

2010

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Attorney-General)

## **Crimes (Child Sex Offenders) Amendment Bill 2010**

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### **A Bill for**

An Act to amend the *Crimes (Child Sex Offenders) Act 2005*

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

- 1 **1 Name of Act**
- 2 This Act is the *Crimes (Child Sex Offenders) Amendment Act 2010*.
- 3 **2 Commencement**
- 4 This Act commences on the day after its notification.
- 5 *Note* The naming and commencement provisions automatically commence on
- 6 the notification day (see Legislation Act, s 75 (1)).
- 7 **3 Legislation amended**
- 8 This Act amends the *Crimes (Child Sex Offenders) Act 2005*.
- 9 **4 Schedule 1, part 1.2, items 1 to 4**
- 10 *omit*
- 11 **5 Schedule 1, part 1.2, new items 6A to 6G**
- 12 *insert*

6A	<i>Criminal Code Act 1995 (Cwlth), section 272.8 (1)</i>	sexual intercourse with child outside Australia	
6B	<i>Criminal Code Act 1995 (Cwlth), section 272.8 (2)</i>	cause child to engage in sexual intercourse in presence of defendant outside Australia	

6C	<i>Criminal Code Act 1995</i> (Cwlth), section 272.10	offence against Criminal Code (Cwlth), section 272.8 or section 272.9 involving child with mental impairment or under care, supervision or authority of defendant	
6D	<i>Criminal Code Act 1995</i> (Cwlth), section 272.11	persistent sexual abuse of child outside Australia	
6E	<i>Criminal Code Act 1995</i> (Cwlth), section 272.12	sexual intercourse with young person outside Australia by defendant in position of trust or authority	
6F	<i>Criminal Code Act 1995</i> (Cwlth), section 272.18	benefit from offence against Criminal Code (Cwlth), division 272	
6G	<i>Criminal Code Act 1995</i> (Cwlth), section 272.19	encourage offence against Criminal Code (Cwlth), division 272	

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**6 Schedule 2, part 2.2, items 1 to 7**

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*omit*

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**7 Schedule 2, part 2.2, items 11 and 12**

2 *substitute*

10A	<i>Criminal Code Act 1995 (Cwlth), section 272.9 (1)</i>	sexual activity (other than sexual intercourse) with child outside Australia	
10B	<i>Criminal Code Act 1995 (Cwlth), section 272.9 (2)</i>	cause child to engage in sexual activity (other than sexual intercourse) in presence of defendant outside Australia	
10C	<i>Criminal Code Act 1995 (Cwlth), section 272.13 (1)</i>	sexual activity (other than sexual intercourse) with young person outside Australia, and defendant in position of trust or authority	
10D	<i>Criminal Code Act 1995 (Cwlth), section 272.13 (2)</i>	causing young person to engage in sexual activity (other than sexual intercourse) in presence of defendant outside Australia, and defendant in position of trust or authority	

10E	<i>Criminal Code Act 1995</i> (Cwlth), section 272.14 (1)	procure child to engage in sexual activity outside Australia	
10F	<i>Criminal Code Act 1995</i> (Cwlth), section 272.15 (1)	groom child for sexual activity outside Australia	
10G	<i>Criminal Code Act 1995</i> (Cwlth), section 272.20 (1)	prepare or plan offence against Criminal Code (Cwlth), section 272.8, 272.9, 272.10, 272.11 or 272.18	
10H	<i>Criminal Code Act 1995</i> (Cwlth), section 272.20 (2)	prepare or plan offence against Criminal Code (Cwlth), section 272.12 or section 272.13	
10I	<i>Criminal Code Act 1995</i> (Cwlth), section 273.5 (1)	possess, control, produce, distribute or obtain child pornography material outside Australia	
10J	<i>Criminal Code Act 1995</i> (Cwlth), section 273.6 (1)	possess, control, produce, distribute or obtain child abuse material outside Australia	

10K	<i>Criminal Code Act 1995</i> (Cwlth), section 273.7 (1)	commit offence against Criminal Code (Cwlth), section 273.5 or section 273.6 on 3 or more occasions, and involving 2 or more people	
10L	<i>Criminal Code Act 1995</i> (Cwlth), section 471.16	use postal service for child pornography material	
10M	<i>Criminal Code Act 1995</i> (Cwlth), section 471.17 (1)	possess, control, produce, supply or obtain child pornography material for use through postal service	
10N	<i>Criminal Code Act 1995</i> (Cwlth), section 471.19	use postal service for child abuse material	
10O	<i>Criminal Code Act 1995</i> (Cwlth), section 471.20 (1)	possess, control, produce, supply or obtain child abuse material for use through postal service	

10P	<i>Criminal Code Act 1995</i> (Cwlth), section 471.22 (1)	commit offence against Criminal Code (Cwlth), section 471.16, 471.17, 471.19 or 471.20 on 3 or more occasions, and involving 2 or more people	
10Q	<i>Criminal Code Act 1995</i> (Cwlth), section 471.24	use postal service to procure sexual activity with person under 16 years old	
10R	<i>Criminal Code Act 1995</i> (Cwlth), section 471.25	use postal service to groom person under 16 years old for sexual activity	
10S	<i>Criminal Code Act 1995</i> (Cwlth), section 471.26 (1)	use postal service to send indecent material to person under 16 years old	
11	<i>Criminal Code Act 1995</i> (Cwlth), section 474.19 (1)	use carriage service for child pornography material	
12	<i>Criminal Code Act 1995</i> (Cwlth), section 474.20 (1)	possess, control, produce, supply or obtain child pornography material for use through carriage service	

12A	<i>Criminal Code Act 1995</i> (Cwlth), section 474.22 (1)	use carriage service for child abuse material	
12B	<i>Criminal Code Act 1995</i> (Cwlth), section 474.23 (1)	possess, control, produce, supply or obtain child abuse material for use through carriage service	
12C	<i>Criminal Code Act 1995</i> (Cwlth), section 474.24A (1)	commit offence against Criminal Code (Cwlth), section 474.19, 474.20, 474.22 or 474.23 on 3 or more occasions, and involving 2 or more people	
12D	<i>Criminal Code Act 1995</i> (Cwlth), section 474.25A (1)	use carriage service to engage in sexual activity with child under 16 years old, and person at least 18 years old	
12E	<i>Criminal Code Act 1995</i> (Cwlth), section 474.25A (2)	use carriage service to cause child under 16 years old to engage in sexual activity with person at least 18 years old	



12F	<i>Criminal Code Act 1995</i> (Cwlth), section 474.25B (1)	commit offence against Criminal Code (Cwlth), section 474.25A (1) or section 474.25A (2) involving child with mental impairment or under care, supervision or authority of defendant	
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1 **8 Schedule 2, part 2.2, new item 14A**

2 *insert*

14A	<i>Criminal Code Act 1995</i> (Cwlth), section 474.27A (1)	use carriage service to transmit indecent communication to person under 16 years old	
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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2010.

**2 Notification**

Notified under the Legislation Act on 2010.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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