



Western Australia

High Risk Serious Offenders Regulations 2020

Compare between:

[26 Sep 2020, 00-a0-00] and [05 Dec 2020, 00-b0-00]

High Risk Serious Offenders Regulations 2020

1. Citation

These regulations are the *High Risk Serious Offenders Regulations 2020*.

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.

3. Relevant agencies

Each of the following is designated as a relevant agency —

- (a) the department of the Public Service principally assisting in the administration of the *Children and Community Services Act 2004*;
- (b) the department of the Public Service principally assisting in the administration of the *Prisons Act 1981*;
- (c) the department of the Public Service principally assisting in the administration of the *Sentence Administration Act 2003*;
- (d) the department of the Public Service principally assisting in the administration of the *Victims of Crime Act 1994*.

4. [Serious offences \(s. 5\)](#)

Each offence specified in the Table is prescribed for the purposes of section 5(5) to be a serious offence.

Table

<u>Item</u>	<u>Provision</u>	<u>Description of offence</u>
<u>Offences under <i>The Criminal Code</i> set out in the Schedule to the <i>Criminal Code Act 1995</i> (Commonwealth)</u>		
<u>1.</u>	<u>s. 272.15</u>	<u>“Grooming” child to engage in sexual activity outside Australia</u>
<u>2.</u>	<u>s. 272.15A</u>	<u>“Grooming” person to make it easier to engage in sexual activity with a child outside Australia</u>
<u>3.</u>	<u>s. 273A.1</u>	<u>Possession of child-like sex dolls etc.</u>
<u>4.</u>	<u>s. 474.19 (as in force immediately before 21 September 2019)</u>	<u>Using a carriage service for child pornography material</u>
<u>5.</u>	<u>s. 474.22</u>	<u>Using a carriage service for child abuse material</u>
<u>6.</u>	<u>s. 474.22A</u>	<u>Possessing or controlling child abuse material obtained or accessed using a carriage service</u>
<u>7.</u>	<u>s. 474.23A</u>	<u>Conduct for the purposes of electronic service used for child abuse material</u>
<u>8.</u>	<u>s. 474.24A</u>	<u>Aggravated offence — offence involving conduct on 3 or more occasions and 2 or more people</u>

<u>Item</u>	<u>Provision</u>	<u>Description of offence</u>
9.	s. 474.25B	Aggravated offence — using a carriage service for sexual activity with person under 16 years of age
10.	s. 474.25C	Using a carriage service to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity, persons under 16
11.	s. 474.26	Using a carriage service to procure persons under 16 years of age
12.	s. 474.27	Using a carriage service to “groom” persons under 16 years of age
13.	s. 474.27AA	Using a carriage service to “groom” another person to make it easier to procure persons under 16 years of age
14.	s. 474.27A	Using a carriage service to transmit indecent communication to person under 16 years of age

[Regulation 4 inserted: SL 2020/236 r. 6.]

Notes

This is a compilation of the *High Risk Serious Offenders Regulations 2020* [and includes amendments made by other written laws](#). For provisions that have come into operation see the compilation table.

Compilation table

Citation	Published	Commencement
<i>High Risk Serious Offenders Regulations 2020</i>	SL 2020/181 25 Sep 2020	r. 1 and 2: 25 Sep 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 26 Sep 2020 (see r. 2(b))
<u>Attorney General Regulations Amendment (High Risk Serious Offenders) Regulations 2020 Pt. 3</u>	<u>SL 2020/236</u> <u>4 Dec 2020</u>	<u>5 Dec 2020 (see r. 2(b))</u>