Western Australia

Criminal Code Amendment (Child Sex Offences) Act 2014

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Contents

‑1. Short title 2

2. Commencement 2

3. Act amended 2

4. Section 187 amended 2

5. Section 204B amended 2

6. Section 557K amended 3

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Criminal Code Amendment (Child Sex Offences) Act 2014

No. 5 of 2014

An Act to amend *The Criminal Code*.

[*Assented to 22 April 2014*]

The Parliament of Western Australia enacts as follows:

##### 1. Short title

This is the *Criminal Code Amendment (Child Sex Offences) Act 2014*.

##### 2. Commencement

This Act comes into operation as follows —

(a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;

(b) the rest of the Act — on the day after that day.

##### 3. Act amended

This Act amends *The Criminal Code*.

##### 4. Section 187 amended

Delete section 187(1) and insert:

(1) In this section —

prohibited conduct means the doing of an act in a place outside Western Australia in respect of a child that, if done in Western Australia, would constitute an offence under Chapter XXXI.

##### 5. Section 204B amended

(1) In section 204B(1) delete the definition of ***electronic communication***.

(2) In section 204B(1) insert in alphabetical order:

electronic includes electrical, digital, magnetic, optical, electromagnetic, biometric and photonic;

electronic communication —

(a) means a communication by electronic means; and

(b) without limiting paragraph (a), includes a communication by any of these means —

(i) email;

(ii) the Internet;

(iii) facsimile;

(iv) telephone, including mobile telephone;

(v) radio;

(vi) television;

##### 6. Section 557K amended

In section 557K(1) in the definition of ***child sex offender*** after paragraph (c) insert:

(da) an offence under any of these provisions of *The Criminal Code* set out in the Schedule to the *Criminal Code Act 1995* (Commonwealth) —

(i) Division 272 — Child sex offences outside Australia;

(ii) Division 273 — Offences involving child pornography material or child abuse material outside Australia;

(iii) Division 474 Subdivision D — Offences relating to use of carriage service for child pornography material or child abuse material;

(iv) Division 474 Subdivision F — Offences relating to use of carriage service involving sexual activity with person under 16;

or

(db) an offence under the repealed Part IIIA Division 2 of the *Crimes Act 1914* (Commonwealth); or

dline