminal Code section 125A(2), committed in circumstances where the victim was under 16 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 321A(4).

- (2C) An offence against the Tasmanian Criminal Code section 125B(1) —
- (a) committed in circumstances where the victim was under 13 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 320(4); and
 - (b) committed in circumstances where the victim was of or over the age of 13 years and under the age of 16 years, is prescribed to correspond to an offence against *The Criminal Code* section 321(4).
- (3) An offence against a provision of the Tasmanian Criminal Code specified in column 1 of an item in the Table, committed in respect of a relevant Tasmanian provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 Tasmanian Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 297(1)	s. 558(1)
2.	s. 298	s. 553(1)
3.	s. 299	s. 552(1)

*[Regulation 11 inserted: Gazette 15 Feb 2019 p. 297-8;
amended: Gazette 5 Nov 2019 p. 3900-1.]*

Subdivision 9 — Victoria

[Heading inserted: Gazette 15 Feb 2019 p. 299.]

12. Victoria

(1) In this regulation —

relevant Victorian provision means a provision of the *Crimes Act 1958* (Victoria) specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the *Crimes Act 1958* (Victoria) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 38(1)	s. 325(1)
2.	s. 39(1)	s. 327(1)
3.	s. 41(1)	s. 324(1) s. 327(1)
4.	s. 44(1)	s. 327(1)
5.	s. 49A(1)	s. 320(2)
6.	s. 49B(1)	s. 321(2)
7.	s. 49C(1)	s. 322(3)

Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
8.	s. 49D(1)	s. 321(4)
9.	s. 49F(1)	s. 320(4) s. 321(4)
10.	s. 49H(1)	s. 320(4) s. 321(4)
11.	s. 49J(1)	s. 321A(4)
12.	s. 49K(1)	s. 320(5) s. 321(5)
13.	s. 49M(1)	s. 320(3) s. 320(5) s. 321(3) s. 321(5)
<i>[14. deleted]</i>		
15.	s. 52B(1)	s. 330(2) s. 330(3)
16.	s. 53B(1)	s. 331B
17.	s. 53D(1)	s. 331C(2)

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Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
18.	s. 53E(1)	s. 331B s. 331C(2)
19.	s. 53G(1)	s. 331D(2)

- (3) An offence against the *Crimes Act 1958* (Victoria) section 40(1), committed in circumstances where, if it had been committed within this State, it would constitute an offence against *The Criminal Code* section 324(1), is prescribed to correspond to an offence against *The Criminal Code* section 324(1).
- (4) An offence against the *Crimes Act 1958* (Victoria) section 49P(1) is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of a provision of *The Criminal Code* specified in column 2 of items 1 to 4 of the Table to subregulation (2).
- (5) An offence against the *Crimes Act 1958* (Victoria) section 49Q(1) or 49R(1) —
- (a) committed in circumstances where the victim was under 13 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 320(5); and
 - (b) committed in circumstances where the victim was of or over the age of 13 years and under the age of 16 years, is prescribed to correspond to an offence against *The Criminal Code* section 321(5).

- (5A) An offence against the *Crimes Act 1958* (Victoria) section 49S(1) is prescribed to correspond to an offence against the following —
- (a) *The Criminal Code* section 324(1) committed in circumstances where *The Criminal Code* section 7(b) or (c) applied to the offender;
 - (b) *The Criminal Code* section 325(1) committed in circumstances where *The Criminal Code* section 7(b) or (c) applied to the offender;
 - (c) *The Criminal Code* section 327(1).
- (6) An offence against the *Crimes Act 1958* (Victoria) section 50C(1) or 50D(1), committed in circumstances where the victim was under 18 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 329(2).
- (7) An offence against the *Sex Work Act 1994* (Victoria) section 8(1) is prescribed to correspond to an offence against *The Criminal Code* section 331B.
- (8) An offence against a provision of the *Crimes Act 1958* (Victoria) specified in column 1 of an item in the Table —
- (a) committed in respect of a relevant Victorian provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision; and
 - (b) committed in respect of the *Sex Work Act 1994* (Victoria) section 8(1), is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of *The Criminal Code* section 331B.

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Table

Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 321(1)	s. 558(1)
2.	s. 321G(1)	s. 553(1)
3.	s. 321M	s. 552(1)

*[Regulation 12 inserted: Gazette 15 Feb 2019 p. 299-301;
amended: Gazette 5 Nov 2019 p. 3901.]*



Notes

¹ This is a compilation of the *Dangerous Sexual Offenders Regulations 2018*. The following table contains information about those regulations.

Compilation table

Citation	Gazettal	Commencement
<i>Dangerous Sexual Offenders Regulations 2018</i>	2 Oct 2018 p. 3797	r. 1 and 2: 2 Oct 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 3 Oct 2018 (see r. 2(b))
<i>Dangerous Sexual Offenders Amendment Regulations 2019</i>	15 Feb 2019 p. 283-301	r. 1 and 2: 15 Feb 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Feb 2019 (see r. 2(b))
<i>Dangerous Sexual Offenders Amendment Regulations (No. 2) 2019</i>	5 Nov 2019 p. 3898-901	r. 1 and 2: 5 Nov 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Nov 2019 (see r. 2(b))

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
Commonwealth Criminal Code	6(1)
NT Criminal Code	8(1)
Queensland Criminal Code	9(1)
relevant ACT provision.....	5(1)
relevant Commonwealth provision	6(1)
relevant NT provision	8(1)
relevant Queensland provision.....	9(1)
relevant SA provision	10(1)
relevant Tasmanian provision	11(1)
relevant Victorian provision	12(1)
relevant WA provision.....	5(1), 6(1), 8(1), 9(1), 10(1), 11(1), 12(1)
serious sexual offence	4
Tasmanian Criminal Code	11(1)

