



Western Australia

# **Law Reform (Decriminalization of Sodomy) Act 1989**

**Reprinted as at 8 December 2000**



Western Australia

## Law Reform (Decriminalization of Sodomy) Act 1989

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Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 8 December 2000

## **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*<sup>1</sup>.

**s. 2**

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**2. Commencement**

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

**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.

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**Notes**

- <sup>1</sup> This is a reprint as at 8 December 2000 of the *Law Reform (Decriminalization of Sodomy) Act 1989*. The following Table contains information about that Act.

**Table of Acts**

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>	<b>Miscellaneous</b>
<i>Law Reform (Decriminalization of Sodomy) Act 1989</i>	32 of 1989	19 December 1989	Proclaimed 23 March 1990 (see section 2 and <i>Gazette</i> 23 March 1990 p.1469)	