Western Australia

Law Reform (Decriminalization of Sodomy) Act 1989

Compare between:

[08 Dec 2000, 01-a0-03] and [21 Sep 2002, 01-b0-05]

Western Australia

Law Reform (Decriminalization of Sodomy) Act 1989

An Act to amend *The Criminal Code* and to make certain acts unlawful.

WHEREAS, the Parliament does not believe that sexual acts between consenting adults in private ought to be regulated by the criminal law;

AND WHEREAS, the Parliament disapproves of sexual relations between persons of the same sex;

AND WHEREAS, the Parliament disapproves of the promotion or encouragement of homosexual behaviour;

AND WHEREAS, the Parliament does not by its action in removing any criminal penalty for sexual acts in private between persons of the same sex wish to create a change in community attitude to homosexual behaviour;

AND WHEREAS, in particular the Parliament disapproves of persons with care supervision or authority over young persons urging them to adopt homosexuality as a lifestyle and disapproves of instrumentalities of the State so doing:

Be it therefore enacted by the Parliament of Western Australia.

##### 1. Short title

 This Act may be cited as the *Law Reform (Decriminalization of Sodomy) Act 1989* 1.

##### 2. Commencement

 The provisions of this Act shall come into operation on such day as is fixed by proclamation 1.

## Part 1 — Amendments to *The Criminal Code*

[**3-22.**  Omitted under the Reprints Act 1984 s.7(4)(e).]

## Part 2 — Proselytising unlawful

##### 23. Encouragement of homosexual behaviour not public policy nor a public purpose

 It shall be contrary to public policy to encourage or promote homosexual behaviour and the encouragement or promotion of homosexual behaviour shall not be capable of being a public purpose.

##### 24. Teaching that promotes homosexuality unlawful

 It shall be unlawful to promote or encourage homosexual behaviour as part of the teaching in any primary or secondary educational institution.

Notes

1 This is a compilation of the *Law Reform (Decriminalization of Sodomy) Act 1989*. The following table contains information about that Act.

Compilation table

| **Short title** | **Number and year** | **Assent** | **Commencement** |
| --- | --- | --- | --- |
| *Law Reform (Decriminalization of Sodomy) Act 1989* | 32 of 1989 | 19 Dec 1989 | 23 Mar 1990 (see section 2 and *Gazette* 23 Mar 1990 p.1469) |
| **This Act was repealed by the *Acts Amendment (Lesbian and Gay Law Reform) Act 2002* s. 86 (No. 3 of 2002) as at 21 Sep 2002 (see s. 2 and *Gazette* 20 Sep 2002 p. 4693)** |