Western Australia

High Risk Serious Offenders Act 2020

High Risk Serious Offenders Regulations 2020

Western Australia

High Risk Serious Offenders Regulations 2020

Contents

1. Citation 1

2. Commencement 1

3. Relevant agencies 1

4. Serious offences (s. 5) 1

Notes

Compilation table 4

High Risk Serious Offenders Act 2020

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

| **Item** | **Provision** | **Description of offence** |
| --- | --- | --- |
| Offences under *The Criminal Code* set out in the Schedule to the *Criminal Code Act 1995* (Commonwealth) | | |
| 1. | s. 272.15 | “Grooming” child to engage in sexual activity outside Australia |
| 2. | s. 272.15A | “Grooming” person to make it easier to engage in sexual activity with a child outside Australia |
| 3. | s. 273A.1 | Possession of child‑like sex dolls etc. |
| 4. | s. 474.19 (as in force immediately before 21 September 2019) | Using a carriage service for child pornography material |
| 5. | s. 474.22 | Using a carriage service for child abuse material |
| 6. | s. 474.22A | Possessing or controlling child abuse material obtained or accessed using a carriage service |
| 7. | s. 474.23A | Conduct for the purposes of electronic service used for child abuse material |
| 8. | s. 474.24A | Aggravated offence — offence involving conduct on 3 or more occasions and 2 or more people |
| 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** |
| --- | --- | --- |
| *High Risk Serious Offenders Regulations 2020* | 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)) |
| *Attorney General Regulations Amendment (High Risk Serious Offenders) Regulations 2020* Pt. 3 | SL 2020/236 4 Dec 2020 | 5 Dec 2020 (see r. 2(b)) |