

Summary of Prostitution Legislation in Australian States and Territories

This table gives a very brief overview of the key elements of prostitution legislation in Australia

	Vic	NSW	Qld	WA	SA	Tas	ACT	NT
Principal legislation	<u><i>Sex Work Act 1994</i></u>	<u><i>Summary Offences Act 1988</i></u> , <i>Restricted Premises Act 1943</i>	<u><i>Prostitution Act 1999</i></u> <u><i>Amended 2010</i></u>	<u><i>Prostitution Act 2000</i></u>	<u><i>Summary Offences Act 1953</i></u>	<u><i>Sex Industry Offences Act 2005</i></u>	<u><i>Prostitution Act 1992</i></u>	<u><i>Prostitution Regulation Act 2004</i></u>
Brothels	Brothels must be licensed and meet all licence conditions to operate legally	Legal to run a brothel with appropriate planning permission.	Brothels must be licensed and in accordance with planning laws	Illegal to run a brothel or to live off the earnings of prostitution	Illegal to manage or keep a brothel, or to receive payment for working in one.	Illegal to run a brothel.	Legal to run a brothel, but must be registered and based in prescribed locations.	Illegal to run a brothel.
Street Prostitution	Illegal	Legal except in certain areas as defined	Illegal	Illegal	Illegal	Illegal	Illegal	Illegal
Escort Agencies	Must be licensed to operate legally	Not mentioned in legislation	Clients of an escort service must be informed that the service does not include prostitution	Not illegal to conduct an escort service but illegal to live off the earnings.	Not mentioned in legislation.	Illegal to run an escort agency.	Legal to run an escort agency, but must be registered.	Illegal to carry on an escort agency business unless operator holds a license. All staff of escort agencies must be registered with NT Police and receive a certificate from the Police Commissioner

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Sole Operators	Small business operators (two people working separately or jointly) and solo workers are exempt from requiring a licence to operate legally but still need to register their service.	Not mentioned in legislation	Legal for a person to work solely from a premise without a licence	Nothing in the Act specifically about private operators	Nothing in the Act specifically about private operators	Up to two sex workers can work together	Legal but private workers still need to register	individual 'escort' who is working on their own does not need to have a licence or be registered with police
Regulatory Body	Business Licensing Authority grants licences for brothels and escort services and maintains the register of private workers	Local councils approve business applications	Prostitution Licensing Authority grants licences to brothels	WA Police	SA Police	Tasmania Police	The Office of Regulatory Services is responsible for registering brothels, escort agencies and sole operators	Director-General of Licensing grants licences to escort agencies. All staff of escort agencies must be registered with NT Police and receive a certificate from the Police Commissioner