



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.

s. 2

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
<i>Law Reform (Decriminalization of Sodomy) Act 1989</i>	32 of 1989	19 Dec 1989	23 Mar 1990 (see section 2 and <i>Gazette</i> 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[This Act was repealed by the *Acts Amendment \(Lesbian and Gay Law Reform\) Act 2002* s. 86 \(No. 3 of 2002\) as at 21 Sep 2002 \(see s. 2 and *Gazette* 20 Sep 2002 p. 4693\)](#)
