



Western Australia

High Risk Serious Offenders Act 2020

High Risk Serious Offenders Regulations 2020

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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 <i>The Criminal Code</i> set out in the Schedule to the <i>Criminal Code Act 1995</i> (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

Item	Provision	Description of offence
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))
<i>Attorney General Regulations Amendment (High Risk Serious Offenders) Regulations 2020 Pt. 3</i>	SL 2020/236 4 Dec 2020	5 Dec 2020 (see r. 2(b))