

Disorderly Houses Amendment (Brothels) Act 2001 No 125

[2001-125]



New South Wales

Status Information

Currency of version

Repealed version for 19 December 2001 to 21 July 2003 (accessed 11 July 2024 at 20:32)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by the [Statute Law \(Miscellaneous Provisions\) Act 2003 No 40](#), Sch 3 with effect from 22.7.2003.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Disorderly Houses Amendment (Brothels) Act 2001 No 125



New South Wales

An Act to amend the *Disorderly Houses Act 1943* in relation to evidence about the use of premises as a brothel.

1 Name of Act

This Act is the *Disorderly Houses Amendment (Brothels) Act 2001*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of *Disorderly Houses Act 1943 No 6*

The *Disorderly Houses Act 1943* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 2A

Insert after section 2:

2A Notes

Notes included in this Act are explanatory notes and do not form part of this Act.

[2] Section 17A

Insert after section 17:

17A Evidence of use of premises as brothel

(1) This section applies to proceedings before the Land and Environment Court:

(a) on an application under section 17 for premises not to be used as a brothel,

or

(b) under the *Environmental Planning and Assessment Act 1979* to remedy or restrain a breach of that Act in relation to the use of premises as a brothel.

(2) In any proceedings to which this section applies, the Court may rely on circumstantial evidence to find that particular premises are used as a brothel.

(3) However, the presence in any premises of articles or equipment that facilitate or encourage safe sex practices does not of itself constitute evidence of any kind that the premises are used as a brothel.

Note—

Examples of circumstantial evidence include (but are not limited to) the following:

- (a) evidence relating to persons entering and leaving the premises (including number, gender and frequency) that is consistent with the use of the premises for prostitution,
- (b) evidence of the premises being advertised expressly or implicitly for the purposes of prostitution (including advertisements on or in the premises, newspapers, directories or the Internet),
- (c) evidence of appointments with persons at the premises for the purposes of prostitution that are made through the use of telephone numbers or other contact details that are publicly advertised,
- (d) evidence of information in books and accounts that is consistent with the use of the premises for prostitution,
- (e) evidence of the arrangement of the premises, or of the furniture, equipment or articles in the premises, that is consistent with the use of the premises for prostitution.